

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

UNITED STATES OF AMERICA

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CRIMINAL NO. 14-131

v.

*

SECTION: “N”

JACOBI BOYD

*

a/k/a “Co”

* * *

FACTUAL BASIS

Should this matter proceed to trial, the United States will prove the defendant **JACOBI BOYD a/k/a “Co”(BOYD)** guilty beyond a reasonable doubt of knowingly and intentionally conspiring with others known and unknown to distribute and possess with intent to distribute 28 grams or more of cocaine base (“crack cocaine”), in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B); all in violation of Title 21, United States Code, Section 846; and to possess firearms in furtherance of drug trafficking crimes, in violation of Title 18, United States Code, Section 924(o). The government would establish the following through credible testimony and the production of reliable evidence:

In late 2011, federal agents with the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and members of the New Orleans Police Department (NOPD) led Multi-Agency Gang (MAG) Unit started investigating several acts of violence and narcotics trafficking that had taken place in the area of the Melpomene Housing Development in the City of New Orleans. During the course of this investigation, the agents reviewed numerous police reports, 911 calls, recorded telephone calls, and have spoken to numerous cooperating witnesses. Based on this investigation, agents determined that **BOYD**, Alfred Cobbins a/k/a “Al,” Shawn Gracin a/k/a “Gunna,” Jawan Fortia a/k/a “Tittie,” Ruben Geiger a/k/a “Rue,” Deontre Hills a/k/a “Soulja,” Dedrick Keelen a/k/a “Roy,” Delwin McLaren a/k/a “Poo” and “Poo

Stupid,” Bryan Scott a/k/a “Killer,” Darius Williams a/k/a “D-Man,” Lionel Allen a/k/a “Lot,” and other known and unknown individuals were members and/or associates of a criminal street gang called the “Young Melph Mafia” (also called the “YMM,” “Team Melf,” and “TM 103”) who engaged in, among other things, conspiracy to distribute controlled substances, the distribution of controlled substances, murder, conspiracy to commit murder, and attempted murder in the Central City area of the City of New Orleans from approximately 2007 to the present. The members of the YMM worked together for the common purpose of distributing illegal drugs and also possessed, used, carried, and discharged numerous firearms in furtherance of their drug trafficking activities in an effort to protect their drug turf, to retaliate against other rival neighborhood drug groups, such as the 110ers or other gang members from the 10th Ward, and for the purpose of maintaining and increasing their position in the criminal street gang.

During the last several years, numerous shooting have taken place between these rival groups. In an effort to curb this violence, ATF agents and members of the MAG Unit have identified members of the Allen family, who were responsible for the distribution of illegal drugs in this area. It was learned that this family had close ties to the YMM members. The MAG Unit also identified some of the members of the 110ers and other 10th Ward street gangs, who appeared to be rivals of the Allen Family and the YMM gang. On May 8, 2013, a Special Grand Jury sitting in Orleans Parish, New Orleans, Louisiana returned a multiple count indictment charging members of the 110ers street gang with a myriad of violent and narcotics related offenses as well as violating the Louisiana Racketeering Act. On June 6, 2013 a Federal Grand Jury indicted several members and associates of the Allen family (Burnell Allen, Lionel Allen, Sonny Allen and Eugene Allen) with several violations of the Federal Controlled Substances Act and Federal Gun Control Act. All of the Allen family and their members/associates have since pleaded guilty or were found guilty of the majority of the federal charges.

At trial against the members of the YMM, the Government would call a cooperating witness (CW1) who would testify that Lionel Allen, Alfred Cobbins, Darius Williams, Shawn Gracin, Jawan Fortia, **BOYD**, and Deontre Hills were members of the Young Melph Mafia or YMM. The purpose of the YMM was to distribute narcotics, keep other groups, such as the 110ers, or other drug dealers from infringing on their territory and to protect the area in which they were all raised and where the Allen family distributed their drugs – the Melpomene Housing Projects. Each of the YMM members acted in concert to respond with violence towards rival gang members and/or competing drug dealers. The cooperating witness would further testify that over time, additional members joined the YMM and participated in the illegal activities of the group. CW1 has identified **BOYD** as a member of the YMM and indicated that he sold crack cocaine and possessed and used firearms for protection and retaliation as a member of the gang on a regular basis.

