

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

**UNITED STATES OF AMERICA**

\*

**CRIMINAL NO. 18-48**

**v.**

\*

**SECTION: "H"**

**DEVONTA DUNN**




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**FACTUAL BASIS**

Should this matter proceed to trial, the United States will prove the defendant, Devonta DUNN (DUNN), guilty beyond a reasonable doubt of knowingly and intentionally possessing with the intent to distribute five hundred (500) grams or more of a mixture or substance containing methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A). The government would establish the following through credible testimony and the production of reliable evidence:

On or about January 31, 2018, members of the Transportation Security Administration (TSA) at the Los Angeles International Airport (LAX) observed an anomaly in a checked bag, and during a screening and subsequent search of the bag, TSA agents observed a kilogram-shaped object that was wrapped in brown tape, suspected to be heroin, and nine baggies containing a crystal-like rock substance, suspected to be methamphetamine. The TSA screeners contacted the Los Angeles Airport Police (LAWA PD), who in turn contacted DEA Los Angeles LAX Task Force. The LAWA PD determined that the bag was checked by Xavier Lejuene onto Southwest Flight # 5869 flying from LAX to New Orleans International Airport (MSY). LAWA PD Officers traveled to the terminal and located Lejeune, placed

Defendant   
Def. Atty   
AUSA 

him under arrest, transported him to the DEA office located at LAX, and advised him of his Miranda rights. Lejeune admitted that the items seized from his bag were in fact narcotics, that he was transporting those narcotics to the New Orleans area, and that he was travelling with another individual, Devonta DUNN, who was also possibly carrying narcotics. Lejeune showed the agents a picture of DUNN's driver's license that was stored in his phone.

Los Angeles DEA Agents contacted the DEA New Orleans Office and alerted them to the seizure in Los Angeles and the pending arrival of DUNN on Southwest flight # 5869. Agents in New Orleans traveled to MSY, where they contacted the Jefferson Parish Sheriff's Office (JPSO), St. Charles Parish Sheriff's Office, and the Kenner Police Department for further assistance. Additionally, agents made contact with Southwest Airlines and confirmed that DUNN was traveling on flight SW # 5869, and had checked one piece of luggage at LAX.

At about 8:30PM, SW #5869 landed at MSY from LAX. As the passengers exited the plane, DEA Special Agent (SA) Craig Catanzaro and Task Force Officer (TFO) Kevin Treigle saw DUNN exiting the plane. TFO Treigle approached DUNN and asked him his name, and DUNN responded, "Devonta Dunn." Agents and officers subsequently escorted DUNN to the JPSO Airport office, SA Catanzaro and TFO Treigle questioned DUNN about his baggage, and DUNN advised that he had checked one bag in Los Angeles. SA Catanzaro and TFO Treigle asked DUNN if he would permit agents to look through his bag once it arrived in the baggage claim area, and DUNN consented, providing a description of the bag. JPSO Officers retrieved the bag and brought it to the JPSO Airport Office, DUNN acknowledged that the bag was his, and the bag bore an attached paper tag with DUNN's name and Southwest flight number.

9. SA Catanzaro and TFO Treigle opened DUNN's bag in his presence and immediately smelled an odor consistent with methamphetamine. Agents observed clothes, along with three large

shopping bags that contained boxes for Rice Krispie Treats and candy fruit snacks. Agents observed that the boxes were worn and bent on top, and looked like they had been previously opened. Upon opening the first box, agents observed food items, along with a clear Ziploc bag that contained a crystal-like rock substance suspected to be methamphetamine. Agents placed DUNN under arrest and continued their search, uncovering a total of nine Ziploc bags, each containing crystal-like rock substances consistent with methamphetamine. DUNN was advised of his Miranda rights and admitted that the contents of the bag were his. The narcotics were later lab tested and confirmed to contain 3902 grams of methamphetamine at 68% purity.

\* \* \* \* \*

The government and DUNN agree and stipulate that, for sentencing purposes, DUNN is responsible for at least 1.5 kilograms, but less than 5 kilograms, of methamphetamine. At trial, the government would introduce, among other evidence, the methamphetamine seized by DEA at MSY airport on January 31, 2018; the baggage and baggage tag bearing DUNN's name and flight number; DUNN's statements to law enforcement before and after arrest; DUNN's flight records; laboratory reports confirming that the seized substance was in fact methamphetamine; testimony of the investigating agents and forensic chemist; and the statements of other witnesses.

**Limited Nature of Factual Basis**

This proffer of evidence is not intended to constitute a complete statement of all facts known by DUNN or 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 legal basis for DUNN's plea of guilty to the charged offense in Count 1 of the Indictment, and to stipulate that the offense bears a sufficient nexus to the Eastern District of Louisiana.

READ AND APPROVED:



JEFFREY SANDMAN  
Assistant United States Attorneys



DEVONTA DUNN  
Defendant



FRANK J. FERRARA, Jr.  
Attorney for Defendant

Defendant   
Def. Atty.   
AUSA 