

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

UNITED STATES OF AMERICA	*	CRIMINAL NO. 18-226
v.	*	SECTION: "A" (2)
ELTON JOHNSON	*	VIOLATIONS: 18 U.S.C. § 922(g)(1)
		18 U.S.C. § 924(a)(2)
	* * *	

FACTUAL BASIS

Should this matter have proceeded to trial, the United States would have proven, through the introduction of competent testimony and admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the Superseding Indictment.

On June 27, 2018, Louisiana State Troopers Munish Tanwar ("Trooper Tanwar") and Travis Blanchard ("Trooper Blanchard") conducted a traffic stop near the intersection of Downman and Dwyer Rds.¹ Trooper Tanwar observed that the vehicle, a 2008 gray Saturn sedan, had a tinted rectangular cover over the temporary license plate. Trooper Tanwar could not see the temporary license plate's information and suspected that the plate might be fraudulent. When the vehicle stopped in the parking lot of a local gas station, the Troopers stopped their police vehicle directly behind. The front seat passenger **ELTON JOHNSON** ("**JOHNSON**") exited the gray Saturn. There were two (2) other individuals inside the vehicle. L.M., the driver, claimed ownership of the vehicle and her mother was the back seat passenger. Trooper Blanchard instructed **JOHNSON** to approach them but he walked away from the

¹ Both Troopers activated their body cameras.

AUSA *[Signature]*
Defendant *[Signature]*
Defense Counsel *[Signature]*

vehicle towards the gas station's store. After a second command, **JOHNSON** complied and walked towards the Troopers.

Trooper Tanwar smelled marijuana on **JOHNSON's** person as he walked closer to their location. Trooper Tanwar observed that **JOHNSON** possessed a hand rolled cigar in his right hand. Trooper Tanwar reasonably suspected that the cigar contained marijuana and was the source of the marijuana odor. Trooper Tanwar advised Trooper Blanchard that **JOHNSON** possessed a marijuana cigar. Trooper Blanchard handcuffed **JOHNSON**, retrieved the marijuana cigar, and advised him of his constitutional rights. As L.M.'s mother exited the gray Saturn, she stated that "they" were smoking weed.

Trooper Tanwar searched the vehicle incidental to **JOHNSON's** arrest and located a firearm on the passenger side of the center console. The firearm was a loaded Taurus Model PT-709 SLIM, serial no. FTS32722. **JOHNSON** initially denied that he possessed the firearm but later confessed at the scene that he possessed the firearm for protection over a 2-3 week period. L.M. and her mother stated that they were unaware of the firearm's presence inside the vehicle.

JOHNSON is a convicted felon and is prohibited from possessing a firearm. Prior to his possession of the firearm, the federal Government convicted **JOHNSON** of a crime punishable by imprisonment for a term exceeding one year, to wit, a conviction on January 11, 2013, in United States District Court for the Eastern District of Louisiana, Criminal Docket Number 12-285 "I," for Conspiracy to Make False Statements During the Acquisition of a Firearm, in violation of 18 U.S.C. §§ 371 and 922(a)(6). **CRAWFORD** knew that he was convicted of a crime punishable by imprisonment for a term exceeding one year prior to and at time that he possessed the firearm.

The firearm was not manufactured in the State of Louisiana. In order for the firearm to have been recovered in the State of Louisiana, it necessarily traveled in and affected interstate commerce. The firearm manufacturer designed the firearm to expel a projectile by action of an explosive. Finally, the term "firearm" also includes the frame or receiver of any such weapon, or any firearm muffler or firearm silencer, or destructive device.

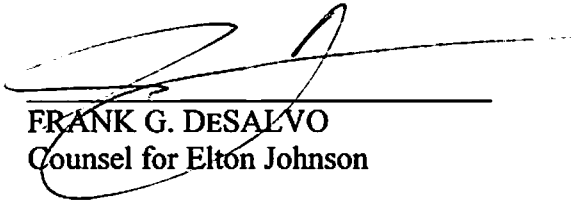
READ AND APPROVED:



DUANE A. EVANS
Assistant United States Attorney

8/27/19

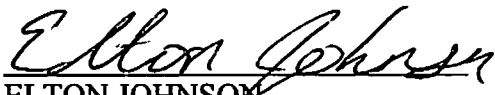
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FRANK G. DESALVO
Counsel for Elton Johnson

8/27/19



Date



ELTON JOHNSON
Defendant

8/27/19

Date

AUSA 
Defendant 
Defense Counsel 