CW1 would testify that due to their large numbers and familial connections, the YMM controlled and dominated the drug distribution activities in this area of New Orleans since its inception, along with the Allen family. This cooperating witness would testify that he/she grew up in the Melpomene Housing Development in the Central City area of New Orleans alongside the defendant and other members of the YMM street gang. According to this witness, members of the YMM, including **BOYD**, possessed firearms to secure and defend their drug distribution in the area on Martin Luther King Boulevard near the Melpomene Housing Project. This area became the epicenter of the YMM drug distribution activities. This cooperating witness would further testify that **BOYD** and other YMM members acted together in concert to establish dominion and control over the armed and violent drug trafficking activities in and around the Central City area of New Orleans. CW1 also purchased rocks of crack cocaine from **BOYD** at least 2 or 3 times a week during 2009, 2010 and 2011.

A second cooperating witness (CW2) will testify that he/she knows that **BOYD** is a member of the YMM and that he/she observed **BOYD** distribute crack cocaine on a daily basis in the Martin Luther King Boulevard area in the Central City area of New Orleans. He/she will further testify that **BOYD** carried a firearm for protection while he sold crack cocaine.

Another cooperating witness (CW3) will testify that he/she has known **BOYD** nearly his/her entire life. He/she will further testify that he/she has observed **BOYD** sell crack cocaine regularly on Martin Luther King Boulevard in the area of the former Melpomene Housing Development. Furthermore, he/she will testify that she/she has repeatedly observed **BOYD** sell crack cocaine while armed with a firearm.

For example, a cooperating witness will testify that on or about a date in 2009, he/she was standing on Simon Bolivar Avenue in New Orleans and observed **BOYD** walking down the street with his sister. This witness observed a rival gang member, L.C. a/k/a "Lucci," exit a residence and, upon seeing **BOYD**, quickly reach for a firearm. At the same time, fellow YMM member Shawn Gracin, who was also walking nearby, observed L.C. and removed his firearm and began shooting at L.C. This witness observed **BOYD** retrieve a firearm from his waistband and together with Shawn Gracin shoot multiple times at rival gang member L.C., who escaped uninjured.

A cooperating witness will testify that on or about October 29, 2011, **BOYD**, Lionel Allen, and Deontre Hills were standing on the neutral ground on Martin Luther King Boulevard near the intersection of Freret Street. Deontre Hills called a woman named Allison LNU a/k/a "Merk" to come pick them up. "Merk" arrived in a red Toyota Corolla and the three YMM members got in. "Merk" was the driver, Deontre Hills was the passenger, **BOYD** was seated in the back, behind the passenger seat and Lionel Allen was seated behind the driver. This cooperating witness will testify that they intended to do a retaliatory drive-by shooting in the 10th Ward against a rival gang member. Lionel Allen possessed an

AK-47 assault rifle that he had purchased in 2011. On the way to the 10th Ward, Lionel Allen indicated that they had driven past the residence of a rival gang member, H.F. a/k/a “Nunu.” **BOYD** and the two other YMM members got out of the red Corolla so that “Merk” could take a picture of **BOYD**, Deontre Hills and Lionel Allen all standing in front of the H.F.’s residence. In the photograph, Lionel Allen is holding an AK-47 type firearm. This witness will further testify that it was fortunate that the H.F. did not come out as they all were intending to shoot him. The photograph was later uploaded to Facebook titled “NUNU where you at Bitch?” The vehicle was later abandoned at the intersection of Terpsichore and Freret Streets. ¹The YMM members took this picture and put it on social media to show their disrespect for the rival gang and to brag to others by showing how easily they could go into rival gang territory.

On March 28, 2012, an NOPD officer in a police unit noticed an altercation between two males while driving near the intersection of Simon Bolivar and Martin Luther King Boulevard. One male, later identified as **BOYD**, struck another male and then fled on foot to Terpsichore Street. NOPD officers stopped **BOYD** to investigate the assault and in speaking to him, saw that something was in his mouth. An NOPD officer noticed a clear white bag containing an off-white rock like substance in **BOYD**’s mouth and asked **BOYD** to spit out the object. **BOYD** complied and the officer retrieved two bags, one filled with what appeared to be crack cocaine and the other filled with smaller individually wrapped bags of what appeared to be crack cocaine. **BOYD** was arrested and the substances in the two bags tested positive for crack cocaine. **BOYD** later pleaded guilty to Possession of Cocaine in Orleans Parish Criminal District Court on April 19, 2013, in case number 514-474, section “D.”

On or about the Spring/Summer of 2012, **BOYD** was talking to Jeffrey Wilson near the intersection of Martin Luther King Boulevard and Magnolia. He has known Wilson since he was a young

¹ The NOPD investigated this matter under Item # J-46039-11 and were able to secure a copy of the photograph through legal process before it was deleted from Facebook.

teenager and for the last 5 years has known Wilson to sell marijuana and crack at least 2-3 days a week in and around Martin Luther King Boulevard. The two got into an argument and **BOYD** pulled out a Glock 17, .40 caliber firearm and shot at Wilson 3-4 times. Wilson was uninjured and fled the scene.

