

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

UNITED STATES OF AMERICA

v.

JASON PAYNE

a/k/a "Fam"

*** CRIMINAL NO.: 14-86**

*** SECTION: "J"**

*** VIOLATION: 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, **JASON PAYNE** a/k/a "Fam."

In or around April 2013, the defendant, **JASON PAYNE**, began purchasing quantities of heroin from **FRED DOUGLAS BROOKS, III**, in exchange for bulk U.S. currency. On several occasions, **BROOKS** directed a known heroin courier to deliver heroin to **PAYNE** in Youngstown, Ohio. **BROOKS** also directed another known courier to meet **PAYNE** to receive bulk currency payments for the heroin on behalf of **BROOKS**.

During the course of the investigation, intercepted calls and electronic messages between **PAYNE** and other co-conspirators demonstrated that **PAYNE** was arranging with **BROOKS** and others to receive the heroin deliveries and to provide bulk currency payments for the heroin.

In or around February 2014, a known courier of **BROOKS**' delivered approximately two kilograms of heroin to **PAYNE** in Youngstown, Ohio. Approximately two to three weeks later, another known courier of **BROOKS**' picked up a bulk currency heroin debt payment from **PAYNE**.

In or around early 2014, **BROOKS** introduced **PAYNE** to one of **BROOKS**' known sources of supply for heroin (hereinafter, "Source"). This Source subsequently delivered multi-kilogram quantities of heroin to **PAYNE** and picked up bulk currency heroin payments from **PAYNE**. At this time, **PAYNE** was being charged approximately \$65,000.00 in U.S. currency per kilogram of heroin. Heroin deliveries to **PAYNE** and payments from **PAYNE** were arranged either through **BROOKS** or directly with the Source.

In or around April 2014, the Source delivered approximately three kilograms of heroin to **PAYNE** in Youngstown, Ohio, concealed inside a car battery.

Drug Quantities

The government and the defendant, **JASON PAYNE**, stipulate and agree that the defendant should be held accountable for at least three kilograms but less than ten kilograms of heroin, as this amount of heroin was bought and sold by the defendant within 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, **JASON PAYNE**, 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:

JASON PAYNE (date)
Defendant

Michael B. Redman 7/30/2015
MICHAEL B. REDMANN (date)
Assistant United States Attorney

TOWNSEND MYERS (date)
Counsel for Jason Payne