

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

UNITED STATES	*	CRIMINAL ACTION NO. 16-94
v.	*	SECTION: H
ARTHUR RESPERT	*	

* * *

FACTUAL BASIS

The above-named defendant, **ARTHUR RESPERT** (“**RESPERT**”), has agreed to plead guilty to the Indictment now pending against him. Should this matter have gone to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegations against the defendant, **RESPERT**. Unless stated otherwise, all of the facts set forth herein occurred within the Eastern District of Louisiana.

COUNT 1
(Theft of Mail, 18 U.S.C. § 1708)

On November 6, 2014, United States Postal Service, Office of Inspector General received a complaint from D.T. that her son, who lived in California, did not receive a letter containing a \$200 MasterCard gift card. She had placed the letter in the mail, the week of October 2014. SA William Kuhn discovered that the card had been used at Goodyear Auto Service, Chateau Supermarket, and Winn Dixie in Kenner, Louisiana later that same week.

SA Kuhn obtained records from the Goodyear Auto Service, showing that **RESPERT** purchased services for his black 2011 Chevrolet Impala, license plate PW11750, with the stolen MasterCard. Chateau Supermarket surveillance video depicted a black male with facial hair, later

identified as **RESPERT**, completing a transaction, and driving a black Impala. Surveillance video also depicted **RESPERT** using the MasterCard to purchase approximately \$7 worth of goods. These transactions occurred on October 24 and 25, 2014.

SA Kuhn requested records from the Louisiana Workforce Commission and determined that **RESPERT** was employed by Air General, Inc., a subcontractor of Delta and United Airlines, which receive mail from U.S. Postal Service trucks and delivering the contents to designated flights at New Orleans International airport. Over the next several months, SA Kuhn conducted physical surveillance of **RESPERT** while he was at work or traveling to and from work.

On August 27, 2015, at approximately 8:00 a.m., SA Kuhn and SA Lofton observed **RESPERT** at work. They watched him exit the Air General facility an hour and a half later, drive on the airport access road, and then stop at a parking lot at 1500 Vintage Drive in Kenner, and toss a clear plastic trash bag into a dumpster. SA Kuhn and Lofton retrieved the bag after **RESPERT** left the area and discovered the bag contained 36 rifled greeting cards post marked August 26, 2015, intended for delivery outside of New Orleans.

On September 3, 2015, at approximately 4:30 a.m. SA Kuhn, Lofton, and Tullier initiated physical surveillance of **RESPERT** at the Air General Facility at the airport. Again, the agents spotted **RESPERT** leaving the facility. As he was leaving they noticed he was tucking pieces of mail into his clothes. The agents followed him to his apartment complex, where he exited his Impala and threw a black trash bag into the apartment complex dumpster. When **RESPERT** left the area, agents retrieved the bag and found nearly 100 pieces of rifled mail intended for delivery out of New Orleans. The agents maintained surveillance while **RESPERT** re-entered his vehicle and merged onto I-10 toward the airport. When he entered the airport access road, the agents

initiated a vehicle stop.

SA Kuhn identified himself to **RESPERT** and explained that he stopped **RESPERT** because he saw him steal and throw away mail. SA Kuhn then placed **RESPERT** in hand-cuffs and advised **RESPERT** of his rights. **RESPERT** consented to a search of his vehicle and waived his Miranda rights. While speaking with the agents, **RESPERT** stated “The mail is from everywhere, the mail is from the post office [I] don’t do it [steal] every day” but when he can. He also stated that the mail arrives at 2:30 a.m. and he and his co-workers sort it. When mail falls off the trays as its being sorted, he collects the pieces. Today he collected nine pieces and took the mail to his car. He stated that today was a bad day and he did not steal anything today. **RESPERT** claimed that he has only stolen mail five to six times in the past and started doing it only a couple months ago. **RESPERT** also admitted to stealing \$50 in gift cards that day.


The search of **RESPERT**’s car resulted in agents finding 18 gift cards and several money order receipts. SA Kuhn also found the Goodyear receipt which matched the date **RESPERT** used the stolen MasterCard gift card to service his vehicle in November 2014.

The defendant **RESPERT** admits and agrees that he knowingly and intentionally committed the violations alleged in Count 1 of the Indictment and described more fully in this Factual Basis. **RESPERT** admits and agrees that the facts described in the Factual Basis are true and correct, and agrees to repay all of the victims as determined by probation and as ordered by the Court who were affected by his theft of mail from October 1, 2014 through the date of his arrest on September 3, 2015.

READ AND APPROVED:

DAVID ARENA
Counsel for Defendant

DATE



SHARAN E. LIEBERMAN
Assistant United States Attorney

ARTHUR RESPERT
Defendant

DATE