On June 14, 2012, **BOYD**, Jawan Fortia and Bryan Scott drove to St. Andrew Street in New Orleans wherein they fired several .40 caliber weapons at rival gang members (no one was injured). NOPD officers responded to a report of aggravated criminal damage and collected numerous .40 caliber casings. On June 15, 2012, Shawn Gracin, who was incarcerated in Orleans Parish Prison, made a recorded phone call to **BOYD**. **BOYD** stated that he, “Tittie” [Jawan Fortia] and “Killer” [Bryan Scott] “threw a party” [participated in a shooting] on “South Beach,” which he then identified as “St. Andrew.” When asked why, **BOYD** mentioned that it was a retaliatory shooting due to “Lot” [Lionel Allen] being shot at on the interstate. **BOYD** stated that he was “just getting started.” Gracin then mentioned seeing something on the news about other “YMM” members. When notified that there was only 1 minute left on the call, **BOYD** told Gracin “you know [how] them jail house phones treat them gangs.”

On November 26, 2012, NOPD officers responded to an aggravated battery shooting call in the 2300 Block of St. Andrew Street. This location is in the heart of the 10th Ward where several rival gangs that had been feuding with the YMM reside. Upon arrival, NOPD officers located a female victim J.V. being placed into an ambulance after sustaining a gunshot wound to her buttocks. Arriving NOPD officers specifically recalled seeing the female victim conversing with J.J. a/k/a “Bop” as she was being placed in the ambulance. J.J. is a known member of a rival gang that had been feuding with the YMM. **BOYD** and Lionel Allen were quickly identified by NOPD officers as being the perpetrators of this shooting. NOPD Detectives interviewed **BOYD** at length regarding his involvement. **BOYD** was advised of all of his rights and subsequently waived them in writing. **BOYD** stated that he was in a vehicle with Lionel Allen and two other unknown subjects as they were driving around looking for J.J.

He further related that Lionel Allen exited the vehicle first with an AK-47 firearm followed by the other two subjects and began firing at J.J. Cooperating witnesses will also testify that **BOYD** shot J.V. and **BOYD** was accidentally shot in his right leg by Lionel Allen before he was dropped off at a local hospital. **BOYD**, who had been brought to a hospital for treatment, was later discharged and taken to the NOPD Sixth District Station. He was later released. **BOYD** and Lionel Allen were later arrested for this shooting and **BOYD** tested positive for gunshot residue on his hand. On April 19, 2013, **BOYD** pleaded guilty in Orleans Parish District Court to Aggravated Battery related to his role in this shooting in case number 514-872, section "E/D."

Ballistic evidence recovered from the scene of the November 26, 2012, **BOYD**/Allen shooting has been forensically matched to two (2) separate shootings occurring just hours later on the same date perpetrated against other known rival gang members feuding with the YMM. Additionally, ballistic evidence from these three (3) particular shootings has been forensically linked to a gang related homicide on December 16, 2012, in the 2400 Block of St. Andrew Street. Lastly, ballistic evidence recovered from the aforementioned homicide is forensically linked to two (2) firearms recovered from YMM members Shawn Gracin and Jawan Fortia on May 16, 2013.

ATF Agents and members of the MAG Unit have also been working in concert with Louisiana Department of Corrections – Special Investigations Unit. The Louisiana Department of Corrections alerted ATF Agents and MAG Unit members that they located a letter addressed to and found to be in the possession of incarcerated YMM member Deontre Hills. This letter appeared to be stamped August 12, 2013, by the United States Postal Service and had a return address of **BOYD**, 1616 LaSalle Street, New Orleans, Louisiana, 70113. In the letter, **BOYD** advises Deontre Hills that the following YMM members are not incarcerated: Lionel Allen, Bryan Scott, Derrick Carter, J.V. and J.C. **BOYD** further writes "they feds tryna get a nigga fa dat RICO law but fuck dats the life we choose la brother...." **BOYD** concludes

the letter with “FREE MY TEAM 103” and a listing off other YMM members that were presently incarcerated: Deontre Hills, Devonte Vance, Ruben Geiger, Alfred Cobbins, Derrick Carter, Burnell Allen, Ray Allen, Darius Williams, Shawn Gracin., M.K., and R.F.

On May 6, 2013, the NOPD was called out to investigate a homicide. When the officers arrived, they found the victim T.T. suffering from multiple gunshot wounds as he lying next to a Silver Nissan Maxima at the intersection of I-10 westbound and the Florida exit in Orleans Parish. The driver of the Maxima, R.R., had sustained a gunshot wound to the shoulder. R.R. advised the officers that he was driving his car on the interstate when a dark colored vehicle pulled up next to them and started shooting. T.T. was taken to a local hospital where he expired from his wounds.² R.R. was also treated for his wounds at a local hospital and survived.

