

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

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO. 16-36</b>
<b>v.</b>	*	<b>SECTION: "S"</b>
<b>LUIS J. COTTO</b>	*	
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	*	
	*	

**FACTUAL BASIS**

Defendants **LUIS J. COTTO**, a/k/a "Luis Cotto Pereira," ("**COTTO**"), has decided to enter a plea of guilty in the above-captioned matter. Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts. Unless stated otherwise, the following acts occurred within the jurisdiction of the Eastern District of Louisiana.

Agents with the Drug Enforcement Administration ("DEA") have been conducting an investigation into the drug distribution activities of a group of individuals located in and around St. Rose and LaPlace, Louisiana, and elsewhere. Agents identified the following individuals, among others, who were members of a drug distribution conspiracy: **COTTO**, Andre Staggers, a/k/a "Dre," Corey Session, Gregory London, Jr., a/k/a "Lil Gregg," Terrance Anderson, a/k/a "City," Kirk Ballard, Leonard Morrison, a/k/a "Leonard London," Christopher Olavarrieta, Kirkland Jerome Sterling, and others.

During the course of this investigation, agents obtained court-authorized Title III wiretap orders on several telephones. Among them were a phone used by London: (504) 957-1886 ("the 957 Wiretap"); a phone used by Terrance Anderson: (504) 912-3928 ("the 912 Wiretap"); two

AUSA	<u>BLP</u>
Defendant	<u>LP</u>
Defense Counsel	<u>CE</u>

phones used by Session: (504) 236-6622 (“the 236 Wiretap”) and (504) 201-1957 (“the 201 Wiretap”); and a phone used by Andre Staggers: (504) 481-2128 (“the 481 Wiretap”).

Through this investigation, agents learned that Staggers and Session headed a cocaine and heroin distribution network in and around St. Charles Parish, Louisiana. Among their suppliers of drugs was **COTTO**.

### **Wiretap Calls**

The following is a summary of some of the calls in which co-conspirators were intercepted during this wiretap investigation:

On May 1, 2015, London was intercepted in a call with Morrison (call session 64 on the 957 Wiretap). During the call, London and Morrison discussed a potential drug deal. Morrison asked London specifically for “2 or 3 of them.” Agents would testify that, based upon their training and experience and the context of this call, Morrison was asking London if he can purchase two or three ounces of cocaine from London.

On May 6, 2015, Anderson was intercepted in a call with London (call session 155 on the 957 Wiretap). During the call, Anderson told London that they only “mess with the same two, three people everytime; we ain’t looking for no new people.” London agrees. Anderson then says, “The only thing he just told me, um, that I got seventeen, one of your homies got.” Anderson then says “see if you want to do that three deal, if you still got it.” Agents would testify that, based on their training and experience, Anderson’s statement that they “mess with” the same people refers to the fact that Anderson and London prefer to keep their circle of co-conspirators small. Agents would testify that it is common for drug dealers to limit the number of individuals

that they deal with in order to avoid detection or infiltration by law enforcement. Agents would further testify that “seventeen” is a reference to a quantity of cash, likely \$1,700.00. “Three deal” refers to three ounces of cocaine. Considering the price of cocaine, agents would testify that Anderson is talking about a deal where the source is going to sell to Anderson two ounces of cocaine, and front Anderson an additional ounce of cocaine.

On May 18, 2015, London and Session were intercepted on two calls (call sessions 330 and 332 on the 957 Wiretap). During these calls, Session asked London if London can sell a “zipperoni” to a friend of Session’s. London replied that he can. Agents would testify that the term “zipperoni” or “zips” is a common reference to an ounce of narcotics. Therefore, these calls were made to arrange the sale of an ounce of cocaine.

On May 26, 2015, London was intercepted on calls with Morrison (call sessions 488, 489, 491 and 492 on the 957 Wiretap). During these calls, Morrison asked London for a “deuce.” Later that day, Morrison appeared to be arriving at London’s house, and tells Morrison to “come on back,” and Morrison says “alright.” Agents would testify that, based on their training and experience in this case, Morrison arranged to buy two ounces of cocaine from London.

