

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

UNITED STATES OF AMERICA

*

CRIMINAL NO. 15-091

v.

*

SECTION: "C"

ROBERT DURST

*

a/k/a Everett Ward

* * *

FACTUAL BASIS

The defendant, **ROBERT DURST**, a/k/a "Everette Ward," has agreed to plead guilty pursuant to a plea agreement with the Government to the one count Indictment, charging him with violating Title 18, United States Code, Sections 922(g)(1) and 924(a)(2), illegal possession of a firearm by a convicted felon.

Defendant is pleading guilty, because he is guilty of the charges contained in Count One of the Indictment. The following proffer of the Government's evidence is intended only to provide the Court with enough evidence to satisfy the mandate of Rule 11(b)(3) of the Federal Rules of Criminal Procedure. If this case were to proceed to trial, the United States could prove each element of the offense beyond a reasonable doubt. The following facts, among others would be offered to establish the defendant's guilt:


On March 14, 2015, **ROBERT DURST** was arrested by FBI agents in the lobby of the J.W. Marriott in New Orleans, Louisiana. The FBI agents arrested the Defendant on a murder warrant out of Los Angeles, California. After arresting **ROBERT DURST**, the FBI agents located a loaded .38 caliber revolver (Smith and Wesson Model 637 bearing serial number CVU9125) within **ROBERT DURST**'s possessions inside of his hotel room at the J.W. Marriott. This firearm was not manufactured in the state of Louisiana and therefore traveled in


interstate commerce prior to being possessed by **ROBERT DURST**. The firearm was designed to expel a projectile by the action of an explosive. **ROBERT DURST** knowingly possessed this firearm.

Prior to possessing the .38 caliber revolver (Smith and Wesson Model 637 bearing serial number CVU9125) on March 14, 2015, **ROBERT DURST** was convicted in case number 04-667-01 in the Eastern District of Pennsylvania of: (1) possessing a firearm while under indictment, in violation of 18 U.S.C. § 922(n), and (2) possessing a firearm while a fugitive from justice, in violation of 18 U.S.C. § 922(g)(2) on December 21, 2004. Both convictions were for felony offenses punishable by terms of imprisonment in excess of one year.

The limited purpose of this factual basis is to demonstrate that there exists a sufficient legal and factual basis for **ROBERT DURST**'s plea of guilty to Count One of the Indictment.

KENNETH ALLEN POLITE, JR.
UNITED STATES ATTORNEY

 FEB. 3, 2016
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 2/3/16
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