

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

UNITED STATES OF AMERICA * **CRIMINAL NO. 23-262**

v. * **SECTION: "J"**

LYNDELL MIMS *
*
*
* * *

FACTUAL BASIS

The defendant, **LYNDELL MIMS**, has agreed to plead guilty as charged to the three-count Indictment. Count One charges **MIMS** with possessing with the intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C). Count Two charges **MIMS** with possessing a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c). Count Three charges **MIMS** with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and other admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the Indictment.

On October 20, 2023, New Orleans Police Department officers stopped **MIMS** because the tint on his vehicle was too dark. **MIMS** pulled into a gas station. When the officers approached the vehicle, they had **MIMS** roll down the windows so they could see who was in the vehicle. It was **MIMS** driving and a female in the front passenger seat. When they were beside the vehicle, the officers detected a strong odor of marijuana and decided to get a search warrant for the vehicle. They had **MIMS** get out of his vehicle. Prior to the search, **MIMS** told the officers that there were several baggies of marijuana and a gun in the vehicle.

After the warrant was approved, the officers searched the vehicle. They found three



firearms, including a Diamondback Firearms Model DB15, 5.56 mm pistol, bearing serial number DB2907140, and a Glock Model 22, .40 caliber pistol, bearing serial number CML528. The Diamondback, which was a pistol/rifle, was under the center console. The third gun was in the female passenger's purse, and MIMS is not charged with possessing that gun. MIMS possessed the Diamondback and Glock weapons described above and shown below. Both guns appeared to be equipped with devices turning them into fully automatic.

In addition to the guns, the officers found several types of drugs and three digital scales. The drugs, as confirmed by subsequent lab testing, included 21.08 grams of methamphetamine; 30 grams of a mixture of cocaine, heroin, and fentanyl; 2.22 grams of methamphetamine; 4.46 grams of cocaine; 1.55 grams of cocaine; 10.66 grams of psilocyn; approximately 300 grams of marijuana in over 100 smaller bags; 31 Tramadol pills; 75 packets of Buprenorphine/suboxone; 175 Tapentadol pills; 1.52 grams of a heroin/fentanyl mixture; 2.21 grams of fentanyl; several oxycodone pills; several pills that tested positive for fentanyl; 50.64 grams of methamphetamine; and additional miscellaneous pills.

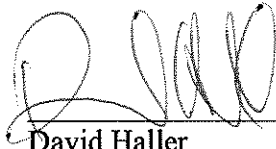


DAF
S.M.

The officers ran **MIMS's** name and learned he was a convicted felon. Specifically, **MIMS** has a conviction on October 31, 2018, in case number 538042 in the Criminal District Court for Orleans Parish, State of Louisiana, for attempted simple robbery, in violation of La. R.S. 14:65(27), and for possession with the intent to distribute heroin, in violation of La. R.S. 40:966(A)(1). These crimes are punishable by more than a year in prison, that is, felonies. **MIMS** was present for the guilty plea and thus knew he had the felony conviction.

An expert with the ATF would testify that Diamondback and Glock firearms are not made in Louisiana and thus that the firearms discussed above had to have traveled in interstate commerce before **MIMS** possessed them on October 20, 2023.


The limited purpose of this factual basis is to satisfy the Court that there is a sufficient basis in fact for **MIM's** guilty plea.



David Haller
Assistant United States Attorney

10/25/24

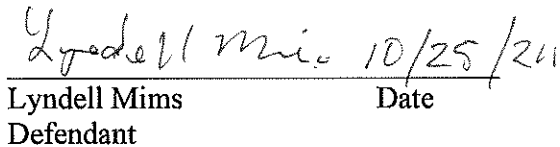
Date



Lionel "Lon" Burns
Attorney for Lyndell Mims

25 Oct 24

Date



Lyndell Mims
Defendant

Date