

U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
FILED 3-15-2018  
WILLIAM W. BLEVINS  
CLERK

188

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO. 17-192
v.	*	SECTION: "I"
RYAN SCOTT	*	VIOLATIONS: 18 U.S.C. § 844(i)
	*	26 U.S.C. § 5871
	*	26 U.S.C. § 5841
	*	26 U.S.C. § 5861(d)
	*	
	*	
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**FACTUAL BASIS**

If this matter had proceeded to trial, the United States would have proved, beyond a reasonable doubt, through the introduction of competent testimony and admissible evidence, the following facts. Unless stated otherwise, the following acts occurred within the jurisdiction of the Eastern District of Louisiana.

During the week of May 13, 2017, SCOTT sent a text message to his ex-girlfriend, T.B., stating, in part, "I'm going to show you real soon. You will not be in the house that long. I'm going to make sure of that bitch. It's all good I got you sweetie Saturday." On or about May 21, 2017, at approximately 2:20 a.m., the St. John the Baptist Parish Sheriff's Office was dispatched to 713 Woodland Drive in LaPlace, Louisiana, because T.B.'s car was on fire. Deputy Sheriff Seruntine arrived on scene and observed T.B.'s vehicle on fire. Deputy Seruntine observed that the gas tank to T.B.'s vehicle was open and leaking flaming liquid. SCOTT's telephone records indicate that he called T.B. approximately fifty times on May 21, 2017.

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On or about August 12, 2017 at approximately 4:45 a.m., **SCOTT** went to T.B.'s residence at 713 Woodland Drive, Apartment A, in Laplace, Louisiana, and attempted to kick in the back door. At approximately 4:42 a.m. that morning, surveillance footage from the intersection of Highway 51 and Woodland Drive in LaPlace, Louisiana captured a dark colored minivan traveling in the direction of 713 Woodland Drive in Laplace, Louisiana. The appearance of this vehicle is consistent with a 2003 black Honda Odyssey registered to **SCOTT's** mother, M.S. **SCOTT** routinely drove M.S.'s minivan. At approximately 4:49 a.m., surveillance footage from the intersection of Highway 51 and Woodland Drive captured a dark colored minivan traveling away from 713 Woodland Drive in Laplace, Louisiana. At approximately 4:50 a.m., two Sheriff's Deputies from the St. John the Baptist Parish Sheriff's Office arrived at 713 Woodland Drive. Deputy Sheriff Aucoin observed damage to the kitchen door of Apartment A, which was off the frame, and muddy shoe prints on the exterior of the door. According to the incident report, before the sheriff's deputy arrived, T.B. yelled **SCOTT's** name, and the kicking stopped.

On or about the evening of August 12, 2017, **SCOTT** called T.B. and told her that he had seen her with her "new boo." **SCOTT's** telephone records indicate that he called T.B. approximately thirty times between the hours of 4:47 p.m. on August 12, 2017 and 1:32 a.m. on August 13, 2017.

At approximately 12:07 a.m. on August 13, 2017, surveillance footage from the intersection of Highway 51 and Woodland Drive in LaPlace, Louisiana captured a dark colored minivan matching the appearance of M.S.'s vehicle traveling in the direction of 713 Woodland Drive in Laplace, Louisiana. At approximately 12:22 a.m., surveillance footage from that

intersection captured a dark-colored minivan matching the appearance of M.S.'s vehicle headed away from 713 Woodland Drive in Laplace, Louisiana.

At approximately 12:21 a.m. on August 13, 2017, the St. John Fire Department responded to a reported fire at 713 Woodland Drive in Laplace, Louisiana. T.B. was not present when the fire was started, but two other apartment units at 713 Woodland Drive were occupied at the time of the fire. Recorded calls to 9-1-1 show that neighbors in adjacent units were home when the building was on fire. Fire Department personnel would testify that, prior to their arrival, a neighbor used a fire extinguisher to knock down the flames. An empty red fire extinguisher was located in the grassy area in front of the apartment complex.

