U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED JAN 10 2013
LORETTA G. WHYTE
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.: 10-329
v.	*	SECTION: "I"(5)
TOREY RICHARDSON a/k/a "Toe-Toe"	*	
	*	

* * *

FACTUAL BASIS

The above-named defendant, **TOREY RICHARDSON a/k/a "Toe-Toe," ("RICHARDSON")**, has agreed to plead guilty as charged to Counts 1, 2, and 5 of the Third Superseding Indictment in this matter. Should this matter proceed to trial, the United States of America will prove beyond a reasonable doubt, through credible testimony of Special Agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), the Federal Bureau of Investigation ("FBI"), state and local law enforcement agencies, the production of reliable witnesses, and evidence, the following facts in support of the allegations against defendant **RICHARDSON**. The following proffer of the Government's evidence is intended only to provide the Court with enough evidence to satisfy the mandate of Rule 11(b)(3) of the Federal Rules of Criminal Procedure. This factual basis is not intended to be a disclosure of all the evidence available to the Government nor, to the extent it makes representations concerning anything the defendant said, is it a recitation of all that the defendant said.

COUNTS 1, 2, AND 5 – RICO, DRUG AND FIREARM CONSPIRACIES

Beginning on a date unknown, but on or about April 2007, and continuing up to on or about November 17, 2010, in the Eastern District of Louisiana and elsewhere, the defendant **RICHARDSON**, associated with an enterprise known as "Harvey Hustlers/Murder Squad." The "Harvey Hustlers" originated in the Harvey area of Jefferson Parish. Its members "hustled" meaning they distributed illegal narcotics, particularly cocaine base. The original goal of the Harvey Hustlers was to make money from the sale of illegal narcotics. The "Murder Squad" also referred to as "MS," is a neighborhood group composed primarily of individuals residing in the Harvey area of Jefferson Parish, Louisiana. The Murder Squad ("MS") is a faction of and part of the Harvey Hustlers organization. While they primarily operated on the Westbank of Jefferson Parish, members would conduct business in other parts of the Eastern District of Louisiana.

As such, the Harvey Hustlers/Murder Squad, was an enterprise, as defined in Title 18, United States Code, Section 1961(4), because it was comprised of a group of individuals who associated-in-fact for a common purpose. A principal objective of the Harvey Hustlers/Murder Squad was to obtain money through the illegal trafficking of controlled substances, including cocaine base ("crack"), cocaine hydrochloride, heroin, and marijuana. Other purposes of the enterprise included the following: (a) preserving and protecting the power, territory, and profits of the enterprise through the use of intimidation, violence, threats of violence, assault, and murder; (b) promoting and enhancing the activities and authority of the enterprise and its members and associates; (c) keeping victims, potential victims and witnesses in fear of the enterprise and in fear of its members and associates through violence and threats of violence; (d) providing financial support and information to members of the enterprise, including those who were incarcerated for committing acts of violence, robbery, distribution of controlled substances

and other offenses; and (e) providing assistance to members of the enterprise who committed crimes for and on behalf of the enterprise in order to hinder, obstruct and prevent law enforcement officers from identifying the offender or offenders, apprehending the offender or offenders, and prosecuting and punishing the offender or offenders.

The Government's evidence regarding the existence and nature of the Harvey Hustlers/Murder Squad would come from various sources, including but not limited to, the testimony of lay witnesses and cooperating individuals, police searches and seizures, historical arrests of the enterprise's members, and recorded telephone conversations between and among enterprise participants. Collectively, the evidence would show that the members of the Harvey Hustlers/Murder Squad included, among others Melvin Hudson, a/k/a "Kane," a/k/a "Keenan," **("M. HUDSON"),** Jermaine Hudson, a/k/a "Fresh," **("J. HUDSON"),** Travis Hudson **("T. HUDSON"),** Moses Lawson, a/k/a "Moes," Monterio Wiggins, a/k/a "Peedy," **("M. WIGGINS")** Roderick Wiggins, a/k/a "Chucky," a/k/a "Donald Carson,", Dante Carson, a/k/a "Tae," **("DA. CARSON")** Dwight Carson, a/k/a "Coobie," **("DW. CARSON")** **RICHARDSON** and Tedrick Reynard **("REYNARD").**

D.W. was the highest ranking member of the Harvey Hustlers until his death in September 2010. **J. HUDSON** and **M. HUDSON,** were ranking members (lieutenants) of the Harvey Hustlers. D.W. was both feared and respected in the Harvey neighborhoods and maintained almost complete control over the drug distribution in the area. Also, **M. HUDSON** and **J. HUDSON** distributed narcotics to lower ranking members of the Harvey Hustlers. In September 2010, D.W. was murdered. **J. HUDSON** and **M. HUDSON** then succeeded D.W. as the leaders of the organization. Even before D.W.'s murder, **M. HUDSON** was a leader of the Murder Squad. In the beginning, members of the Harvey Hustlers and Murder Squad were able

to co-exist and function as a group. Some members of Murder Squad were also Harvey Hustler members. However, a rift formed over some unsanctioned Harvey Hustler criminal activity.

RICHARDSON was a member of the organization and responsible for street level distribution of narcotics. **RICHARDSON** began selling drugs from the age of sixteen (16). **M. HUDSON, J. HUDSON, T. HUDSON, T. REYANARD**, unindicted co-conspirator DW (deceased), and unindicted co-conspirator 'Dee' all supplied **RICHARDSON** with cocaine base. **DA. CARSON** and **DW. CARSON** introduced **RICHARDSON** to unindicted co-conspirator Dee. **RICHARDSON** identified himself primarily as a member of the Harvey Hustlers.

