

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

**UNITED STATES OF AMERICA** \* **CRIMINAL DOCKET NO. 18-24**  
  
v. \* **SECTION: "B"**  
  
**STEPHAN MITCHEL THOMAS** \* **VIOLATIONS:**  
\* **26 U.S.C. § 5871**  
\* **18 U.S.C. § 1951(a)**  
\* **18 U.S.C. § 924(c)(1)(A)(ii)**  
\* **18 U.S.C. § 2**  
  
\* \* \*

**FACTUAL BASIS**

If this matter had proceeded to trial, the United States would have proved through the introduction of competent testimony and admissible evidence, the facts below to support the allegations charged by the Government in Counts One through Six of the Indictment now pending against defendant **STEPHAN MITCHEL THOMAS** ("THOMAS"):

At all material times herein, JM1 was a drug dealer who used and sold pain killers. One of his narcotics suppliers and customers was J.C. J.C. and his wife, P.C., went to the home of JM1 and his wife, JM2 on multiple occasions.

In the summer of 2016, J.C. asked **THOMAS** and L.M. to rob JM1 and JM2. J.C. stated that JM1 and JM2 would have pain pills and cash. J.C., L.M., and **THOMAS** intended to share the robbery proceeds and sell the pills. J.C. requested that **THOMAS** and L.M. hurt JM1 during

ST  
WU  
CPM

the robbery.

On or about July 11, 2016, **THOMAS** and L.M. forcibly entered the residence of JM1 and JM2 in St. Tammany Parish. **THOMAS** and L.M. carried firearms and pointed them at JM1 and JM2 while demanding pills and cash. **THOMAS** and L.M. bound both victims at their wrists and ankles with tape and zip ties at gunpoint.

**THOMAS** and L.M. stole items from the home of JM1 and JM2, including a Sig Sauer .22 caliber pistol, several thousand dollars in cash, electronics, and prescription narcotic pain pills. JM1 would testify that he had the narcotics for the purpose of selling them. During the robbery, **THOMAS** placed JM1 in the bathroom and struck him in the head with a gun. Crime scene photographs depict a laceration on JM1's head, and blood droplets in various locations in the bathroom. Photographs also depict red marks on the wrists and ankles of JM1 and JM2. Law enforcement recovered the zip ties and tape that were used to restrain the victims.

**THOMAS** and L.M. did not wear anything to conceal their faces during the robbery of JM1 and JM2. **THOMAS** wore a shirt provided by J.C., which stated, "DEA - Drunks Enjoying Alcohol."

Immediately after the robbery, JM1 and JM2 provided descriptions of the robbers to law enforcement, which were consistent with the appearances of **THOMAS** and L.M. These descriptions included that the robbers were white males in their 20s wearing DEA shirts; that one robber had a "scraggly beard;" and that one robber had large "gauge" earrings. **THOMAS** has distinctive gauge-style earrings, and L.M. had a beard.

In March of 2017, a St. Tammany Detective showed 6-pack photographic lineups to JM1 and JM2. JM1 identified **THOMAS** as the perpetrator who struck him on the head. JM2 identified L.M. as one of the suspects.

Results of a federal search warrant for **THOMAS**'s Facebook reveal that on July 14, 2016—five days after the robbery of JM1 and JM2—**THOMAS** boasted to a friend that he “just hit a lick” wearing “a dea shirt.” Agents with the Bureau of Alcohol, Tobacco, Firearms, and Explosives “ATF” would testify that “hitting a lick” is slang for committing a robbery.

Shortly after the robbery of JM1 and JM2, A.P. suggested that **THOMAS** and L.M. should rob M.L. of drugs and money. M.L. was a drug dealer who sold marijuana at all material times herein. In or about the middle of August, A.P., **THOMAS**, and L.M. drove to M.L.'s home in Tikfaw so that A.P. could point out the location for a future robbery.

On or about August 31, 2016, **THOMAS**, **SHAWLEY**, L.M., and C.S. were occupying a room without a room reservation at a hotel located at 42309 S. Morrison Boulevard in Hammond, Louisiana. This hotel is located within the Eastern District of Louisiana. When confronted by hotel personnel, **THOMAS**, **SHAWLEY**, and L.M. fled. As they were fleeing, a hotel employee observed one suspect drop a sawed-off shotgun in the hallway, and stop to pick it up. This employee identified **THOMAS** in a 6-pack photographic lineup as the person who dropped the sawed-off shotgun.

Witnesses observed **THOMAS** put some items into C.S.'s vehicle. **THOMAS**, **SHAWLEY**, and L.M. then left the scene, but a hotel employee prevented C.S. from leaving. Officers with the Hammond Police Department (“HPD”) arrived a short time later, and only C.S. remained on the scene.

The HPD officers made contact with C.S., who was in her vehicle in the hotel parking lot. The officers detected the strong odor of marijuana coming from the vehicle and observed a firearm in plain view in the back seat. The officers ordered C.S. to exit the vehicle, and they conducted a search. The HPD officers recovered numerous items during the search of C.S.'s vehicle.

including but not limited to: a 16-gauge Iver Anderson, Model Champion shotgun (the “shotgun”); an Anderson Manufacturing Model AM-15 .223 Wylde caliber AR-type firearm (the “rifle”); an oil filter that officers suspected was a homemade silencer; one thirty round capacity magazine containing twenty-two rounds of .223 ammunition; one purple bottle containing two doses of lysergic acid diethylamide (“LSD”); six glass pipes containing marijuana residue; one Mason jar containing a quantity of marijuana; Ziploc bags; and a scale. The short barrel rifle components were located in the same box as the silencer when recovered from C.S.’s vehicle. C.S. was arrested on the scene.