On May 27, 2015, Anderson was intercepted in a call with London (call session 511 on the 957 Wiretap). Anderson said, “I just messed with it and that shit ain’t right” and said he sent a message saying “I’ll take two racks off next time you come.” Anderson said he wants his money back and “I’m thinking about telling their asses I want three, four of them bitches” next time. Agents would testify that Anderson is discussing a supply of cocaine that he received. By saying that he “messed with it,” Anderson is referring to the fact that he tried to add cut to the drugs. Adding cut, such as Mannitol, is a common method by which drug dealers increase the volume of

certain drugs, such as cocaine or heroin. By saying that the “shit ain’t right,” Anderson is referring to the fact that the quality of the cocaine was poor. By saying that he would take “two racks off” next time means that Anderson would keep \$2,000 because the cocaine quality was poor. By saying that he wants “three, four of them bitches” refers to Anderson’s plan to get three or four ounces of cocaine next time.

On June 2, 2015, Anderson was intercepted in a call with London (call session 554 on the 957 Wiretap). During this call, Anderson said that he has a “half a book.” This is a reference to a half-kilogram of cocaine. Anderson told London that he was trying to get rid of it, and Anderson thought he could “make some moves” before he left. Agents would testify that Anderson is saying that he was hoping to sell the half-kilogram of cocaine before he left town. Anderson asks London to tell him if he knows somebody who is interested in making a purchase, and he says that he has “two of them,” and that he could take it and “mix it.” Again, this is a reference to taking cut and adding it to cocaine.

On June 19, 2015, Morrison and London were intercepted on several calls discussing a drug deal (call sessions 780, 783, 784, 786 on the 957 Wiretap). Morrison called London and asked for “the single,” and London agrees. Later, Morrison called again and told London, “Repeat, re-mix, another one.” London replied, “Alright fool.” Agents would testify that Morrison was ordering a total of two ounces of cocaine during these intercepted calls. Agents then observed Morrison arrive at London’s house. Morrison and London had a meeting while London was sitting in his car. Then they both walked to 616 Turtle Creek (Session’s house) and Session, London, and Morrison got into Session’s car. Session then drove the three of them around for a brief period, and then returned to Session’s house without making any stops.

Morrison got out of the car while holding an object in his left hand, and then reenter his own vehicle and drive to 732 Turtle Creek (London's residence). London also exited Session's car and was holding a weighted down plastic bag. London got into his car and drove to a convenience store. Session remained parked at his house at 616 Turtle Creek. One minute later, an unknown male arrived and entered the passenger side of Session's car. He then exited four minutes later, get back into his car, and drove up to 728 Turtle Creek (one door down from London). Agents would testify that it is common for drug dealers to conduct drug deals in their vehicles to avoid detection. Therefore, based on the context of the phone calls and the relationship of the individuals, agents would testify that London, Session, and Morrison drove around together to avoid detection by law enforcement while engaging in a drug deal and having drug-related conversations.

On August 27, 2015, Staggers and Session were intercepted in drug-related calls. During call session 84 on the 236 Wiretap, Staggers stated, "What's up with you?" Session replied, "From a scale from one to ten, nigga gave me a nine. That what with the shit . . . what I did to it." Session added, "Gave me a nine, nigga gave me a better report on that other shit than that." Staggers replied, "Ok, now, now, now, I know what to tell him." Session stated, "I put two on two. I put one on there and nigga gave me a nine. You know what I'm saying?" Staggers responded in the affirmative. Session stated, "Main vein, so that, that speaks a lot." Session added, "So, I'm trying to wait for them bitches . . . but I told ya all round there like that fucking, the cylinder dog, that cylinder." Staggers stated, "I got you." Session stated, "Well, I was just callin' you to give you the hood report." Staggers replied, "I feel you. Appreciate that, too." Session stated, "You know what I'm saying, they talking about the business boy. This shit, inaudible, that shit like what,

you better do something with that. That shit is going to kill somebody.” Staggers replied in the affirmative. Session added, “At the same time, I’m about to check with a couple of more people, about to check with some ah, you know, up-the-nose niggas.” Staggers replied in the affirmative. Agents would testify that, during this call, Session is reporting to Staggers that he had a heroin addict test a heroin supply by injection (“main vein”), and the addict reported that it was good quality (a “nine” out of ten). Session explains that this report came after he mixed the heroin with cut (“I put two on two”). Session then says that he will allow some addicts who snort heroin to try it too (“check with some ah, you know, up-the-nose niggas”). This context confirms that they are discussing heroin because users can either inject heroin or snort heroin through the nose.

