

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO.: 18-051

v. * SECTION: "M"

GEORGE CARTER *
a/k/a "Pancho" *

* * *

FACTUAL BASIS

The above-named defendant, **GEORGE CARTER a/k/a "Pancho,"** has agreed to plead guilty to Count One of the Superseding Bill of Information, in which he is charged with conspiracy to distribute and possess with the intent to distribute 100 grams or more of heroin. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegation against defendant **GEORGE CARTER ("CARTER")**.

Background

The Federal Bureau of Investigation ("FBI") and Drug Enforcement Administration ("DEA") have been conducting a long-term investigation involving a drug trafficking organization with ties to the New Orleans area. During the course of that investigation, FBI and DEA learned that Juan Carlos MOSQUERA-AMARI a/k/a "Papi" ("MOSQUERA-AMARI") received kilogram-quantities of heroin from sources of supply in Houston, Texas, including Javier CONTRERAS-CASTILLO ("CONTRERAS-CASTILLO") and Harvey VICTORIA-CUELLAR ("VICTORIA-CUELLAR"). In addition, the investigation revealed that Luis RAMOS

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GRAVEDEPERALTA (“RAMOS”) acted as a courier for MOSQUERA-AMARI and drove between New Orleans and Houston to transport heroin and drug proceeds. Agents also learned that MOSQUERA-AMARI supplied heroin to New Orleans-based drug dealers, including Cornell BRADLEY (“BRADLEY”), Rodney ROBINSON (“ROBINSON”), and CARTER. Finally, agents learned that MOSQUERA-AMARI coordinated his drug trafficking with his brother, ALEXANDER MURIEL-DIAZ (“MURIEL-DIAZ”), who was based in Houston.

During the course of the investigation, the DEA and FBI utilized various investigative techniques, including wiretapping orders. Those orders authorized wiretapping over telephones utilized by MOSQUERA-AMARI, RAMOS, and MURIEL-DIAZ, including telephone number (347) 856-1822 (“RAMOS’s Phone”), (347) 574-0426 (“MOSQUERA-AMARI’s Phone”), and (832) 384-2362 (“MURIEL-DIAZ’s Phone”).¹ Through intercepted calls and other investigative techniques, agents identified additional phone numbers, including telephone number (347) 515-5248, (“MOSQUERA-AMARI’s Phone #2”), telephone assigned number (347) 601-5283 (“MOSQUERA-AMARI’s Phone #3”), and telephone number (346) 901-9992 (“VICTORIA-CUELLAR’s Phone”).

July 19, 2017 Controlled Purchase from ROBINSON

On July 19, 2017, FBI utilized a confidential informant (“CI-1”) to purchase approximately one ounce of heroin from ROBINSON. On that day, CI-1 contacted ROBINSON over a telephone assigned number (504) 710-7419 (“ROBINSON’s Phone”) to arrange to purchase approximately one ounce of heroin. CI-1 and ROBINSON met at the McDonalds located at 2757 Canal Street,

¹ Many of these conversations were conducted in Spanish, and were subsequently translated and summarized by members of the investigative team that were fluent in English and Spanish. Where described in this factual basis, the English translation of the original Spanish conversations are provided. Moreover, the quotations are from the summaries of the original conversations, and are not necessarily exact word-for-word translations of the original Spanish conversations.

New Orleans, Louisiana. CI-1 got into a white Acura, driven by ROBINSON. Once inside, ROBINSON handed CI-1 approximately one ounce of heroin in exchange for \$2,550 of U.S. currency. CI-1 later got out of ROBINSON's Acura and returned to CI-1's vehicle. CI-1 met with FBI and handed agents the heroin sold to CI-1 by ROBINSON. That heroin field tested positive and weighed approximately 30.3 grams.

Members of FBI and DEA have also interviewed a cooperating defendant ("CD-1"), who stated that ROBINSON received quantities of heroin from MOSQUERA-AMARI in the New Orleans area. ROBINSON was introduced to MOSQUERA-AMARI by CARTER. In addition, CD-1 stated that originally, CARTER would give ROBINSON heroin that CARTER received from MOSQUERA-AMARI, but later on, MOSQUERA-AMARI began to provide heroin to ROBINSON directly.

Intercepted Telephone Calls between CARTER and MOSQUERA-AMARI

Pursuant to the wiretapping orders described above, FBI and DEA intercepted approximately thirteen telephone conversations between CARTER and MOSQUERA-AMARI, including conversations during which CARTER and MOSQUERA-AMARI discussed two drug transactions. For example, on October 4, 2017, MOSQUERA-AMARI placed an outgoing call to CARTER. During that call, CARTER said "the dude and his boy are trying to get the money together to get a little more than one." CARTER said, "They are going to put in together – him and his partner." MOSQUERA-AMARI said, "Alright."