When Fire Department personnel arrived on the scene, they observed white smoke coming from the front door area of Apartment A. They found a smoldering fire at the bottom of the door and on the stairs leading to the front door, which they extinguished. The vinyl siding of the front entryway had melted. Fire Department personnel could smell a gasoline odor in the air at the front and rear doors.

Sheriff's Deputies for St. John the Baptist Parish Sheriff's Office arrived on scene minutes after the Fire Department arrived. Sheriff's Deputies would testify that they observed a strong odor of gasoline. Photographs of the scene taken by law enforcement depict fire damage to the front entrance of Apartment A. A neighbor informed law enforcement that he/she observed a black male walk up to 713 Woodland Drive, Apartment A with a liquid substance and throw it on the front entrance of the apartment. The neighbor then observed the male ignite the substance and the neighbor heard a "whoosh" sound. After the fire started, the neighbor observed the perpetrator flee the scene in a dark-colored minivan.



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The Louisiana State Police Crime Laboratory analyzed a sample of mud from the exterior of 713 Woodland Drive Apartment A in LaPlace, Louisiana, and concluded that the debris contained gasoline. Sean Trimber, a Special Agent and Certified Fire Investigator (“CFI”) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), examined the scene and drafted an Origin and Cause Report. Agent-CFI Trimber classified the cause of the fire as incendiary. He inferred that the source of the fire was the intentional application of an open heat source, such as a lighter or match, to gasoline and the structure of the entrance of Apartment A.

At all material times herein, 713 Woodland Drive in LaPlace, Louisiana was used in interstate commerce and in activities affecting interstate commerce. According to records of the St. John Parish Assessor, 713 Woodland Drive in LaPlace, Louisiana is owned by K.S. and C.S. K.S. and C.S. rent three apartment units to tenants at 713 Woodland Drive. If this matter went to trial, K.S. and C.S. would testify that they own 713 Woodland Drive in LaPlace and that it is a multi-family residential apartment building that has four distinct units. At the time of the fire, three of the four units in the four-plex were being rented. The owners of this building do not live at this property, but rather rent this property to produce income. To secure renters for their rental property, the owners paid for advertising in the Times-Picayune newspaper, and they also accepted tenants who used rental assistance benefits under the United States Department of Housing and Urban Development’s Housing Choice Voucher Program (“Section 8”), although none were staying in the apartment building at the time of the fire. The owners made payments to a mortgage company that financed the purchase of the apartment building, and they were also paying to insure the property. The owners of the property also hired a limited liability company to assist in managing the property and to collect rent checks.

  
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Approximately two hours after setting the residential fire in LaPlace, **SCOTT** threw an incendiary and explosive device onto a vehicle in front of T.B.'s family's home on Webster Street in Kenner, Louisiana. This vehicle belonged T.B.'s step-father. The vehicle fire spread to a second, adjacent vehicle.

At approximately 2:47 a.m. on August 13, 2017, the Kenner Police Department arrived at Webster Street in Kenner, Louisiana and observed two vehicles fully engulfed in flames. Kenner Police Officer Hill went to several surrounding houses and asked the residents to exit their homes due to the size of the fire. The Kenner Fire Department subsequently arrived and extinguished the fire. The owners of both vehicles would testify that they did not have any electrical or mechanical issues with their vehicles. Photographs taken by law enforcement document significant fire damage to both vehicles.

Security system footage from a nearby home captured an individual in a gray sweatshirt and dark pants standing next to the vehicle owned by T.B.'s family. This person lit a lighter with his right hand, and then used the lighter to light something in the left hand. The perpetrator threw the lit object onto the hood of the vehicle. The object caused a small explosion, and the vehicle erupted in flames. The perpetrator then walked away. Four individuals who are familiar with **SCOTT**'s appearance viewed the security system footage and informed Kenner Police that the perpetrator who started the vehicle fire resembled **SCOTT**.