On a call the same day, August 27, 2015 (call session 93 on the 236 Wiretap), Session and Staggers have a drug-related conversation. During the call, Session asked Staggers if he had talked to “them people.” Staggers responded in the affirmative and told Session that next time “it” would be great. Session asked if “they are going to swap it out?” Staggers stated that he did not know. Session replied, “if they don’t, just come up with it.” Staggers stated that the “one hundred percent” one is “small” and “solid.” Session and Staggers continued to discuss the quality and texture of the product. Staggers stated that if they liked this “recipe” that came straight from the “factory” with nothing added to it, they (Staggers and Session) would keep it. Session stated that “it is nothing to complain about” and an associate had rated “it a nine.” Staggers stated that he wanted “top grade” at the price he was being charged. Agents would testify that this discussion is also about a heroin supply. By asking whether they would “swap it out,” Session is asking whether the source will send a new batch of heroin in exchange for the old one. Staggers’ reference to a supply being “solid” refers to heroin being firm in texture, which

suggests that the heroin came off a brick of heroin and therefore had not been mixed with cut prior to being delivered to Session and Staggers.

On September 8, 2015, Staggers and Session were intercepted in a call (call session 515 on the 236 Wiretap). During the call, Session stated, "Hey, you remember Puerto Rico?" Staggers stated "Yeah." Session stated that he had "just talked to the old man." Staggers responded, "Yeah." Session went on to state that the individual asked him to come to Midland, Texas. Staggers said that he had been there before. Session stated, "That's what the hook. But look . . . I'm a get with you, and we gonna chop that up and see what's happening with that." Staggers replied, "Yeah." Session stated, "That boy said Michael Jordan." Staggers replied, "That's what's up." Staggers added, "Have you ever heard of Odessa?" Session replied, "Oh, I never heard of that. I told you the furthest I been was Brownsville. That's the furthest." Staggers stated, "Yeah, that's right there, Midland-Odessa." Session stated, "Oh, Midland close to Brownsville, too?" Staggers replied, "It's a little ways, a little ways from there." Session stated, "Alright, my dude." Staggers replied, "Okay." Session stated, "Alright, my dude." Agents would testify that "Puerto Rico" is a reference to **COTTO**. During this investigation, agents learned that **COTTO** had a house in Kermit, Texas, which approximately 50 miles from Midland and Odessa, Texas, the two largest cities near Kermit. Session therefore is discussing how **COTTO** asked Session to come out to meet him near Kermit. Furthermore, agents would testify that "Michael Jordan" is another drug reference, as these individuals commonly use profession athlete's names to refer to their jersey number, which corresponds to a weight or price. Here, Jordan wore number 23, therefore this is a reference to \$23,000.00. Agents would testify that this amount corresponds to the price of a kilogram of cocaine.

On September 19, 2015, Session and **COTTO** were intercepted in a call (call session 822 on the 236 Wiretap). During this call, **COTTO** asked Session about what his (Session's) "prices" would be. Session replied, "The coke?" **COTTO** replied, "No." Session asked if he meant the "China white" or "White H?" He then clarified if **COTTO** referred to "heroin." **COTTO** replied, "Yeah yeah." **COTTO** asked how much Session would pay. Session replied "55 to 60." Agents would testify that this is a reference to \$55,000 to \$60,000, which is consistent with the price of a kilogram of heroin in the New Orleans area. **COTTO** then explained that the price that he could fetch in Orlando was higher, but that Orlando would be about "500 miles after you." Session asked **COTTO** if he had to come out to **COTTO**, or if **COTTO** would be coming to Louisiana. **COTTO** replied that he would be coming to Louisiana. Agents would testify that **COTTO** and Session negotiated the price of a kilogram of heroin in this call. Additionally, the content of the call, where Session believed that **COTTO** was offering "coke" shows that **COTTO** is also a source of cocaine. **COTTO'S** reference to Orlando being "500 miles" after Session is roughly accurate as Orlando, Florida is approximately 650 miles from the New Orleans area. This statement confirms that **COTTO** was coming from the Texas area and driving east towards Louisiana.

