

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

UNITED STATES OF AMERICA * **CRIMINAL NO.:** 2:17cr187

v. * **SECTION:** "E"

ELBERT MOORE *

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* * *

FACTUAL BASIS

The defendant, **ELBERT MOORE**, has agreed to plead guilty as charged to Count One of the one-count Bill of Information. Count One charges **MOORE** with conspiring to distribute and possess with the intent to distribute one hundred (100) grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), a quantity of a mixture or substance containing a detectable amount of cocaine, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and a quantity of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); all in violation of Title 21, United States Code, Section 846. Should this matter have proceeded 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 Bill of Information:

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In late 2015, Special Agents of the Drug Enforcement Administration (“DEA”) began an investigation into the drug trafficking activities of DARREKA BOYKINS. During the course of the next several months, agents developed information that BOYKINS was sourcing drugs from two different individuals. The first source of supply was a Mexican male from Texas known as LO. The second source of supply as an unknown subject operating out of Las Vegas. Agents identified **ELBERT MOORE** as a mid-level dealer who was sourcing from BOYKINS. Both BOYKINS and **MOORE** reside in Houma and conduct their drug trafficking activities there.

Between July and September of 2016, agents were able to use a confidential source to conduct two controlled purchases of heroin from **MOORE** in Houma, Louisiana. The purchases were of relatively small quantities. During the first purchase, **MOORE** was in possession of at least several hundred grams of black tar heroin. Each of the purchases from **MOORE** was preceded by consensually recorded phone calls arranging the deals. The agents followed standard protocol in conducting each of the purchases. Generally speaking, this standard protocol includes the following: meeting with the confidential source at a neutral location, searching the source for contraband, providing the source with official funds to purchase the heroin, equipping the source with recording equipment, monitoring the source as he/she travels to the meet location, monitoring the meet itself, following the source back to a neutral location, obtaining the purchased narcotics from the source, again searching the source for contraband, recovering the recording equipment, and debriefing the source about the controlled purchase.

In late October 2016, the government applied for and obtained authority to establish Title III wire interceptions of calls to and from a phone with the number (985) 381-8380 for a period of thirty days. During the 30-day interception period, the phone was in **MOORE**'s possession.

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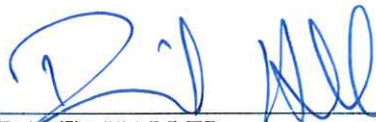
Agents listening to the calls heard **MOORE** arranging multiple user-level heroin, cocaine, and methamphetamine transactions virtually every day during the 30-day period the wire was up. The purchases ranged from \$20 to several hundreds of dollars. Some code is used, but on some of the calls **MOORE** or his customers say “black tar” or “windshield” or other names associated with specific types of drugs.

In addition to dozens of calls setting up user level sales, the wire evidence also confirmed that **BOYKINS** and **MOORE** were dealing together and sourcing from **LO**. On one call between **BOYKINS** and **MOORE**, **BOYKINS** states that **LO** has “China,” which is a different type of heroin than the black tar heroin that **MOORE** sold during the controlled purchases referenced above. The black tar heroin sold during the controlled purchases also came from **BOYKINS** and **LO**. There are a series of calls where **BOYKINS** tells **MOORE** that he (**BOYKINS**) is waiting on a shipment of drugs from **LO**. On one of the calls, **BOYKINS** says that **LO**’s brother is coming with the drugs. **BOYKINS** tells **MOORE** to get ready and to contact his other people so they can get their money together. Agents were unable to intercept the actual delivery, but intercepted phone calls following the delivery in which **MOORE** tells his customers that he is good on everything except marijuana, meaning he has heroin, cocaine, and methamphetamine. During these calls, **MOORE** quotes prices for ounces of methamphetamine and cocaine. Shortly after the delivery, **BOYKINS** does a three way call with **LO** and **MOORE**. During the call, **LO** asks **MOORE** how people are liking the drugs in the latest shipment and asked if they are better than a prior shipment. There were also calls about getting a jack, which is used to repress drugs after they have been adulterated with cutting agents.

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MOORE is aware of at least four times that LO's drug trafficking organization delivered various drugs to **BOYKINS**. On at least one occasion, **MOORE** was present when **BOYKINS** had a half kilogram of cocaine, nine ounces of heroin, three ounces of methamphetamine, and approximately 20 pounds of marijuana, all of which **MOORE** understood **BOYKINS** to have gotten, directly or indirectly, from LO.

This proffer of evidence is not intended to constitute a complete statement of all facts known by **MOORE** and described by **MOORE** to the government, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for **MOORE**'s plea of guilty to the charged offense.



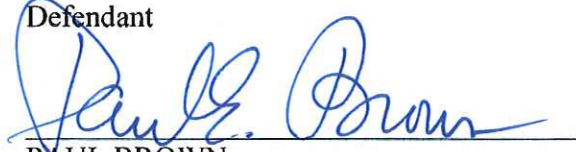
DAVID HALLER
Assistant United States Attorney

4/13/17
Date



ELBERT MOORE
Defendant

4-13/17
Date



PAUL BROWN
Attorney for Defendant

4/13/17
Date