U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED 4-14-2015
WILLIAM W. BLEVINS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	**CRIMINAL NO. 14-140**
v.	*	**SECTION: "I"**
LEONID DJUGA **a/k/a "Leonid Dzhuga"**	*	

* * *

FACTUAL BASIS

Defendants **LEONID DJUGA, a/k/a "Leonid Dzhuga" ("DJUGA")**, intends to enter a plea of guilty to Count 1 of the Indictment. Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts. Unless stated otherwise, the following acts occurred within the jurisdiction of the Eastern District of Louisiana.

On or about June 24, 2014, St. Bernard Sheriff's Office (SBSO) deputies received an anonymous tip that explained in detail that a white male by the name of "Scott Carr," as well as several other unidentified persons were using methamphetamine at 7620 West Judge Perez Drive on a daily basis. The complainant stated that methamphetamine was often being delivered to the said location by unknown persons. The complainant further advised that he/she did not have a specific apartment number for Carr, but described his apartment as being on the bottom, right portion of the structure. The complainant also stated that Carr's front door was glass with dark tint and faced Judge Perez Drive.

Upon receiving this information, agents with the SBSO Narcotics Unit established surveillance on 7620 West Judge Perez drive on Tuesday, June 24, 2014. The agents identified the apartment described by the complainant as Apartment B. Agent Mike Plaiscia observed a black Honda Civic occupied by two white males arrive at the identified apartment. The two

males exited the vehicle and entered the apartment. Several minutes later, Agent Plaiscia observed the same two subjects exit the apartment. The driver, later identified as Jesse Gore, was holding a small, gray bag. Both subjects proceeded to enter the vehicle and left the area, traveling westbound on Judge Perez Drive.

Agents followed Gore's vehicle and observed the left tail lamp not functioning. Agent Byron Shoemaker and Agent Saltalmachia then conducted a traffic stop on Gore's vehicle at West Judge Perez Driver and Angela Street. As agents came into contact with the occupants of the vehicle, they observed that the windows were rolled down, and Agent Saltalmachia detected a very strong aroma of marijuana emanating from the interior of the vehicle. Agents then ordered both subjects out of the vehicle, and Agent Saltalmachia advised the subjects of their *Miranda* rights. Due to the strong aroma of marijuana, agents conducted a search of the passenger compartment. During the search, Agent Saltalmachia located a small gray colored bag on the rear seat. During a search of the contents of the bag, Agent Saltalmachia located a purple sunglasses case, which contained a clear plastic bag containing vegetable matter and several clear plastic baggies containing an off-white, crystal-like substance.

Upon these findings, agents detained both subjects in handcuffs. Agent Saltalmachia conducted a preliminary field examination of a portion the vegetable matter, which resulted in a positive indication for the presence of marijuana. Agent Saltalmachia also conducted a preliminary field examination on a portion of the off-white, crystal-like substance, which resulted in the positive indication for the presence of methamphetamine. The suspected methamphetamine was subsequently tested by the Louisiana State Police Crime Laboratory and was determined to be methamphetamine with a net weight of 20.485 grams. During a continued search of the vehicle, agents also located packaging material, consisting of several packages of

small, gram sized zip-lock bags and digital scales. Both subjects and the vehicle were subsequently transported to the Special Investigations Division Office. Agent Saltalmachia returned to the Special Investigations Division Office to prepare a search warrant for Apartment B at 7620 West Judge Perez Drive.

Agents subsequently executed a search warrant at 7620 West Judge Perez Drive, Apartment B. Agents arrested Joseph Scott Carr at the apartment. Agents located various drug paraphernalia in the apartment. Agent Saltalmachia also located three small notebooks in a safe to which Carr provided the passcode. Agent Saltalmachia examined them and determined that they appeared to be ledgers used to track drug transactions because it consisted of the names of several persons with dollar amounts and apparent coded wording. The agents asked Carr about the ledger and he confirmed that they were records of methamphetamine transactions that he had performed.

After their arrest, Gore and Carr were again read their *Miranda* rights, and they separately agreed to cooperate with investigators. They both stated during separate interviews that they worked together and with others to obtain methamphetamine from their source in California, **LEONID DJUGA**. Approximately two to three months earlier, **DJUGA** began sending packages of methamphetamine to St. Bernard. The packages were originally sent by **DJUGA** via U.S. Postal Service to a residence in Arabi, Louisiana. Eventually **DJUGA** began sending the packages via FedEx to a mail box rental facility located at 7620 West Judge Perez Drive, Arabi, Louisiana. Multiple packages were sent weekly containing varying weights of methamphetamine.

Carr gave his consent to agents to search his cell phone, and SBSO agents obtained a search warrant for his phone as well. Emails contained in Carr's phone indicated that **DJUGA**

was in the process of sending additional FedEx packages to the mail box rental facility at 7620 West Judge Perez Drive. An email from **DJUGA** dated June 26, 2014, stated that **DJUGA** was sending an additional "3 cases" to Carr. Agents also found several phone numbers for **DJUGA** in Carr's phone, including a number that Carr said was for **DJUGA'S** wife. A public records data base query of the number indicated that it was associated with **LEONID DJUGA.**

On June 26, 2014, SBSO officers and Drug Enforcement Administration (DEA) agents intercepted a package that Carr had identified as having been sent by **DJUGA**. Pursuant to state search warrant, agents found eight ounces of suspected methamphetamine in the FedEx package.

