

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

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

FACTUAL BASIS

The above-named defendant, Earl BROWN (hereinafter, "BROWN"), 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 BROWN:

Count One - Drug Trafficking Conspiracy

Beginning on a date unknown, but not later than July 2015, and continuing until on or about August 6, 2015, in the Eastern District of Louisiana, and elsewhere, BROWN conspired with codefendants Thomas GORDON, Donald EALY, Kevin GONZALES, Kenneth HARRIS, Reginald WASHINGTON, and Wilbert CLARK, 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.

Through Title III wire and electronic interceptions, as well as other evidence, law enforcement learned that BROWN was a street-level dealer who conspired with GORDON and others to distribute heroin in the Eastern District of Louisiana. On July 31, 2015, in a series of intercepted text messages, BROWN attempted to assist GORDON in serving heroin customers in the vicinity of Loyola Avenue and Harmony Street in New Orleans. BROWN texted GORDON, "Bro tee give me 30 for u he waiting . . . U fucking with him he say he got to go it's for he's ppl . .

. I got 30 he give me.” GORDON responded, “okay I’m COMING.” In this exchange, a heroin customer had provided \$30 to BROWN, and BROWN was holding the money for GORDON who subsequently served the customer. The following is a similar exchange later that same day:

- Texts from BROWN to GORDON: “When u come back out bro give me a beg . . . I got 20 for u bro send me dat right quck, . . . Send me two 20 Sun I got your money”
- Text from GORDON to BROWN: “Okay”
- Texts from BROWN to GORDON: “They gone now bro . . . Man send me a few 20s let me make dat Sun u know I will get dat to u”
- Text from GORDON to BROWN: “They didn’t really,have,it like,that,when De,come back than it’s all good Sunn”
- Text from BROWN to GORDON: “Sun ms.b still waiting she got 20”

In this exchange, BROWN was requesting that GORDON provide BROWN small bags of heroin which BROWN could sell to customers on the street. BROWN promised to provide GORDON the proceeds of those sales.


During the timeframe of this conspiracy, BROWN frequented the area surrounding EALY’s apartment building, located at 3027 Loyola Street, New Orleans, Louisiana. Members of the conspiracy, including GORDON, EALY, CLARK, BROWN, and others, used this address 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. They also used an apartment within the building as a stash location for drugs and guns.

On July 22, 2015, law enforcement intercepted a phone call between BROWN and GORDON, during which BROWN described entering the stash apartment to remove contraband. The resident of the apartment had returned home from being out-of town, and demanded that the

items be removed from his apartment. During the call with GORDON, BROWN stated that he collected two firearms, which he called "hammers," and a bag of heroin and transported the items to EALY's apartment. The amount of heroin transported by BROWN from the stash location was approximately two ounces.

BROWN and the government stipulate for purposes of sentencing that BROWN was responsible for conspiring to distribute and possess with intent to distribute at least 40 grams but less than 60 grams of heroin, through BROWN's own conduct and the reasonably foreseeable conduct of his co-conspirators.

BROWN'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 BROWN's involvement in this conspiracy and are presented in this document to support his plea of guilty to Count One in the Superseding Indictment.

 10/7/14
BRANDON S. LONG (Date)
Assistant United States Attorney

STEPHEN J. HAEDICKE (Date)
Attorney for Defendant

EARL BROWN (Date)
Defendant