A cooperating witness will testify that about a day or so after this murder, he/she was in Gladys' Bar on South Saratoga Street with Lionel Allen, Jawan Fortia and Mid City Killer gang member Irian Dorsey a/k/a “Ivory.” A news report of the murder came on the television. Irian Dorsey stated to the cooperating witness that he was the driver and that they “ripped it up” [participated in the shooting]. Lionel Allen went on to say “that’s our work.”

The government will present evidence to show that **BOYD** arrived at the Encore Night Club on the night of the shooting with Irian Dorsey and Lionel Allen in Dorsey’s car. In the center console of Dorsey’s car was a handgun and an AK-47 owned by Lionel Allen was in the back seat. Also at the Encore Club were Bryan Scott, Jawan Fortia and Shawn Gracin. While at the Encore Club, Lionel Allen and Irian Dorsey ran into T.T. and R.R., where they exchanged words. T.T. had apparently shot and killed a YMM associate before this evening. After T.T. and R.R. left the club, Lionel Allen, Irian Dorsey and Bryan Scott got into Dorsey’s car and followed the vehicle with T.T. and R.R. **BOYD** left the Encore Club with

² On May 6, 2013, the Orleans Parish Coroner’s Office classified T.T.’s death as a homicide by fatal gunshot wounds.

Fortia and Gracin and went home. After the shooting, Irian Dorsey admitted to **BOYD** that the shooting was “his work” and he bragged about the shooters using a 75 round drum.

On December 5, 2013, **BOYD** was observed by the NOPD standing in the area of Martin Luther King Boulevard at the intersection of Felicity Street. **BOYD** was noted to be standing with a female whom officers had prior knowledge was a chronic drug user and possible prostitute. As officers approached, they observed the female begin to make loud noises in an effort to draw their attention away from **BOYD**. When officers attempted to identify **BOYD**, a clear plastic bag was seen protruding from a compartment on the side of his footwear. **BOYD** was subsequently arrested for being in possession of seventeen (17) individually wrapped pieces of crack cocaine.³ A forensic expert would testify that the substance recovered from **BOYD** was in fact crack cocaine and that the net weight of the crack was 1.2 grams.

BOYD and other members of the YMM enterprise used social media sites in an effort to communicate with each other as well as rival gang members relative to ongoing criminal activities and status. These communications include taunting rival gang members or displaying gang signs and tattoos to reflect membership in the YMM gang. On September 6, 2012, **BOYD** posted a photograph of himself holding a firearm with the caption “I neva leave wit out it.” on the social media site Instagram. On August 24, 2012, **BOYD** posted a photograph of himself and two (2) other males on the social media site Instagram. In the photograph, **BOYD** secrets his face using a shirt titled “cease fire” as he poses holding a firearm with an extended magazine. Another male in the picture, titled “Its Freaky Friday fuckboys,” is armed with a semi-automatic firearm. On August 17, 2012, **BOYD** posted a photograph of himself holding a firearm while wearing a “cease fire” shirt on the social media site Instagram. The caption of the picture read “Its only right dat I keep it on me what am I possessed to let des niggas kill me I think not.”

³ This case has been adopted for federal prosecution and is included in this factual basis as relevant conduct.

By pleading guilty to these charges, **BOYD** freely and voluntarily admits that he and the above listed individuals were members and/or associates of the YMM, that he participated in the conspiracy to distribute and possess with the intent to distribute crack cocaine, and that he also conspired to use, carry, possess, and discharge firearms with the members of YMM to further their drug trafficking activity.

The government and the defendant **BOYD** agree and stipulate that for sentencing purposes the government could prove that the amount of drugs that was distributed and possessed with the intent to be distributed by **BOYD** and his co-conspirators during the several years that he was a member of the conspiracy was at least 280 grams of a mixture or substance containing a detectible amount of cocaine base (“crack”).

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **BOYD** and described by **BOYD** to the government, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for **BOYD’s** plea of guilty to the charged conspiracies and to inform the court of some of the relevant conduct in this case and, unless noted otherwise, to

stipulate that all acts took place within the Eastern District of Louisiana.

READ AND APPROVED:

Maurice E. Landrieu, Jr.
Assistant United States Attorney

DATE

Edward J. Rivera
Assistant United States Attorney

DATE

Roma Kent
Counsel for Jacobi Boyd

DATE

Jacobi Boyd
Defendant

DATE