On October 30, 2015, Session and Stagers were intercepted (call session 250 on the 201 Wiretap). Session initiated the conversation by telling Stagers, "A nine." Stagers asked, "What's good about it?" Session stated, "A scale to one to ten. It all depends on the number, how much they wanted for the shoe." Stagers replied, "They ain't tell me that." Session advised, "We'll see what he's talking about. It's definitely thumbs up. I can work with it. But we don't want to go too far out on a limb." Based on agents' training and experience, a "shoe" refers to a



quantity of drugs, likely heroin. Session's statement that the drugs were a "nine" and that he gave them a "thumbs up" means that the drugs were high quality. By stating that he could "work with it" means that Session could add cut to the heroin to increase its volume. At the end of the call, Staggers and Session agreed to "work on the numbers," meaning that they will discuss prices for this high quality heroin at a later date.

On November 1, 2015, Session and Staggers were intercepted (call session 616 on the 201 Wiretap). Staggers asked if Session "can work with seventy dollars." Session asked, "For what?" Staggers said, "For that there, what I told you about." Session replied, "No, I can't do that." Staggers then stated, "No, I'm saying that's the number, for the handout." Session replied, "I see what you are saying. From what you give me the other day?" Staggers advised, "Not from the other day, the new one." Session asked, "When you gave me the little piece right?" Staggers stated, "Yeah." Session asked, "What they say?" Staggers advised, "Seventy dollars." Session asked, "What, me or that's you?" Staggers advised, "That's you." Agents would testify that "seventy dollars" used in this context refers to \$70,000 for a quantity of narcotics. Agents would testify that this amount is consistent with the price for approximately one kilogram of heroin.

On November 18, 2015, agents intercepted a series of calls between Session, Staggers, and London (call sessions 2632, 2659, 2662 on the 201 Wiretap). Staggers first spoke to Session. Staggers said that he is heading back from Texas and asked if Session can meet. Session agreed. Agents then observed Staggers arrive at 501 Indigo Parkway, Unit #33. This is an apartment that has been associated with Session. London and Session then spoke on the phone. Session told London that he is "fucking with Sam" and "chopping it up with him," a reference to Staggers. In

the last call, London asks Session if he has anything available, and Session says he has a “Vickie.” Based on their experience in this case, agents would testify that “Vickie” is a reference to Michael Vick’s number 7, and therefore is a reference to seven ounces of cocaine. Session here informed London that he is meeting with Stagers after Stagers returned from Texas, a source state of narcotics. Session and London then arrange a deal for seven ounces of cocaine.

On January 12, 2016, Stagers and Session discussed a shipment of drugs (call session 1366 on the 481 Wiretap). During this call, Stagers complained that the product he obtained did not “scorpion” on it. Stagers asked, “That scorpion shit is supposed to be real good?” Session replied, “Shit that what . . . nigga said. You know that what a nigga said that’s right off your boy . . . that’s what . . . boy has it.” Stagers states that he ordered a bit of it. Agents would testify that this reference to a “scorpion” being on the product refers to the fact that large-scale drug dealers, such as cartels, mark their product with a stamp as an identifying mark. The “scorpion” would refer to the stamp on these drugs. Stagers complains that the product did not have a stamp on it because this suggests that it did not come from the correct location. Moreover, agents would testify that only large quantities of narcotics, such as kilogram bricks, bear a stamp. This call therefore shows that Session and Stagers purchase kilogram quantities at a time, they are getting their drugs from a large-scale dealer, and they expect it to be untouched from the source (i.e., not mixed with any cut).

On January 17, 2016, Stagers and Session were intercepted on calls discussing drug sales (call sessions 1721, 1751, 1790 on the 481 Wiretap). During call session 1721, they discussed the quality of “alligator,” and Session said that a user said “that’s the best alligator they ever tasted in they mother fucking life, nigga. Nigga said, whoever tenderized that mother fucking gator . .

. .” Staggers chuckled and Session added, “Nigga said on the scale of 1 to 10, nigga like, there ain’t no 10.” During call session 1751, Staggers stated, “That gator meat is a mother fucker boy.” Session agreed and stated that others had been saying that “that bitch is out of this world, son.” Session added, “Yeah, I’ll be down there soon . . . soon so we can get to work then.” Staggers responded, “I know, bro.” During call session 1790, Session stated, “Been fucking with that alligator? Ha, player, player.” Staggers laughed and Session added, “Fucking alligator is gonna bite you in your mother fucking ass.” Session asked Staggers, “Do you want to fuck with that?” Session added, “Or you want to fuck with the squash shit? You want to wait for the squash shit come?” Staggers suggested that they “take that little thing (the alligator) and see how it go.” Staggers stated, “We can take that what I got and experiment with.” Session added, “Yeah, we can do that mother fucker, we need a lab rat . . . .” Agents would testify that these three calls establish that “alligator” is a reference to high quality narcotics. Their use of the term is specific here to heroin because Session discusses getting a “lab rat,” or a user who can test it. Heroin dealers often get users to try a batch of heroin to test the quality of the drug.

