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MAN SENTENCED TO 41 MONTHS IN PRISON FOR FIRING SHOTS AT A LOUISIANA NATIONAL GUARD HELICOPTER

Alexandria, La.: United States Attorney Stephanie A. Finley announced that James Lamar Kelly, age 62, of Sikes, La., was sentenced today to a total of 41 months in prison for his convictions on four felony counts related to his firing shots at a Louisiana Army National Guard helicopter. U. S. District Judge Dee D. Drell also sentenced Kelly to three years supervised release at the completion of his prison term and forfeiture of the firearm.

Kelly was convicted by a jury in September 2012 of three counts of endangering the safety of the pilot of a Louisiana Army National Guard helicopter in flight, committing an act of violence against the pilot, and using a deadly and dangerous weapon to forcibly assault, resist, oppose, impede, intimidate and interfere with the pilot. Kelly was also sentenced for his conviction of theft of United States mail.

Testimony at trial showed that on August 2, 2010, the Louisiana State Police and the Winn Parish Sheriff's Office were conducting a marijuana eradication program detail in Winn Parish. Louisiana Army National Guard (LANG) Counter-Drug Task Force helicopters based at Camp Beauregard in Pineville were assisting in this program by providing pilots and helicopters for the Louisiana State Police to conduct aerial surveillance. The LANG Counter Drug Task Force is funded and staffed by the U.S. Department of Defense. A Louisiana State Trooper was in each helicopter to make observations of areas where it was suspected marijuana was being cultivated. At about 3:00 p.m., on Shell Road near Sikes, La., one of these helicopters was fired upon by a person on the ground. The pilot took evasive action and immediately left the area. He landed at the airport in Natchitoches and inspected the helicopter for damage. No bullet holes were noted. Neither the pilot nor the Trooper on board was injured. Soon thereafter, Louisiana State Police Troopers, Winn Parish Sheriff's Deputies, and a Louisiana Wildlife and Fisheries Agent located and arrested James Lamar Kelly without incident. They also recovered the 9 mm semi-automatic handgun that Kelly used to shoot at the helicopter.

While at Kelly's house, Troopers noted a large amount of undelivered mail in various vehicles parked in Kelly's yard. Kelly was working for a private contractor who had a contract to deliver mail to more than 160 U.S. Postal Service customers on a rural route in Winn Parish. Kelly admitted to U.S. Postal Service, Office of Inspector General Special Agents that instead of delivering this and other mail on his route, he brought it back to his house where he kept it until he either placed it in a dumpster or burned it. Kelly admitted that he had been doing this for approximately four years. Kelly entered a guilty plea to the theft of mail charge on August 23, 2012, but went to trial on September 11, 2012 for the charges of firing shots at the helicopter.

U.S. Attorney Finley stated, "Firing shots at any aircraft are not actions to be taken lightly. Kelly's acts endangered both those on the aircraft and those on the ground. This Army National Guard helicopter pilot was performing an important mission in assisting the State Trooper on board and State Police Troopers and Winn Parish Sheriff's Deputies on the ground in their drug eradication program. Luckily, no one was hurt by the defendant's dangerous and illegal conduct. Kelly's prison sentence reflects the seriousness of his offense."

This case was investigated by the Louisiana State Police, Region II in Alexandria, the United States Postal Service, Office of Inspector General Office, and the Federal Bureau of Investigation. It was prosecuted by Assistant United States Attorney Robert W. Gillespie, Jr.

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