

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 18-259
v. * SECTION: E
RODNEY JAMES *
* * *

FACTUAL BASIS

The defendant, **RODNEY JAMES (JAMES)** has indicated that he intends to plead guilty as charged in Count One of the Indictment against him, that is, interference with a flight crew in violation of 49 U.S.C. § 46504.

The United States and defendant **JAMES** do hereby stipulate and agree that the following facts are true and correct and that, should this matter have proceeded to trial, the government would have proven them beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible and documentary exhibits. This Factual Basis does not attempt to set forth all of the facts known to the United States at this time. The limited purpose of this Factual Basis is to demonstrate that there exists a sufficient legal basis for defendant **JAMES's** guilty plea. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea that the defendant will tender. The parties also agree that this Factual Basis may, but need not, be used by the United States Probation Office and the Court in determining the applicable advisory guideline range under the United States Sentencing Guidelines or the appropriate sentence under 18 U.S.C. § 3553(a).

On November 14, 2018 at approximately 9:45 p.m. Spirit Airlines, Flight NK 339 left Fort Lauderdale, Florida bound for Los Angeles, California. After drinking alcohol, **JAMES** boarded Flight NK 339. While onboard, **JAMES** ordered two more alcoholic beverages. After consuming


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the first, **JAMES** began to get upset because he wanted the second alcoholic beverage he had purchased. Flight crew members informed **JAMES** that he was no longer going to be served alcohol due to his unruly behavior. **JAMES** became more upset and demanded his money be returned in cash, even though the flight crew informed him the money would be placed back on the same card he used to make the purchase. **JAMES** was instructed by the members of the flight crew to sit in his seat.

JAMES continued to be disruptive on the flight by yelling loudly, refusing to sit down, and opening overhead storage compartments repeatedly. After again demanding more alcohol, and being denied, **JAMES** walked swiftly to the front of the plane in an aggressive manner toward the flight crew member who had refused his request – causing another passenger to get out of his seat, and step in front of **JAMES** to block his movement.

JAMES made such statements as, “no wonder the Arabs blow shit up like this” and “what do you think I’m going to do, blow up the plane, y’all need to die, go and die!” Members of the flight crew were intimidated and concerned, causing the Captain to divert the flight to New Orleans for **JAMES** to be removed from the flight.

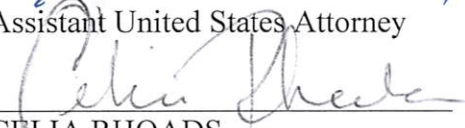
APPROVED AND AGREED TO:



G. DALL KAMMER
Assistant United States Attorney

7/24/19

Date



CELIA RHOADS
Attorney for Rodney James

7/24/19

Date



RODNEY JAMES
Defendant

7-24-19

Date