On January 18, 2016, Session and Staggers again were intercepted (call session 1803 on the 481 Wiretap). They discuss the “alligator” and whether they should “fuck” with it. Staggers indicated that he was “about to swing around in a little bit.” Session stated, “Well, you go around now?” Session responded in the affirmative. Agents would testify that Staggers and Session have agreed to meet to evaluate the quality of the heroin and possibly mix it with cut (“fuck” with it).

### **Toll Records Analysis**

Agents obtained toll records for several of the phones that the co-conspirators used in this conspiracy. These records show that many of the co-conspirators have a long-term relationship that involves regular contact.

Tolls records show that Session used his two phones, (504) 201-1957 and (504) 236-6622, to contact Stagers, who used (504) 230-2820 and (504) 481-2128, over 300 times between August 12, 2015 and January 8, 2016.

Toll records show that **COTTO**'s phone, (432) 251-9688, was in contact with Session's phones more than 60 times between February 6, 2015 and September 27, 2015.

Toll records also show that **COTTO**'s phone, (432) 251-9688, was in contact with Anderson's phone approximately 14 times between June 5 and June 7, 2015. Witnesses would testify that Session would use Anderson's phone occasionally to conduct drug deals.

### **Search at 2116 Greenwood Drive, LaPlace, Louisiana**

On February 25, 2016, federal and state law enforcement agents executed a federal search warrant at the residence at 2116 Greenwood Drive, LaPlace, Louisiana. Based on surveillance, agents knew this location was a residence of Stagers. The following is a description of some of the items found during the search.

Stagers was the only occupant found in the residence. During the search of the residence, agents located an AR-15 assault rifle in the living room. The rifle was fully loaded with one round of ammunition in the chamber.

In the master bedroom agents located an U.S. currency was located inside a dresser drawer.

In the kitchen, agents found a ledger book consistent with miscellaneous names and prices. Based on agents' training and experience, it is common that drug distributors use drug ledgers to keep record of proceeds and narcotic sales. Agents also located in the kitchen pieces of mail with the name Andre Staggers and mailing address 2116 Greenwood Drive, LaPlace, Louisiana. Agents also found seven cellular phones.

Behind the stove in the kitchen, agents found a void in the wall that contained approximately one-half kilogram (approximately 527 gross grams) of heroin. In that same space, agents found a safe that contained a large amount of U.S. currency that was vacuum-sealed. Agents also located digital scales in the residence. Agents also found a money counter in the foyer closet. In agents' training and experience, digital scales are commonly used by drug dealers to weigh narcotics for sale, and money counters are used by drug dealers to count and track large sums of money. The suspected heroin found behind the kitchen stove field-tested positive for heroin. The currency seized from this residence totaled approximately \$462,672.00.

#### **Search at 616 Turtle Creek Lane, St. Rose, Louisiana**

On February 25, 2016, federal and state law enforcement agents executed a federal search warrant at the residence at 616 Turtle Creek Lane, St. Rose, Louisiana. This location was a known residence of Session based on surveillance. The following is a description of some of the items found during the search.

Law enforcement officers made contact with Session at 616 Turtle Creek Lane. Also at the residence were an adult woman and two juvenile children. While searching the bathroom next to the master bedroom, agents located a Smith & Wesson .40 caliber handgun. Agents located a

7.62 caliber AK-47 rifle in the master bedroom closet. The rifle was partially concealed in between the interior closet wall and shoe rack.

Located in the master bedroom dresser drawer were two silver hand held compressing devices. Based on agents' training and experience, these devices are commonly used to compress a quantity of narcotics. A pair of Session's jeans was found to contain around \$10,000 in cash.

In the laundry room, agents located twenty-three (23) empty bottles of Mannitol. In agents' experience, Mannitol is commonly used by narcotics distributors as a cutting agent to expand the quantity of narcotics. Agents also found two digital scales in the kitchen, which are commonly used by narcotics traffickers to weigh drugs for sale.

