

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED 11-12-2015
WILLIAM W. BLEVINS
CLERK (R28)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CRIMINAL NO. 14-168

v.

SECTION "I"

TERRENCE KELLEY

FACTUAL BASIS

The above-named defendant, Terrence KELLEY, has agreed to plead guilty pursuant to a plea agreement with the Government to Counts One and Twelve of the Superseding Indictment. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, the following facts to support the allegations against the defendant, Terrence KELLEY (hereafter referred to as KELLEY):

Count One- Drug Trafficking Conspiracy

From on or about January 1, 2011, and continuing until on or about April 1, 2013, in the Eastern District of Louisiana, and elsewhere, Terrence KELLEY, a.k.a. "Streets," a.k.a. "T," conspired with Harry SMOOT, Frankie HOOKFIN, Ray WOODRUFF, Isaac SMITH a.k.a. "Ike," Lance SINGLETON, a.k.a. "Life Taker," Clifford SONNIER, a.k.a. "Dut," Andre ADDISON, a.k.a. "Dooda," Joequell LEWIS, a.k.a. "Blow," Christopher BROWN, a.k.a. "Ten," Richard THOMAS, Terrell WADE, a.k.a. "T-Dog," and others to distribute and to possess with the intent to distribute one (1) kilogram or more of a mixture or substance containing a detectable

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amount of heroin, and to distribute and to possess with the intent to distribute 280 grams or more of a mixture or substance containing a detectable amount of cocaine base.

During this same time period, Harry SMOOT supplied various quantities of heroin and cocaine base to members of his, SMOOT's, drug trafficking organization (DTO), which included Frankie HOOKFIN, Ray WOODRUFF, Terrence KELLEY, Isaac SMITH, Lance SINGLETON, Clifford SONNIER, Andre ADDISON, Joequell LEWIS, Christopher BROWN, Richard THOMAS, and Terrell WADE. The cocaine base and heroin that was supplied to members of this organization was generally received by them in Waggaman or Avondale, Louisiana, and generally distributed by them in the West Bank area of Jefferson Parish, which is in the Eastern District of Louisiana.

Terrence KELLEY

In 2011, Terrence KELLEY was ~~supplied quantities of heroin by SINGLETON.~~ introduced to SMOOT by SINGLETON. ^{TK MR}
KELLEY quickly progressed as a heroin dealer and started getting heroin directly from SMOOT. From 2012 until the time of his arrest in February 2013, KELLEY received multiple ounces of heroin per week from SMOOT, which he then distributed to numerous customers in Avondale, Waggaman, and Westwego. On at least one occasion, KELLEY received a half kilogram of heroin from SMOOT.

Testimony from cooperating defendants and other witnesses would establish that KELLEY was an older member of the conspiracy and was respected by heroin purchasers for his dependability. C.P., a heroin addict, would testify that for a period of approximately 12 months during 2012 and 2013, he purchased at least a half gram of heroin for \$50 from KELLEY every day, and that on some occasions, he would purchase a gram of heroin for \$100 from KELLEY. C.P. would testify on occasions KELLEY would front C.P. retail quantities of heroin, with the

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understanding that C.P. would pay KELLEY for the fronted heroin in the near future. C.P. would testify that on at least one occasion, C.P. contacted KELLEY to purchase heroin, and KELLEY sent A.F., the mother of his children, to meet him and conduct the transaction.

B.K., a heroin addict, would testify that he purchased heroin from KELLEY on an almost daily basis for approximately one to two years. B.K. would testify that on a few occasions he contacted KELLEY to purchase heroin and KELLEY sent A.F., the mother of his children, to meet him and conduct the heroin transaction. B.K. would testify that A.F. was often with KELLEY when B.K. purchased heroin from KELLEY.