An expert from the ATF’s Firearms Technology Criminal Branch (“FTCB”) would testify that the shotgun had an overall length of less than 26 inches and a barrel of less than 18 inches in length. Specifically, the expert would testify that the shotgun was approximately 21 1/8 inches in overall length and contained a barrel approximately 12 5/8 inches in length with a “crudely cut” barrel. The FTCB expert would testify that the rifle had an overall length of less than 26 inches and a barrel of less than 16 inches in length. Specifically, the expert would testify that the rifle had an overall length of approximately 26 inches and contained a barrel approximately 7 5/8 inches in length. The FTCB expert would testify that the oil filter was modified and contained two holes, as if created by the result of a gunshot. The FTCB expert would testify that, based on test firing, the oil filter was capable of diminishing the sound report of a portable firearm. The FTCB expert would testify that all three devices are classified as “firearms” as defined by the National Firearms Act (“NFA”) and therefore must be registered in the National Firearms Registration and Transfer Record (“NFRTR”). A records search indicates that these devices were not registered to **THOMAS** in the NFRTR at the time that he possessed them.

If this case went to trial, witnesses would testify that they have seen **THOMAS** with the

YMC  
CDM  
ST

short barrel rifle and the sawed-off shotgun on other occasions. A witness would testify that he/she observed **THOMAS** shorten the shotgun in his backyard. Witnesses would also testify that they have seen **THOMAS** use oil filters as silencers on other occasions.

After C.S. was arrested on or about August 31, 2016, **THOMAS**, **SHAWLEY**, L.M., and A.P. determined that they needed to obtain money to bail out C.S. so that she would not talk to law enforcement about them. They decided that **THOMAS**, **SHAWLEY**, and L.M., should rob M.L. of drugs and money and then **THOMAS**, **SHAWLEY**, L.M., and A.P. would sell the stolen drugs for C.S.'s bail money. A.P. stated that M.L. would have a large quantity of marijuana and cash in his house. **THOMAS**, **SHAWLEY**, and L.M. went to A.P.'s house prior to the robbery and discussed the robbery with A.P.

During the early morning hours of September 1, 2016, **THOMAS**, **SHAWLEY**, and L.M. went to M.L.'s home in Tickfaw, Louisiana. M.L.'s home was located in the Eastern District of Louisiana. **THOMAS**, **SHAWLEY**, and L.M. wore bandanas over their faces and were each armed with a firearm. **THOMAS** used a Colt 1911 pistol that he had previously gotten plated in gold. **THOMAS** provided **SHAWLEY** with the black Sig Sauer .22 caliber pistol that was stolen from the robbery of JM1 and JM2. L.M. brought his own firearm.

**THOMAS**, **SHAWLEY**, and L.M. went into M.L.'s bedroom, pointed firearms at him, and asked him where he kept his drugs. M.L. told the robbers that he had marijuana in an ice chest in the garage. **THOMAS** restrained M.L. with zip ties that were brought to M.L.'s home, and put M.L. into a bathroom in the house. **THOMAS**, **SHAWLEY**, and L.M. robbed M.L. of several items, including a quantity of marijuana, a quantity of United States currency, and a Cadillac CTS vehicle.

After the robbers left, M.L. went to a neighbor's house and called 9-1-1. M.L. reported

unc  
COM  
ST

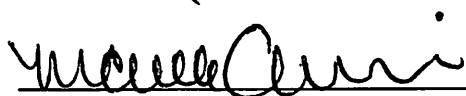
on the 9-1-1 call that three white males in their mid-20s had just broken into his home wearing black and red handkerchiefs over their faces, tied him up, and robbed him at gunpoint.

At the conclusion of the robbery, L.M. drove to J.C.'s home in the stolen Cadillac and obtained a cellular telephone. L.M. then drove to his mother's house in the stolen Cadillac. **THOMAS** drove L.M.'s vehicle to L.M.'s mother's house. There, L.M. informed **THOMAS** that he was going to bring the stolen Cadillac to A.P.'s metal shed to try to block any GPS signals. However, OnStar disabled the stolen Cadillac. **THOMAS** left L.M.'s mother's house and went to a gas station to meet A.P. Law enforcement arrived at L.M.'s mother's house. The stolen Cadillac was recovered by law enforcement, and L.M. was apprehended while attempting to flee on foot.


**THOMAS** and A.P. drove near L.M.'s mother's house in an attempt to determine what was happening, and then relocated to a hotel room. **THOMAS** gave A.P. some of the marijuana that they stole from M.L.'s residence, and they sold it in order to bail L.M. out of jail. L.M. informed **THOMAS** and A.P. that the proceeds from the robbery of M.L. were in the woods near L.M.'s mother's house. **THOMAS**, L.M., and A.P. went to the woods to look for the money but were unable to find it.

ST  
YMC  
CPR

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 **STEPHAN MITCHEL THOMAS's** plea of guilty to Counts One through Six of the Indictment pending in the above-captioned case.

  
\_\_\_\_\_  
MARIA M. CARBONI  
Assistant United States Attorney

10/24/2018  
Date

  
\_\_\_\_\_  
CHARLES MARSHALL  
Counsel for the defendant

10/24/18  
Date

  
\_\_\_\_\_  
STEPHAN MITCHEL THOMAS  
Defendant

10/24/18  
Date