

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA \* CRIMINAL NO. 18-136  
v. \* SECTION: "M"  
ERIC EDWARD ARMSTRONG \*  
\* \* \*




FACTUAL BASIS

Defendant **ERIC EDWARD ARMSTRONG (ARMSTRONG)** has agreed to plead guilty. 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.

On about March 22, 2013, **ARMSTRONG** was convicted of Criminal Sexual Conduct Third Degree (Force or Coercion) under Minnesota Statute 609.344.1 (c) in the Minnesota 10th Judicial District Court, Anoka County, under Case Number 02-CR-12-5873. **ARMSTRONG** was required to register as a sex offender for the rest of his life after his release from prison pursuant to the federal Sex Offender Registration and Notification Act (SORNA).

**ARMSTRONG** was sentenced to 53 months with the Minnesota Commissioner of Corrections and informed by the court that he must register as a sex offender. He was also sentenced to 10 years conditional release after confinement. He was also advised that he would be required to register as a sex offender upon release from custody. **ARMSTRONG** signed a form acknowledging all of his registration requirements on or about April 25, 2013.

As a registered sex offender, **ARMSTRONG** was obligated to report to the Sheriff's Office or sex offender registration official in the county of his residence any intent to leave

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Defense Counsel 

Minnesota. He was also required to register at his new place of residence if he ever moved. **ARMSTRONG** was released from the Minnesota Department of Corrections in August of 2015, and he started registering as a sex offender in August of 2015 with an address in Minneapolis, Minnesota.

**ARMSTRONG** updated his sex offender registration as required in May of 2016 and May of 2017, and he gave written acknowledgment of his duty to register on a form each year. At that time, he indicated that he was residing in Anoka, Minnesota.

In February of 2018, the Minnesota Department of Corrections obtained a parole violations warrant for **ARMSTRONG**. The basis of the warrant was **ARMSTRONG'S** failure to maintain contact with his parole agent and otherwise failing to comply with his sex offender treatment program.

In May 2018, the U.S. Marshal's Service learned that **ARMSTRONG** was residing in New Orleans, Louisiana, and had been doing so since February 2018. Deputies determined that **ARMSTRONG** was residing at an apartment in the 600 block of Esplanade Ave. in New Orleans.

Deputies and officers reported to the **ARMSTRONG'S** New Orleans address on May 16, 2018, to arrest **ARMSTRONG** pursuant to the Minnesota warrant. After **ARMSTRONG** answered the door and officers identified themselves, **ARMSTRONG** initially gave a false name, advising officers that his name was actually "Jose E. Lopez." Investigators, however, were able to confirm that "Lopez" was, in fact, **ARMSTRONG**, and he was taken into custody on the Minnesota warrant. During the arrest of **ARMSTRONG** in his apartment, TFO King Tao observed in plain view a bus ticket from Blaine, Minnesota, with a final destination of New Orleans on February 18, 2018, in **ARMSTRONG'S** name. TFO Tao also observed in plain view a pay

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Defense Counsel [Signature]

stub to **ARMSTRONG** from a restaurant on Bourbon Street in New Orleans. The pay stub listed **ARMSTRONG'S** home address at the same apartment on the 600 block of Esplanade Avenue where he was arrested. The pay stub was for a two-week period in March of 2018.

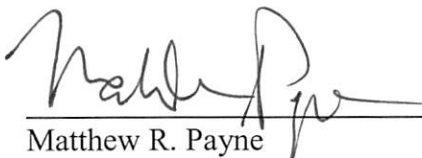
Officers spoke with a representative of the apartment complex where **ARMSTRONG** was arrested. That individual told officers that **ARMSTRONG** had been residing at an apartment in that building. Officers also contacted his employer at the restaurant on Bourbon Street. They confirmed that **ARMSTRONG** had been working at the restaurant on a regular basis prior to his arrest.

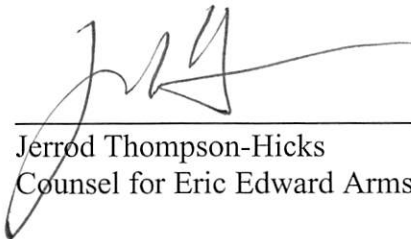
Based upon the evidence set forth above, **ARMSTRONG** traveled in interstate commerce and failed to update his sex offender registration under SORNA. Officers would testify that, although **ARMSTRONG** resided in New Orleans from approximately February 2018 until May 2018, he did not register as a sex offender with the New Orleans Police Department as he would be obligated to do to comply with the terms of his sex offender status under SORNA.

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Defendant EA  
Defense Counsel JJA

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **ARMSTRONG**, and it is not a complete statement of all facts described by **ARMSTRONG** 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 **ARMSTRONG'S** plea of guilty to the charged offense.

  
\_\_\_\_\_  
Matthew R. Payne                      10/18/2018                      Date  
Assistant United States Attorney

  
\_\_\_\_\_  
Jerrod Thompson-Hicks                      10/18/2018                      Date  
Counsel for Eric Edward Armstrong

  
\_\_\_\_\_  
Eric Edward Armstrong                      10-18-18                      Date  
Defendant

AUSA   
Defendant   
Defense Counsel 