At approximately 4:26 a.m. on August 13, 2017, Kenner Police officers went to M.S.'s home, where **SCOTT** resided. From outside the residence, the officers detected the odor of gasoline and observed a red gasoline container in the carport. M.S. informed the Kenner Police that she had not seen **SCOTT** since earlier in the evening. With M.S.'s permission, the officers searched M.S.'s home and were unable to locate **SCOTT**. M.S. later informed Kenner Police

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Officer Saucier that **SCOTT** returned home to her residence at approximately 8:30 a.m. on August 13, 2017. When **SCOTT** arrived home, M.S. informed him that the police were looking for him. In response, **SCOTT** packed a small bag and left on foot.

ATF Special Agent CFI Trimmer examined the scene of the Webster Street fire in Kenner and drafted an Origin and Cause Report. This report concluded that the cause of the fire was an incendiary with ignitable liquid. The Louisiana State Police Crime Laboratory analyzed a sample of debris from the front exterior windshield of T.B.'s stepfather's vehicle. The results indicated no common ignitable liquid residue was detected.

If this case went to trial, an ATF Explosives Enforcement Officer would testify that the device used to start the vehicle fires in Kenner on August 13, 2017 was designed as a weapon. The ATF Explosives Enforcement Officer would testify that this device meets the definition of a "destructive device" contained in 26 U.S.C. 5845(f).

On or about September 26, 2017, **SCOTT** gave an audio recorded, *Mirandized* statement to ATF Special Agents. After signing a written *Miranda* waiver, **SCOTT** confessed to starting the fire in T.B.'s vehicle on or about May 21, 2017, the fire at 713 Woodland Drive Apartment A in LaPlace, Louisiana on or about August 13, 2017, and the fire of the vehicles on Webster Street in Kenner on or about August 13, 2017. **SCOTT** stated that he started these fires because he was upset with T.B. because he believed that she was cheating on him and using him.

With respect to the May vehicle fire, **SCOTT** stated that he took the cap off of the car's gas tank, twisted a white paper towel the long way to make a wick, and inserted the towel into the gas tank. He lit the paper towel on fire and then left in a hurry. With respect to the fire at 713 Woodland Drive, **SCOTT** confessed that he took a red gasoline container and paper towels

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from his mother's house and drove his mother's van to T.B.'s apartment building in LaPlace. There, he poured a line of gasoline from the gas can onto the front steps, twisted up a paper towel, lit the paper towel on fire, and threw it onto the gas on the stairs. Then he left in his mother's van.

**SCOTT** confessed that, several hours after starting the apartment fire in LaPlace, he was still mad at T.B., so he so he decided to go to her mother's house in Kenner. **SCOTT** stated that he made a hole in the lid of a plastic water bottle, screwed on the lid, put a paper towel and gasoline into the water bottle, and lit it on fire. **SCOTT** stated that he then threw this device on T.B.'s mother's car because T.B.'s mother had a lot of things to say about **SCOTT**.

The incendiary device that **SCOTT** threw onto the T.B.'s family's vehicle in Kenner was not registered to the defendant in the National Firearm Registration and Transfer Record (NFRTR). Furthermore, **SCOTT** did not have any firearms registered to him in the NFRTR.

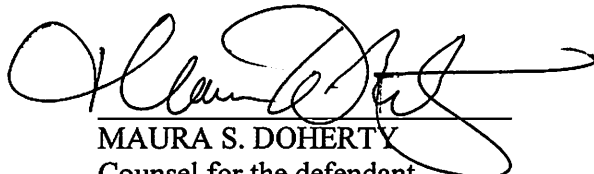
  
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This proffer of evidence is not intended to constitute a complete statement of all facts known to the Government, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient factual and legal basis for **RYAN SCOTT'S** plea of guilty to the two-count Indictment charging **SCOTT** with violating 18 United States Code, Section 844(i) and 26 United States Code, Section 5871.

**READ AND APPROVED:**

  
\_\_\_\_\_  
MYLES D. RANIER  
Assistant United States Attorney

3-15-18  
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Date

  
\_\_\_\_\_  
MAURA S. DOHERTY  
Counsel for the defendant

3/15/18  
\_\_\_\_\_  
Date

  
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RYAN SCOTT  
Defendant

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