Based on their training and experience, FBI and DEA agents believe that during this call, CARTER stated that two individuals were asking to buy approximately one ounce of heroin from MOSQUERA-AMARI. Specifically, agents know that it is common for narcotics traffickers to refer to narcotics by their quantities. Therefore, they believe that when CARTER said, "one," he

was referring to approximately one ounce of heroin. In addition, agents know that it is common for narcotics traffickers to use vague terms to refer to associates. Therefore, they believe that when CARTER referred to the “dude and his boy” and “his partner,” CARTER was referring to his associates who were planning to take part in the one-ounce heroin transaction that CARTER was facilitating.

Later that day, on October 4, 2017, MOSQUERA-AMARI placed another outgoing call to CARTER. During that call, MOSQUERA-AMARI informed CARTER that he and another individual were ready. CARTER replied that he was waiting for “him,” and “when he come back, you know, we’ll be coming over there.” Based on their training and experience, FBI and DEA agents believe that during this call, when MOSQUERA-AMARI stated that he and his associate were ready, MOSQUERA-AMARI was telling CARTER that they were ready for a heroin transaction. Agents believe that, when CARTER stated, “when he come back, you know, we’ll be coming over there,” CARTER was stating that CARTER and his associate[s] would meet MOSQUERA-AMARI soon for the aforementioned drug transaction.

Similarly, on December 11, 2017, CARTER placed an outgoing call to MOSQUERA-AMARI and told him that “Candy said she’s ready,” and that “she got some money, she is ready – she wants you to call her.” MOSQUERA-AMARI asked, “How she came out like that, man?” and asked, “How’d she pop it like that, that quick?” CARTER responds, “You know she works, she was here last night - she came by my house last night.” MOSQUERA-AMARI asked CARTER, “You trust her?” CARTER said, “Yea, you know, she kin to me, she kin to me.” CARTER suggests that he could give Candy’s number to MOSQUERA-AMARI. Later in the call, MOSQUERA-AMARI then asks, “What she want, man?” CARTER replied, “I don’t know, she said she wants to talk to you, she said you asked last time . . .” MOSQUERA-AMARI replied,

“Alright, look, I’m going to call you right back, ya heard me.”

In their training and experience, DEA/FBI agents believe that, during this call, **CARTER** was telling **MOSQUERA-AMARI** that a customer, referred to as “Candy,” had sold the heroin that she had recently gotten. Agents believe that, when **MOSQUERA-AMARI** asked how’d she “pop it [] that quick,” **MOSQUERA-AMARI** was asking how Candy had sold the heroin so quickly. When **CARTER** replied that she “works,” agents believe that **CARTER** was telling **MOSQUERA-AMARI** that Candy can sell the heroin quickly because she works hard and hustles. When **MOSQUERA-AMARI** asked if **CARTER** trusts Candy, agents believe that **MOSQUERA-AMARI** thought that it was suspicious that Candy was asking for more heroin so soon, and **MOSQUERA-AMARI** wanted to ensure that Candy was not working with law enforcement. When **CARTER** replied that Candy is “kin,” agents believe that **CARTER** was vouching for Candy by explaining that she is part of **CARTER**’s family. Agents believe that, when **MOSQUERA-AMARI** asked, “what she want,” **MOSQUERA-AMARI** was asking **CARTER** how much heroin Candy wanted him to supply. Agents believe that **CARTER** replied that he did not know how much heroin Candy wanted, and suggested that Candy and **MOSQUERA-AMARI** discuss the potential transaction directly.

The next day, on December 12, 2017, **CARTER** called **MOSQUERA-AMARI** and asked, “You just don’t want to deal with that, huh?” **MOSQUERA-AMARI** replied, that he would “find some way right now, I’m doing something, ya heard me.” **MOSQUERA-AMARI** then said, “I’m going to try to see you later on.” **CARTER** replied, “I got to call her when she get off of work.” In their training and experience, DEA/FBI agents believe that, during this call, when **MOSQUERA-AMARI** said that he was “doing something” and would try to “see you later on,” **MOSQUERA-AMARI** was telling **CARTER** that he was attempting to acquire heroin for the

aforementioned sale to Candy, and then MOSQUERA-AMARI would meet CARTER and Candy for the drug transaction. Agents believe that, when CARTER said that he would call “her,” he was referring to Candy.

