

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA \* CRIMINAL NO. 14-159

v. \* SECTION: "B"

DAVID HENRY \*

\* \* \*

FACTUAL BASIS

Should this matter have proceeded to trial, the government would have proven, through the introduction of competent testimony and admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the Indictment now pending against the defendant.

The government would establish that the investigation against **DAVID HENRY** ("**HENRY**") began as a result of multiple complaints of missing mail from highway contract route No. 76 ("Route 76") in Mandeville, LA. The Office of Inspector General for the United States Postal Service ("Postal OIG") initiated an investigation into Route 76 in an effort to determine the cause of the lost mail.


The government would establish that on April 23, 2014, Postal OIG special agents placed three First Class Letters in Route 76's delivery mail at the Mandeville Post Office ("Post Office"). On April 23, 2014, the defendant, **HENRY**, who was employed as a contract letter carrier, but not an employee of the United States Postal Service, arrived for work at the Post

Office at 8:30 a.m., where he spent approximately two hours sorting and loading mail for his route. **HENRY** then left the Post Office in his delivery vehicle only to pull into the Walgreen's Pharmacy located across the street. Postal OIG agents observed **HENRY** sitting in his vehicle for ten minutes before beginning his postal route.

Postal OIG confronted **HENRY** the next morning upon his arrival at the Post Office. The agents advised **HENRY** of his *Miranda* rights and told him they found glitter in his delivery vehicle that had been placed in a sealed letter that was due to be delivered the previous day. **HENRY** replied "I fucked up" and was "just being stupid." **HENRY** then admitted to taking three cards on April 23, 2014 that he believed to have contained cash. According to **HENRY**, he removed the cards from the "case" while at the Post Office, went to the Walgreen's Pharmacy across the street from the Post Office, and opened the letters. **HENRY** also stated that one of the letters contained glitter. Further, **HENRY** admitted to taking cash from the mail on three or four other occasions. **HENRY** said that he was "hurting for cash." **HENRY** said he would throw away the letters he opened, including the letters that did not contain cash.

At trial, the government would establish **HENRY** knowingly stole from his contract mail route in Mandeville, Louisiana, a letter addressed to "M.A." containing \$60.00 in U.S. currency.

Various records and testimonial evidence, including testimony from representatives of the U.S. Postal Service-Office of Inspector General, and other witnesses would also be admitted to prove the facts set forth above.



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New York Reg. No. 2938728

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1/21/15  
Date

\_\_\_\_\_  
DAVID HENRY  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
SAMUEL SCILLITANI  
Counsel for Defendant

\_\_\_\_\_  
Date