

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 17-200

v. * SECTION: "G"

CIBONEY PARKER *

* * *

FACTUAL BASIS

If this case were to proceed to trial, the United States would prove the following facts beyond a reasonable doubt:

Elton Williams was arrested on state drug charges on approximately May 15, 2017. He was incarcerated in the Orleans Parish Prison. Thereafter, he began requesting that co-defendants, Brittany Theophile and Rachelle Kelson, assist with getting drugs to him in the jail. Co-defendant Ciboney Parker, a civilian employee of the Orleans Parish Sheriff's Office and a relative of Williams, agreed to help with the plan by smuggling the drugs into the jail during her work shift. Parker, Theophile and Kelson each utilized a cellphone, a facility in interstate commerce, to communicate about the plan.

During Williams' incarceration in Orleans Parish Prison, he utilized the prison phone system. All calls were recorded and stored on a server which is housed outside of the State of Louisiana. On May 20, 2017, Williams and Theophile spoke on a recorded jail call. Theophile asked Williams what time he would be let out of his cell that evening because Parker was able to meet him. Williams said that Parker could come between 9:00 and 9:30. Theophile confirmed that she had already given the drugs to Parker. Williams asked Theophile to spend time with Parker and to offer her money to go through with the plan to deliver drugs to Williams.

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At 9:50 p.m., Theophile sent a text message to Parker stating, "He said do that please it's the time he out." At 10:45 p.m., Theophile sent another text message to Parker stating, "I'll pay please get that to him." At 11:36 p.m., Parker responded, "Cuz the botch that was working the pod was hard up she don't like me. Ima try again tomorrow cuz they don't put the same person. Tell him I got him doe he know that."

On May 21, 2017, while on a recorded jail call, Williams instructed Theophile to call Parker on another phone and put her on speaker. Parker can be heard answering the phone. Williams explained that they could meet between 7:30 and 8:30 before lockdown.

At 7:44 p.m., Williams and Kelson spoke on a recorded jail call. Williams told Kelson to contact Parker. Kelson called Parker on another phone, and relayed that Parker was on her way to meet Williams. When Parker did not arrive, Kelson sent a text message to Parker. Parker responded, "I'm in our investigation office." At 8:56 p.m., Kelson sent another text message to Parker stating, "I just wanna make sure he straight if more money is needed I'll bring it to you. You think he'll get it today[?]" Parker responded, "If it's that serious how much u tlkn about[?] How much u and Elton think me and my kids gon need of I go to jail[?] I love my Cuzn to death and I'm trying yall but this my job we tlkn bout it's not like he downstairs with me. Whatever else he need fck it just bring it to me. Everything and anything I'm bringing all at once I'm not gon keep doing it."

On May 22, 2017, Williams and Kelson spoke on a recorded jail call. Kelson read Parker's text message to Williams. Kelson told Williams that Parker wanted \$150 and that she was not going to keep doing this. Later in the conversation, Kelson told Williams that she had received a controlled substance from another person. Williams gave Kelson instructions on how to "cut" the drugs to dilute its potency.

Later that same day, Kelson, while speaking to Williams on a recorded jail call, called Parker on another phone. Williams said that he wanted the “red ones” (Tramadol) and Kelson relayed this to Parker. Williams instructed Kelson to use a condom to package the drugs and gave her directions to contact various individuals for “red things” (Tramadol). He also told Kelson to take the drugs to another person to get them “fixed up.”

On May 22, 2017, Williams and Theophile, while on a recorded jail call, discussed the fact that Parker was worried about going to jail for helping them. Williams instructed Theophile to put “reggie” (marijuana) and “red things” (Tramadol) in the package and make it small. Williams said that if he got a lot of different things he could make \$500. Williams asked Theophile to contact Parker again and tell her how careful they have been on the phone. In a later conversation, Williams told Theophile to put the “reggie” (marijuana) and “red things” (Tramadol) in condoms. He told Theophile to hang out with Parker and whatever money he made from the sale of the drugs, he would split with Parker.

On May 24, 2017, Parker can be seen on a video from the jail attempting to deliver drugs to Williams, but was unsuccessful. Another guard approached Parker making it difficult to deliver the drugs without being viewed. In a subsequent recorded jail call, Williams told Theophile that Parker needed a colostomy bag to conceal the drugs during the delivery.

On May 25, 2017, on a recorded jail call, Williams asked Kelson to get two of his colostomy bags and to deliver them to Parker. He explained that Parker tried to deliver the drugs the night before, but did not have anything to conceal it in. During a later call, Kelson told Williams that she was going to meet Parker and give her the bag.

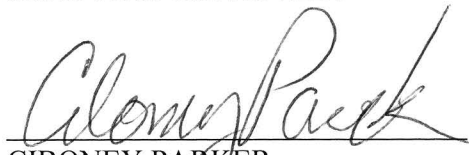
At 7:32 p.m., Williams instructed Theophile to text Parker. Williams planned to stand by the door and wait for her. Thereafter, Theophile sent a text to Parker stating, “He said come now.”

He said they have one person working both sides.” Parker responded, “I might need another bag.”

Thereafter, Parker was observed meeting with Theophile and later Kelson in the jail parking lot. Parker was stopped by members of the Investigative Service Bureau as she entered the jail. A subsequent search of her purse and car revealed quantities of heroin, marijuana, and Tramadol. Parker provided a statement acknowledging that she had obtained the drugs in her purse from Theophile. The colostomy bag and Tramadol in her car were obtained from Kelson. Parker also confirmed that she expected to be compensated for her actions.

Theophile was arrested in the parking lot of the jail. In her vehicle, officers located two bags each with three smaller bags of cocaine. Kelson was also stopped in the parking lot. She was questioned and admitted to delivering a colostomy bag to Parker. The bag was to be used to disguise the drugs that were being smuggled into the jail.

READ AND APPROVED:


CIBONEY PARKER
Defendant

12-4-18
Date


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Counsel for Ciboney Parker

12/4/2018
Date


TRACEY N. KNIGHT
Assistant United States Attorney

12/4/18
Date