A.F. is the mother of three children with KELLEY. A.F. would testify that she met KELLEY in 2011 and they began dating in August of 2011. In 2012, A.F. became pregnant by KELLEY, and gave birth to twins in September of 2012. In October of 2012, A.F., KELLEY, and their children moved into a house together at 421 Helis Drive in Waggaman, Louisiana. A.F. knew that KELLEY was known as "Streets." A.F. regularly saw KELLEY acquire ounce quantities of heroin during this time period. The ounce packages were approximately the size of a golf ball. A.F. accompanied KELLEY to Harry SMOOT's residence at 37 Aster Lane to acquire the ounce quantities of heroin on more than one occasion. A.F. saw Frankie HOOKFIN and Ray WOODRUFF at the residence at 37 Aster Lane. A.F. knew that KELLEY would pay between \$2,600 and \$2,800 for an ounce of heroin. Once, when KELLEY was in jail, A.F. contacted Lance SINGLETON to acquire heroin. A.F. went to 37 Aster Lane, where she met SINGLETON and waited for Harry SMOOT to arrive. Once SMOOT arrived, A.F. acquired a one ounce quantity of heroin from SMOOT.

Once KELLEY brought the ounce quantities back to their residence at 421 Helis Drive, KELLEY would mix one ounce of heroin with one ounce of confectioner's sugar to double the

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quantity of heroin that KELLEY would sell. KELLEY would then package the heroin for retail sale by weighing out .1 gram quantities of heroin, putting the quantity of heroin into the corner of plastic bags, and then tearing off the corners. The retail quantities ranged from .1 gram to 1 gram, which KELLEY would sell for \$10 per .1 gram, so that a gram of heroin would sell for \$100. KELLEY normally packaged his heroin in .2 gram, .5 gram, and 1 gram quantities. A.F. assisted KELLEY on occasion with cutting the heroin with confectioner's sugar, and then weighing and packaging the heroin for re-sale.

A.F. would testify that KELLEY never sold heroin from their house, but would go out to serve customers in a car. There were times when A.F. would drive KELLEY to make these sales, and on occasion, A.F. would serve the customers herself at KELLEY's direction. A.F. began recognizing repeat customers, and served some of KELLEY's customers when she was pregnant.

Count 9 - January 12, 2013- Shooting of C.P.

On January 12, 2013, during the daytime, C.P. called KELLEY to purchase a quantity of heroin. KELLEY met C.P. at "the oaks" near a library in Waggaman. KELLEY was in an Acura TL with Louisiana license plate WSY 344 being driven by A.F., who had purchased the vehicle in her name. C.P. passed a counterfeit \$100 bill to KELLEY and then began walking back to his (C.P.'s) car, occupied by passenger K.M., with the heroin. KELLEY realized the bill was counterfeit and demanded that C.P. return the heroin, which C.P. refused to do. C.P. hurriedly entered his vehicle and began driving away.

KELLEY instructed A.F. to drive after C.P. and K.M. A.F. followed C.P.'s vehicle from Waggaman to Avondale to Bridge City to Westwego into Marrero, often traveling at high rates

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of speed. During the pursuit, KELLEY was on the phone to HOOKFIN, WOODRUFF, and SMITH, who were riding together in HOOKFIN's car, asking them for help with the situation.

At 6611 Westbank Expressway in Marrero, C.P.'s vehicle turned into the parking lot of Mike's Discount Zone, where a vehicle summoned by KELLEY intercepted C.P.'s vehicle. Isaac SMITH, Frankie HOOKFIN, and Ray WOODRUFF would testify that SMITH, WOODRUFF, HOOKFIN, and another man were in HOOKFIN's vehicle, and that when they saw C.P.'s vehicle, WOODRUFF, SMITH, and the other man discharged semiautomatic pistols at C.P.'s vehicle from the vehicle HOOKFIN was driving. A.F. would testify that she recognized WOODRUFF hanging out of HOOKFIN's vehicle shooting a gun at C.P.'s car. A.F. then drove away from the location of the shooting with KELLEY.