RICHARDSON stated that each individual, with the exception of **T. HUDSON**, represented themselves to be Harvey Hustlers during the time period. They each distributed to **RICHARDSON** .5-1.5 ounces of cocaine base during his participation in the RICO and drug conspiracies. In 2007, **RICHARDSON** began selling cocaine base on Clydesbank Drive in Harvey, Louisiana. If **RICHARDSON** ran out of cocaine base, he would refer his customers to **M. HUDSON, J. HUDSON**, or **T. REYNARD**.

On one occasion, **RICHARDSON** observed **M. HUDSON** cook 3-4 two-cup Pyrex measuring cups of cocaine base at S.B.'s house. S.B. was **M. HUDSON'S** girlfriend at the time. Also, **RICHARDSON** recalls that around 2005, **T. REYNARD**, C.F. (deceased), and P.S. sold drugs from the first apartment located at 1248 Aberdeen Drive. **RICHARDSON** observed as **M. HUDSON, J. HUDSON**, and **T. REYNARD** all sold drugs while in possession of firearms. When D.W. was alive, he distributed firearms to Harvey Hustler members. A Government witness will testify that **RICHARDSON** sold cocaine base. During the conspiracy, a Government witness purchased $150 quantities of cocaine from **RICHARDSON** on several

prior occasions. During the conspiratorial period, **RICHARDSON** distributed between 280 grams to 840 grams of cocaine base.

RICHARDSON associated himself with **DA. CARSON** and **DW. CARSON** between 2008-2009. **RICHARDSON** observed that the Carson brothers' mother would obtain car rentals for their personal use. **DA. CARSON** and **DW. CARSON** sold drugs out of these cars rather than on a street corner, meaning they would deliver the cocaine base to their customers. **DW. CARSON** and **DA. CARSON** considered themselves to be Murder Squad members but after D.W.'s murder, they became affiliated with the Harvey Hustlers.

On December 16, 2008, New Orleans Police Detectives ("NOPD") observed a white Oldsmobile Alero as it blocked traffic at the intersection of Mandeville and N. Derbigny Streets. The vehicle had an expired inspection sticker and the front seat occupants wore no seatbelts. The NOPD detectives decided to conduct a traffic stop. **RICHARDSON** was the front seat passenger of the vehicle and **M. WIGGINS** was the back seat passenger.

As **RICHARDSON** exited the vehicle, NOPD observed a handgun under the front passenger seat. Also, **RICHARDSON** possessed a distributable quantity of cocaine base in his right hand. When **M. WIGGINS** exited the vehicle, NOPD observed a handgun wedged between the rear seat and the rear seat back rest. Both **RICHARDSON** and **M. WIGGINS** were placed under arrest. On March 16, 2009, **RICHARDSON** pled guilty to Possession of Cocaine in Criminal District Court for the Parish of Orleans, Docket No. 483-5745 "F," in violation of LA-R.S. 40:967(C)(2). **RICHARDSON** received a two (2) year suspended sentence.

On April 1, 2010, **DA. CARSON** called **RICHARDSON** and stated that they were going to handle "that thing" in the Boondocks. **RICHARDSON** will state that the "Boondocks" were located in the vicinity of Lac Couture Dr. in Harvey, Louisiana. **RICHARDSON** will also state

that did not know exactly what exactly **DA. CARSON** was referring to but he suspected that a crime was about to be committed. **RICHARDSON** stated that sometime after Reginald Francois was murdered, **DA. CARSON, DW. CARSON**, and **M. WIGGINS** picked him up in a rental car and they headed to C.F.'s house. **DA. CARSON** told **RICHARDSON**, "I got me one." **RICHARDSON** interpreted **DA. CARSON's** statement to mean that **DA. CARSON** killed someone. **DA. CARSON** told **RICHARDSON** that **M. WIGGINS** shot Reginald Francois, and **DA. CARSON** finished him off. **DW. CARSON** also took part in the conversation.

On August 13, 2010, NOPD, along with the United States Marshals Service arrested **RICHARDSON** inside a residence located at 4828 Dixon Street in Orleans Parish. **RICHARDSON** was the subject of an arrest warrant originating out of St. Tammany Parish. NOPD located **RICHARDSON** inside one of the bedrooms. NOPD observed a Glock Model 17, nine-millimeter firearm, serial number HWP404 located on a nightstand. **RICHARDSON** also possessed with intent to distribute two clear plastic bags that contained a quantity of cocaine base. A forensic scientist employed by the New Orleans Parish Crime Lab analyzed the suspected illegal narcotics recovered from **RICHARDSON** and determined that is was cocaine base, a Schedule II narcotic drug controlled substance.

Through his actions, **RICHARDSON** knowingly agreed to facilitate the commission of at least two racketeering acts constituting a pattern to be committed by any member of the conspiracy. Accordingly, **RICHARDSON** adopted the goal of facilitating RICO violations.

The enterprise had an effect on interstate commerce as the enterprise's members continuously procured drugs (mainly cocaine base) and firearms to carry out the organization's mission. The drugs and weapons all came at some point from outside the State of Louisiana. Also, members of the enterprise, including **RICHARDSON**, used cell phones (instrumentalities

of commerce) to conduct the affairs of the enterprise. The level of the drug trafficking, the size of the enterprise's operation, and the longevity of the enterprise, had at least a de minimis effect of interstate commerce.

READ AND APPROVED:

DUANE A. EVANS
Assistant United States Attorney

1-10-13
DATE

DYLAN UTLEY
Counsel for Defendant Torey Richardson

1-10-2013
DATE

TOREY RICHARDSON
Defendant

1-10-13
DATE