

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 18-157
v. * SECTION: "H"
DUSTIN DINET *
STEVEN DINET *
* * *

FACTUAL BASIS

The defendants, **DUSTIN DINET** and **STEVEN DINET**, have agreed to plead guilty as charged to Count One of the seven-count indictment. Count One charges the defendants with conspiring to distribute and possess with the intent to distribute twenty-eight grams or more of a mixture/substance containing a detectable amount of crack cocaine and one hundred grams or more of a mixture/substance containing a detectable amount of heroin, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846.

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and other admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendants:

Beginning in May 2018, agents from the DEA began an investigation into the crack cocaine and heroin trafficking activities of **Dustin DINET** in the Algiers area of New Orleans, Louisiana. Agents cultivated a Confidential Source (CS-1) who could purchase quantities of crack cocaine from **Dustin DINET**. In May and June 2018, agents used CS-1 to make three separate purchases of approximately one ounce of crack cocaine from **Dustin DINET**. Each of the purchases was preceded by recorded phone calls and each of the purchases was recorded. The audio/video

Handwritten initials and signatures: "KAO", "DT", "S.D.", "D.D."

recording of the first controlled purchase on May 30, 2018 showed **Dustin DINET** and his brother, **Steven DINET**, seated at a makeshift table where several clear plastic bags containing a white substance were located. The video recording captured **Steven DINET** handing **Dustin DINET** a clear plastic bag during the time **Dustin DINET** was packaging the suspected crack cocaine for CS-1. The controlled purchases charged in Counts Three and Four were also video recorded and clearly show **Dustin DINET** exchanging crack cocaine for money. In one of the videos, **Dustin DINET** has a bag that contains several additional bags of crack cocaine in his lap.

During the investigation, agents identified 2553 Jeanne Street, Marrero, Louisiana as **Dustin DINET**'s primary residence. On June 27, 2018, agents obtained a lawful Jefferson Parish search and seizure warrant for 2553 Jeanne Street, Marrero, Louisiana and an Orleans Parish search and seizure warrant for 1737 Tita Street, New Orleans, Louisiana, which was another residence associated with **Dustin DINET**. On June 28, 2018, members of DEA executed the search and seizure warrant at 2553 Jeanne Street. **Steven DINET** and a previously unidentified female were detained without incident, and the residence was secured. The key for 1737 Tita Street was obtained from **Steven DINET** and investigators travelled to the residence and secured it as well.

During the search of 2553 Jeanne Street, agents discovered approximately 285.0 grams of heroin, one Glock 9mm pistol, and over \$78,000 U.S. Currency. The majority (232 grams) of the heroin seized was found secreted in the attic next to a safe that contained the majority of the U.S. Currency seized. Approximately 53 grams of heroin were found in a black backpack located in the master bedroom closet, along with approximately \$795.00 U.S. Currency. The heroin discovered in the residence was packaged in clear plastic bags. The Glock 9mm pistol was discovered, with a loaded magazine inserted, in a kitchen cabinet. Agents also found evidence of

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narcotics preparing and packaging to include two digital scales, a money counter, numerous sandwich bags, and a large bag of mannitol, used to “cut” or expand the quantity of heroin. The government would present testimony that the heroin seized at the residence was packaged in a manner consistent with drug trafficking and was far greater than a personal use amount.


Post *Miranda* statements made by the previously unidentified female who was at the Jeanne Street residence indicated that she was a heroin addict and that she received heroin from **Steven DINET** on several occasions. The female stated that **Steven DINET** retrieved heroin for her from the previously mentioned black backpack that was discovered in the master bedroom closet. The female also stated that the **DINET** brothers were currently out of their supply of cocaine and were waiting on a re-supply, which explained why no cocaine was discovered in the residence.

The government and **Steven DINET** stipulate that either as a result of his own conduct or the reasonably foreseeable conduct of his brother **Dustin DINET** in furtherance of the conspiracy, **Steven DINET** was responsible for at least one hundred grams but less than four hundred grams of heroin. Accordingly, the government and **Steven DINET** stipulate that he should be held accountable for between one hundred and four hundred grams of heroin for sentencing purposes.


The evidence against **Dustin DINET** was more extensive, as he was the primary target of the investigation. As noted, that evidence included three controlled purchases of one ounce of crack cocaine. During two of the purchases, **Dustin DINET** had several clear plastic baggies of

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a white substance that appears to be crack cocaine. Additionally, the approximately ¼ kilogram of heroin and the \$78,000 cash in the attic safe belonged to **Dustin DINET**.

 4/25/19

Date
David Haller
Assistant United States Attorney

 4/25/19


Date
Maura Doherty
Attorney for Steven Dinet

 4/25/19

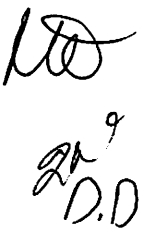
Date
Steven Dinet
Defendant

 4/25/19

Date
Dustin Dinet
Defendant

 4/25/19

Date
Frank DeSalvo
Attorney for Dustin Dinet


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