#### **Search at 501 Indigo Parkway, Unit #33, LaPlace, Louisiana**

On February 25, 2016, federal and state law enforcement agents executed a federal search warrant at the apartment at 501 Indigo Parkway, Unit #33, LaPlace, Louisiana. This location was associated with Session based on surveillance. He met with Staggers there during the course of the wiretap. The following is a description of some of the items found during the search.

Agents found approximately 570 gross grams of heroin from a cabinet located in the laundry room of the residence. The suspected drugs initially field-tested positive for cocaine; however, a subsequent DEA lab test confirmed that the suspected drugs were in fact heroin. In that same cabinet, agents also found small quantities of other suspected drugs, including cocaine and heroin, a quantity of suspected cut/adulterant, and a money counter.

In the hall closet, agents seized a six-ton machine press. Based upon agents' training and experience, such devices are commonly used by drug dealers to compress "bricks" of cocaine and

heroin. In the kitchen, agents discovered two additional, smaller drug presses and an additional quantity of adulterant. In the hall closet located on the second floor, agents seized a loaded AR-15, which was determined to have been stolen from the Louisiana State Police approximately two years prior.

In the bedroom, agents found a large quantity of cash underneath the bed mattress. Agents found two loaded magazines in the nightstand, one of which was an extended magazine designed to hold 30 round of ammunition. Agents also seized a loaded Beretta 92FS 9mm semi-automatic pistol that was determined to be stolen from the bedroom dresser. Agents also found a Louisiana driver's license in the name of Corey Session. In total, agents found approximately 600 gross grams of heroin, approximately 30 gross grams of cocaine, and approximately 59 gross grams of crack cocaine.

#### **Seizure of Approximately \$225,000.00 from COTTO in Oklahoma**

On August 7, 2016, **COTTO** was stopped for illegal lane change on Interstate 44 near Vinita, Oklahoma, by Oklahoma Highway Patrol Trooper Steve Hamilton. Trooper Hamilton had **COTTO** sit in his cruiser front seat while he wrote **COTTO** a warning. During the stop, Trooper Hamilton observed that **COTTO** was sweating, his hands were shaking, and was nervous. **COTTO** also gave unusual answers to Trooper Hamilton's questions, claiming that he was going to Texas because he had to check on renters who were buying too much pay-per-view. **COTTO** also said he had just bought his car and that he intended to sell it to his uncle, but Trooper Hamilton noted that his insurance documents said he had bought insurance for the vehicle ending in two years in the future.

Based on his observations, Trooper Hamilton suspected **COTTO** of drug trafficking, and he detained **COTTO** in order to have a drug canine conduct an open-air sniff of **COTTO'S** vehicle. Hamilton's partner, Trooper Colby Rohr, was in the vicinity and immediately responded with his drug canine. The canine alerted to **COTTO'S** vehicle. Troopers searched the vehicle and found inside the door panels of **COTTO'S** vehicle approximately \$225,000.00 in U.S. currency wrapped in plastic. The door panels had been glued shut with axle grease. Agents would testify that these steps are all common techniques of drug traffickers who transport drugs and drug proceeds.

**COTTO** was read his *Miranda* rights and signed a written waiver. **COTTO** claimed that he had found the cash in a bag outside his house, and then he decided to drive it down from New York to Texas. **COTTO** was released because he disclaimed his interest in the cash.

One of the documents seized from **COTTO'S** vehicle in Oklahoma was a receipt in **COTTO'S** name for vehicle servicing. The receipt noted **COTTO'S** phone number as (432) 251-9688, the same number that **COTTO** used to communicate with Session during the operation of the DEA wiretap.


### **Sentencing Stipulation**


For the purposes of sentencing only, the parties stipulate and agree that, based on **COTTO'S** own actions and the reasonably foreseeable actions of his co-conspirators, **COTTO** is responsible for between 3 kilograms and 10 kilograms of heroin and for between 5 kilograms and 15 kilograms of cocaine.



Limited Nature of Factual Basis

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

 07/19/2018  
 \_\_\_\_\_  
 Date  
 Matthew R. Payne  
 David Howard Sinkman  
 Assistant United States Attorneys

  
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 Date  
 Catherine Chavarri  
 William B. Gordon, III  
 Counsel for Luis J. Cotto 07/19/18

 07/19/18  
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 Date  
 Luis J. Cotto  
 Defendant