

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA


UNITED STATES OF AMERICA \* CRIMINAL NO. 21-54  
v. \* SECTION: "J"  
WAYNE HANDY \*  
\* \* \*

FACTUAL BASIS

The defendant, WAYNE HANDY, has agreed to plead guilty as charged to Count One and Count Three of the three-count Indictment. Count One charges the defendant with possessing with the intent to distribute 400 grams or more of fentanyl, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A). Count Three charges the defendant with being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and other admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the bill of information now pending against the defendant:

In early 2021, the FBI was investigating the distribution of heroin and firearm violations in the New Orleans metropolitan area. As part of that investigation, the FBI used confidential sources to conduct controlled purchases of heroin/fentanyl from WAYNE HANDY. Those controlled purchases, along with other evidence gathered during the investigation, provided probable cause for a federal complaint charging HANDY with various drug and weapons violations and for a search warrant. The complaint was signed in March 2021.

AUSA   
Defendant W H  
Defense Counsel S H

On April 6, 2021, the FBI executed the arrest warrant and the search warrant. Agents arrested HANDY at his girlfriend's house, which was in New Orleans. She consented to a search of the residence, and agents found approximately \$120,000 in cash and a Ruger pistol. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] In conjunction with the arrest, agents also searched HANDY's 2020 Infiniti. They found various bags of heroin/fentanyl packaged for distribution and a Draco rifle. [REDACTED] [REDACTED] [REDACTED] [REDACTED] Finally, agents searched a residence associated with HANDY on Charbonnet Street in New Orleans. There, agents found various packages containing in total approximately one kilogram of fentanyl. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] That is, HANDY was selling the drugs he possessed, not using them himself.

The government and HANDY stipulate that the appropriate drug quantity for sentencing purposes is at least 400 grams of fentanyl but less than 1,200 grams of fentanyl.

Further examination revealed that the Ruger and Draco referenced above were a Ruger-57, 5.7x28mm semi-automatic handgun, Serial Number [REDACTED], and a Century Arms Draco, 7.62x39mm semi-automatic mini-rifle/pistol, Serial Number [REDACTED] [REDACTED]. An expert from the Bureau of Alcohol, Tobacco, Firearms, and Explosives would testify that neither of these weapons were made in Louisiana and that they both necessarily traveled in interstate commerce before HANDY possessed them in Louisiana on April 6, 2021. The expert would also testify that the guns meet the definition of "firearm" in the relevant statutes.

Records checks revealed that HANDY has a prior federal felony conviction for being a felon in possession of a firearm. Specifically, HANDY was convicted on August 28, 2013 in the United States District Court for the Eastern District of Louisiana in Criminal Case Number 12-170

AUSA DA  
Defendant w/pt  
Defense Counsel SN

