

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL NO: 14-169

v.

*

SECTION: "N"

SANTOS GAVARRETE-NATAREN

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* * *

FACTUAL BASIS

The United States, represented by the United States Attorney's Office for the Eastern District of Louisiana, and the defendant, **SANTOS GAVARRETE-NATAREN**, hereby agree that this Factual Basis is a true and accurate statement of the Defendant's criminal conduct, that it provides a sufficient basis for the Defendant's plea of guilty to the charge contained in the Indictment in the above-captioned matter, and had this matter proceeded to trial, the following facts would be established beyond a reasonable doubt through competent evidence and testimony:

At trial, a representative of Dip Shipping, a common carrier based in Kenner, Louisiana, that ships containers through the Port of New Orleans to international destinations, would testify that on or about December 2, 2013, it received a plastic container for international shipment at its West Bank drop-off location. The container was purportedly from Alfredo Barahona addressed to Yessenia Martinez in Yoro, Honduras. The shipper's address was listed as 160 Henry St, Meadow, LA 70357. The shipping label noted that the shipment contained kitchen items and shoes.

While scanning packages with a company owned X-ray machine, a Dip Shipping employee observed the image of two firearms inside the container. On December 9, 2013, HSI Special Agents were notified of the discovery and responded to Dip Shipping. Upon arriving at

Dip Shipping, the container with the firearms was inspected. It was discovered the firearms were concealed inside a clear bear-shaped plastic cookie jar that was wrapped in tin foil. The two firearms and one magazine were individually wrapped in tin foil and tape and were placed inside the cookie jar and packed with red grease. The firearms were removed from the cookie jar and unwrapped revealing a Smith & Wesson model 642, .38 revolver (SN: CJJ4544) and a Lorcin model L380, .380 semi-automatic handgun (SN: 125407). The Smith & Wesson revolver was listed as stolen in the National Crime Information Center (NCIC) with the Jefferson Parish Sheriff's Office. Both firearms were seized by HSI Special Agents.

At trial, HSI Special Agents would testify that the shipper's address was a location for K&W Leasing, a business in Golden Meadow, Louisiana. On December 19, 2013, HSI Special Agents interviewed an employee at K&W Leasing to determine the whereabouts of Alfredo Barahona. The K&W Leasing employee stated Alfredo Barahona was currently working at another location. HSI agents drove to the worksite and were introduced to an individual who answered to the name Alfredo Barahona. The individual inquired of the agents if their visit was "about my box." The individual was then escorted to a bunk trailer where he produced a Honduran passport identifying him as defendant, **SANTOS GAVARRETE-NATAREN**. **GAVARRETE**'s passport also contained a valid B1/B2 visa.

GAVARRETE was advised of his Miranda Warnings in Spanish and waived his right to have an attorney present during questioning and signed a Waiver of Rights. **GAVARRETE** was then interviewed in Spanish and stated he packed two firearms to send to Honduras to have as protection for his family. **GAVARRETE** stated he packed the firearms in grease to hide them. **GAVARRETE** stated the plastic container that contained the firearms was addressed to his wife. **GAVARRETE** stated that his Visa does not allow him to work so he used the name Alfredo

Barahona to get employment. **GAVARRETE** stated he did not apply for an export license to ship the firearms and he did not advise the shipper that the container he was shipping to Honduras contained firearms. **GAVARRETE** admits that he knew his conduct was in violation of the law.

READ AND APPROVED:

SANTOS GAVARRETE-NATAREN
Defendant

Date

SAMUEL SCILLITANI
Attorney for Defendant

Date

EMILY K. GREENFIELD 28587
Assistant United States Attorney

Date