

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

UNITED STATES OF AMERICA	*	CRIMINAL NO. 15-200
v.	*	SECTION: "J"
WILBERT CLARK	*	

* * *

FACTUAL BASIS

The above-named defendant, Wilbert CLARK (hereinafter, "CLARK"), has agreed to plead guilty pursuant to a plea agreement with the Government to Count One 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 CLARK:

Count One - Drug Trafficking Conspiracy

Beginning on a date unknown, but not later than February 6, 2015, and continuing until on or about August 6, 2015, in the Eastern District of Louisiana, and elsewhere, CLARK conspired with codefendants Thomas GORDON, Donald EALY, Kevin GONZALES, Kenneth HARRIS, Reginald WASHINGTON, and Earl BROWN, and others, to distribute and to possess with the intent to distribute a quantity of a mixture or substance containing a detectable amount of heroin.

On multiple occasions during the course of the conspiracy, CLARK purchased small amounts of heroin from GORDON, which CLARK then resold to heroin users. CLARK, GORDON, EALY, and others used EALY's apartment building, located at 3027 Loyola Street, New Orleans, Louisiana, as the base of their drug-distribution operation. There, members of the conspiracy used cutting agents to dilute the quality of heroin, and used a compression jack to compress the heroin. Moreover, GORDON communicated with CLARK using a cellular phone

in furtherance of their drug-distribution operation.

On April 15, 2015, an undercover law enforcement officer ("UC") had arranged the controlled purchase of heroin from GORDON. UC and GORDON met in front of EALY's apartment, where the UC fronted GORDON \$700. Surveillance agents then followed GORDON as GORDON traveled around the city with CLARK and one other individual in a red Kia Optima, making numerous stops in an effort to obtain the heroin for the UC. Approximately one hour after obtaining the fronted money from the UC, GORDON returned in the red Kia, driven by CLARK, and handed UC approximately 7.04 grams of heroin.

On another occasion, on August 3, 2015, CLARK had received a request for an ounce of heroin from a heroin customer. CLARK then placed a phone call to GORDON, in which CLARK asked, "Where you at? [The customer] just called me for a zip." A "zip" was a code word for an ounce of heroin.

CLARK's involvement in the conspiracy charged in Count One of the Superseding Indictment is not limited to the facts contained in this stipulated factual basis. These facts are merely a summary of CLARK's involvement in this conspiracy and are presented in this document to support his plea of guilty to Count One in the Superseding Indictment.

 9/7/16
BRANDON S. LONG (Date)
Assistant United States Attorney

MILTON MASINTER (Date)
Attorney for Defendant

WILBERT CLARK (Date)
Defendant