Count 10 – Gun Found During Execution of Search Warrant

On February 21, 2013, after C.P. identified KELLEY as the man he had passed the counterfeit bill to and who followed him to Mike's Discount Zone, members of the Jefferson Parish Sheriff's Office executed a search warrant at KELLEY and A.F.'s residence located at 421 Helis Drive, Waggaman, Louisiana. The police recovered 28 grams of heroin, a .38 caliber special firearm (in safe with cash), 2 boxes of 7.62 ammo, .38 caliber ammunition, and \$49,561. The .38 special pistol was acquired by KELLEY from his cousin so that KELLEY would have protection while he sold heroin. The money that was seized was money that KELLEY owed Harry SMOOT for a half kilogram of heroin. On the same date, a search of KELLEY's brother's residence located at 129 Evergold Lane, Waggaman, Louisiana, yielded additional 7.62 ammo, .45 caliber ammo, and .38 caliber ammo, as well as another cell phone. KELLEY was arrested in his brother's residence at this time. On February 23, 2013, KELLEY called SMOOT from jail and advised SMOOT that he still had another half kilogram of heroin stored with KELLEY's

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brother J.K. This call was recorded and would be introduced into evidence. KELLEY ultimately pled guilty to state drug charges related to the searches mentioned above. Certified copies of the convictions would be introduced into evidence.

Count 11 - February 11, 2013- non-fatal shooting of P.A. at 225 Coretta Dr., Avondale

On February 11, 2013, SMITH, WOODRUFF, HOOKFIN, and KELLEY shot and wounded P.A. from a vehicle driven by a friend of HOOKFIN's (Ronald). P.A. and his brother T.A. were rival drug traffickers of SMOOT's drug trafficking organization and their rivalry with SMOOT's organization was the cause for the shooting. During the shooting, SMITH fired a Smith and Wesson .40 caliber pistol, WOODRUFF shot a HK 9mm pistol, HOOKFIN fired a Taurus 9mm pistol, and KELLEY fired an AK-47. P.A. was wounded and went to the hospital, but did not die from his injuries.

Count 12—February 11, 2013-murder of Emeal Washington, 6144 August Lane, Marrero, LA

On February 11, 2013, (same night) SMITH, WOODRUFF, HOOKFIN, and KELLEY, still in a car driven by Ronald (HOOKFIN's friend), drove to look for an individual named "Buddy Boy" in order to murder him. The government would present evidence that Buddy Boy was a member of a rival drug trafficking organization that was in conflict with SMOOT's drug trafficking organization and their dispute over drug trafficking motivated the shooting. All individuals were using the same firearms except for SMITH, who was out of .40 caliber ammunition, and was now using a Glock 17 (9mm) that SMOOT gave him after the previous shooting that night. Everyone got out of the vehicle and began walking down the street and firing rounds at Buddy Boy's house. Most of the people who were in front of the house ran inside. Emeal Washington ran away from the house and was shot at multiple times by SMITH,

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WOODRUFF, HOOKFIN, and KELLEY. Washington was shot multiple times and ultimately died from his wounds. A video depicted the entire incident. Washington fell to the ground after he was shot several times. SMITH and WOODRUFF were captured on video walking up to Washington while he was lying on the ground and, in the case of SMITH, firing shots into his body, and, in the case of WOODRUFF, attempting to fire shots into his body. WOODRUFF's gun was out of bullets by the time he was standing over Washington. Washington was found dead on the scene by law enforcement when they arrived.

KELLEY was responsible either as a direct result of his own conduct and/or the conduct of his co-conspirators in furtherance of the conspiracy that was reasonably foreseeable to *
KELLEY for the acquisition and distribution of over one kilogram of heroin during the course of this conspiracy. Accordingly, the government and the defendant agree and stipulate that for sentencing purposes the defendant will be held responsible for one to three kilograms of heroin as that amount was distributed or possessed with the intent to be distributed during the course of the conspiracy as a result of the defendant's own direct conduct and/or the conduct of his co-conspirators in furtherance of the conspiracy that was reasonably foreseeable to him.


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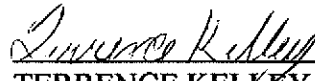
This Factual Basis is not intended to constitute a complete statement of all facts known to the Government, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this Factual Basis is to demonstrate that there exists a sufficient legal and factual basis for KELLEY's plea of guilty to Counts One and Twelve of the Superseding Indictment.



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TERRENCE KELLEY (Date)
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