On June 27, 2014, DEA agents traveled to the FedEx distribution facility in Harahan, LA, and seized three more packages that were intercepted by FedEx security officers. They all were sent to Carr's address, and they all had the same sender information: "Kara Martirosian, 750 Glenvia Apartment 301, Glendale, California 91206." Pursuant to a search warrant, agents searched all three packages and found a total of approximately two pounds of suspected methamphetamine. This interception of three packages from California corroborates the email from **DJUGA** stating that he was sending an additional "3 cases" to Carr.

Gore and Carr said that they paid **DJUGA** via FedEx by sending cash and preloaded money cards. DEA agents obtained FedEx mailing slips that confirmed that packages were sent in June 2014 from St. Bernard Parish to two addresses in southern California. The return address on the packages was 7620 West Judge Perez, Arabi, Louisiana. The package sent on June 9, 2014, was addressed to "Leonid Djugia" at 7515 Winnetka Ave Apartment 109, Winnetka, California. The package sent on June 16, 2014, was addressed to **DJUGA** at 7907 Newcastle Avenue, Reseda, California. The package sent on June 18 was sent to **DJUGA** at the Newcastle

address. A public records data base search revealed utility records and other connections between **DJUGA** and both addresses.

The suspected methamphetamine that was mailed by **DJUGA** to Carr and Gore and that was intercepted by SBSO and DEA was analyzed for chemical composition. DEA analysts examined the contents of the four packages of suspected methamphetamine and rendered the following results:

- DEA Exhibit 34 tested positive for methamphetamine. It was determined to have a net weight of 223.8 grams. It has a substance purity of 100%, rendering a total amount of pure methamphetamine of 223.8 grams.
- DEA Exhibit 35 tested positive for methamphetamine. It was determined to have a net weight of 210.0 grams. It has a substance purity of 99.8%, rendering a total amount of pure methamphetamine of 209.5 grams.
- DEA Exhibit 36 tested positive for methamphetamine. It was determined to have a net weight of 228.0 grams. It has a substance purity of 99.5%, rendering a total amount of pure methamphetamine of 226.8 grams.
- DEA Exhibit 37 tested positive for methamphetamine. It was determined to have a net weight of 441.8 grams. It has a substance purity of 99.1%, rendering a total amount of pure methamphetamine of 437.8 grams.

On July 15, 2014, DEA agents arrested **DJUGA** at his residence at 7907 Newcastle Avenue, Reseda, California, pursuant to a federal arrest warrant. Agents also executed a search of the residence pursuant to a search warrant. Agents located plastic bottles that were similar to the bottles used to package the methamphetamine that was seized in Louisiana. Agents found a Glock model 21 generation 4 handgun, serial number WNY432, in the closet of **DJUGA'S** office.

Agents also seized from **DJUGA'S** office a notebook that appeared to be a drug ledger; a receipt for a package being shipped to Arabi, Louisiana; and three cellular telephones. Agents also located a BMW X-3 vehicle on the premises during their search. Agents searched the car and learned that it was registered to **DJUGA**. In the trunk of the car, agents found a box cutter with residue. The residue was field tested which resulted in a presumptive positive result for the presence of methamphetamine.

DJUGA was read his *Miranda* rights by DEA agents. **DJUGA** acknowledged that he understood those rights. An agent showed **DJUGA** the notebook that contained the names "Scott" and "Jason" and apparent notations regarding drug transactions. The agents asked **DJUGA** if he knew "Scott" and "Jason." **DJUGA** admitted that he knew them.

Agents subsequently obtained a search warrant for **DJUGA'S** cellular phones. On one of the cell phones, agents found text messages discussing shipments of packages to Louisiana; a photograph of a FedEx tracking label destined for zip code 70115 (corresponding to New Orleans, Louisiana); and a photograph of the serial number of a Vanilla Reload card (Vanilla Reload is a product that permits a person to add funds to their own account or to transfer funds to another individual using point-of-sale devices provided by retailers such as Walgreen's and CVS). This evidence corroborated Carr's and Gore's statements that **DJUGA** sent methamphetamine to them via FedEx, and that they (Carr and Gore) used preloaded money cards to send money back to **DJUGA** in California.

The parties agree and stipulate that, for the purposes of sentencing, **DJUGA** is responsible for between 500 grams and 1.5 kilograms of methamphetamine (actual) through his own conduct and the reasonably foreseeable conduct of his co-conspirators.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **LEONID DJUGA** and described by **DJUGA** to the government, but rather it 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 **DJUGA'S** plea of guilty to the charged offenses.

4/14/2015

Matthew R. Payne (Date)
Assistant United States Attorney

4-14-15

George O. Jacobs (Date)
Attorney for Defendant Leonid Djuga

4/14/15

Leonid Djuga, a/k/a Leonid Dzhuga (Date)
Defendant