In sum, agents believe, in their training and experience, that CARTER was facilitating a potential heroin transaction in which MOSQUERA-AMARI would supply heroin to Candy, another drug dealer.

***MOSQUERA-AMARI Obtained Heroin from a
Houston Supplier on or about February 27, 2018***

On or about February 26, 2018, RAMOS and JOSE ANTONIO VALVERDE-CHACON (“VALVERDE-CHACON”) drove to Houston to obtain 2 kilograms of heroin for MOSQUERA-AMARI. Agents intercepted a series of telephone calls that coordinated this transaction. For example, at approximately 8:17 p.m., MOSQUERA-AMARI, using MOSQUERA-AMARI’s Phone, called RAMOS, using RAMOS’s Phone. Agents would testify that they believe that, during this call, RAMOS used coded language to inform MOSQUERA-AMARI that he was traveling to Houston shortly, in order to procure a quantity of narcotics.

At 8:20 p.m. that day, RAMOS, using RAMOS’s Phone, placed an outgoing call to VICTORIA-CUELLAR, using VICTORIA-CUELLAR’s Phone. During this call, RAMOS said, “Boom, boom, he gets there, loads the cars and leave. Did you hear me?” Agents would testify that the terms “load” and “loads” are commonly used by drug traffickers to refer to the act of placing narcotics into vehicles for transport. Therefore, agents believe that RAMOS was telling VICTORIA-CUELLAR to quickly provide narcotics so that RAMOS could leave quickly.

Electronic location information for RAMOS’s Phone indicated that at approximately 2:30 a.m. on February 27, 2018, RAMOS began traveling west on Interstate 10 from New Orleans

towards Houston. On February 27, 2018, at approximately 7:14 a.m., RAMOS, using RAMOS's Phone, called VICTORIA-CUELLAR, who was using VICTORIA-CUELLAR's Phone. During this call, RAMOS stated that he was less than an hour away and asked VICTORIA-CUELLAR to send him the address. Shortly thereafter, RAMOS received an incoming SMS message from VICTORIA-CUELLAR's Phone reading, "6225 Pinemont Dr., Houston, Texas 77092." Location information from RAMOS's Phone at the time of this message indicated that RAMOS was on the eastern outskirts of Houston, Texas.

RAMOS and VICTORIA-CUELLAR then exchanged several phone calls that day, to coordinate a meeting location in Houston. Members of the investigative team surveilled RAMOS and a passenger, later identified as VALVERDE-CHACON, as they traveled eastbound on Interstate 10 in RAMOS's Chevy Traverse at approximately 1:07 P.M. At approximately 2:43 p.m., RAMOS received an incoming call from MOSQUERA-AMARI. During this call, MOSQUERA-AMARI said, "Hey dude, almost?" RAMOS said, "Yes."

On their way back from Houston, members of the investigative team conducted a stop on Interstate 10 near Kenner, Louisiana of the vehicle used by RAMOS and VALVERDE-CHACON. Members of the investigative team conducted a K-9 narcotics sniff of the vehicle, which yielded a positive result. The team then searched the vehicle and seized a package containing approximately one kilogram of heroin hidden inside the vehicle. This package was sent to the DEA Laboratory, which found that the package contained heroin and had a net weight of approximately 997.6 grams. Subsequently, on August 1, 2018, DEA obtained a search warrant for the above-mentioned vehicle, which was executed on that same day. During that search, DEA located another, similar package from the ceiling area of the vehicle. This substance was sent to the DEA Laboratory, which found that the package contained heroin and had a net weight of approximately 1,033 grams.

Two cooperating defendants (“CD-2” and “CD-3”) have confirmed that RAMOS and VALVERDE-CHACON traveled from New Orleans on the morning of February 27, 2018 towards Houston to obtain heroin for MOSQUERA-AMARI. RAMOS and VALVERDE-CHACON met with VICTORIA-CUELLAR at a gas station located in the Houston area, and then followed VICTORIA-CUELLAR to a residence located in Houston. RAMOS pulled the vehicle he was driving into the garage of the residence. VICTORIA-CUELLAR provided RAMOS and VALVERDE-CHACON with a package containing heroin, which they were supposed to bring back to MOSQUERA-AMARI in New Orleans.

By way of this factual basis, CARTER admits that it was reasonably foreseeable that the above-described conspiracy involved 100 grams or more of heroin.




This proffer of evidence is not intended to constitute a complete statement of all facts known by CARTER, 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 and factual basis for CARTER's plea of guilty to these crimes. In addition, the above-described telephone calls are representative of numerous other drug-related telephone calls involving CARTER intercepted during the course of this investigation.

READ AND APPROVED:



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