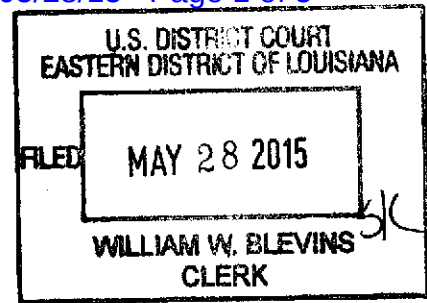




**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO.: 14-86
v.	*	SECTION: "J"
DAVID HUMPHRIES	*	VIOLATIONS: 21 USC § 846
	*	
	*	
	*	

FACTUAL BASIS

Had this matter proceeded to trial, the government would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimony and other evidence, the following facts to support the allegations against the defendant, **DAVID HUMPHRIES** a/k/a "Teacher."

Beginning in or around June 2012 and continuing through May 2014, **DAVID HUMPHRIES** conspired with heroin trafficker **FRED BROOKS** a/k/a "PJ" and others to distribute large quantities of heroin within the Eastern District of Louisiana and elsewhere.

After conducting a series of court-authorized wire intercepts on the cellular phones of New Orleans area heroin dealers and other lawful searches of electronic communications, Drug Enforcement Administration ("DEA") agents identified **BROOKS** as a Houston-based heroin trafficker who was distributing multiple kilograms of heroin at a time to the New Orleans area,

and further identified **HUMPHRIES** as one of BROOKS' couriers who was bringing multi-kilogram quantities of heroin to, and picking up bulk currency drug debt payments from, New Orleans customers on behalf of BROOKS.

The communications obtained, which were corroborated by other sources, including public source, flight, vehicle rental, hotel, banking, phone toll, cell site, and other records, as well as physical surveillance and reliable confidential source information, demonstrated that during the period from June 2012 through May 2014, **HUMPHRIES** agreed and conspired with BROOKS to distribute heroin to BROOKS' customers in the New Orleans area. After the death of BROOKS' primary New Orleans wholesale heroin customer in or around May 2013, BROOKS dealt more directly with his two other New Orleans area customers, ANTHONY GIBSON a/k/a "Toine" and STANLEY FULTON a/k/a "Big Man." BROOKS would then notify these two customers directly, usually by text message, when he was sending heroin to them by referring to heroin as "love" and by using multiple heart-shaped text message icons to indicate the number of kilograms that were being sent. BROOKS would also indicate when he, or more often one of his couriers, would be traveling to the New Orleans area to make the delivery, or to pick up "documents" or "docs," code words for bulk currency. For heroin deliveries, BROOKS would direct delivery to a location of Forward Air, a common carrier, in Kenner, Louisiana. Then a courier, usually **HUMPHRIES**, would travel to Forward Air, pick up the heroin shipment, and deliver it to the customers in Kenner or within the Eastern District of Louisiana. These heroin deliveries, in the amount of approximately three to five kilograms of heroin per delivery, occurred approximately once per month during the period from May 2013 through January 2014.

In late December 2013, BROOKS instructed **HUMPHRIES** to deliver approximately three kilograms of heroin to GIBSON in Kenner, Louisiana. **HUMPHRIES** picked up the heroin from Forward Air and delivered it to GIBSON. **HUMPHRIES** also picked up a bulk cash payment on behalf of BROOKS.

On January 22, 2014, Drug Enforcement Administration agents executed search warrants at an apartment and storage facility used by GIBSON and recovered approximately two and one-quarter kilograms of heroin.

In late January 2014, BROOKS again sent **HUMPHRIES** to deliver heroin to his New Orleans area customers. **HUMPHRIES** drove to the Forward Air location in Kenner, Louisiana, and picked up a package containing approximately five kilograms of heroin. **HUMPHRIES** was not able to deliver the package to BROOKS' New Orleans area customers, so BROOKS instructed **HUMPHRIES** to send the shipment to another location through Forward Air.

At BROOKS' direction, **HUMPHRIES** also shipped packages of heroin to other locations. In or around May 2014, **HUMPHRIES** went to a storage unit in the New Orleans area utilized by BROOKS to store heroin; picked up a package of heroin; and shipped it to a Charlotte, North Carolina, address at the direction of BROOKS.

On June 30, 2014, DEA Houston prepared to execute federal search warrants at multiple residential and commercial addresses in the Houston, Texas, area utilized by BROOKS in furtherance of his trafficking and laundering activities. During pre-warrant surveillance, agents found BROOKS and **HUMPHRIES** in a vehicle together and detained them. **HUMPHRIES** was advised of the nature of the investigation and his rights per *Miranda*, and **HUMPHRIES** indicated that he understood those rights but was willing to cooperate and answer questions regarding the investigation. **HUMPHRIES** also signed a DEA Advice of Rights form.

HUMPHRIES stated that he had known **BROOKS** for thirty years, and that he had been acting as a transport for **BROOKS**' heroin trafficking activities because he "owed" **BROOKS** for taking care of him. **HUMPHRIES** stated that on multiple occasions, **BROOKS** had directed him to go to the Forward Air in Kenner to pick up a shipping box with a container inside, and to bring the box to the apartment one of **BROOKS**' two customers in the Kenner area, where the other customers would also meet. The heroin was then removed from the container by the customers in the presence of **HUMPHRIES**. The customers also provided bulk currency to **HUMPHRIES** in payment for their heroin debts to **BROOKS**, which **HUMPHRIES** then sent to **BROOKS** in Houston.

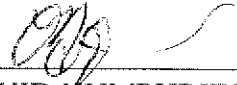
Drug Quantities

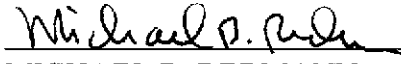
The Government and the defendant, **DAVID HUMPHRIES**, agree and stipulate that the defendant should be held accountable for at least ten kilograms but not more than thirty kilograms of heroin, as this amount of heroin was knowingly transported by the defendant as part of the overall scope of the conspiracy during the timeframe of the Superseding Indictment.

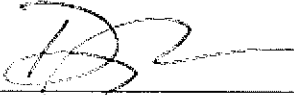
Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by the defendant, **DAVID HUMPHRIES**, 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 the defendant's plea of guilty to Count 1 of the Superseding Indictment.

APPROVED AND ACCEPTED:

 5/28/2015
DAVID HUMPHRIES (date)
Defendant

 5/28/2015
MICHAEL B. REDMANN (date)
Assistant United States Attorney

 5/28/2015
DYLAN C. UTLEY (date)
Counsel for Defendant