

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

* CRIMINAL NO. 19-194

v.

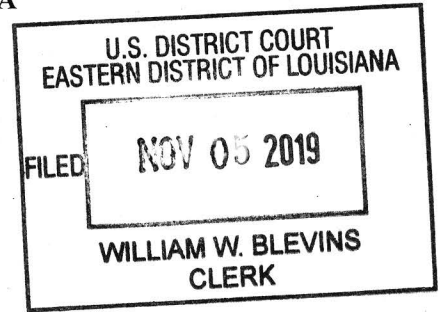
* SECTION: "A"

AARON JEFFREY DENN

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FACTUAL BASIS

Should this matter have gone to trial, the government would have proved through the introduction of competent testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the government in Count 1 of the Information now pending against the defendant, **AARON JEFFREY DENN**, charging him with a violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(C) namely, conspiracy to distribute a controlled substance.

1. The Controlled Substances Act ("CSA"), Title 21, United States Code, Section 801, *et seq.*, and its implementing regulations set forth which drugs and other substances are defined by law as "controlled substances." Those controlled substances are then assigned to one of five schedules – Schedule I, II, III, IV, or V – depending on their potential for abuse, likelihood of physical or psychological dependency, accepted medical use, and accepted safety for use under medical supervision. A substance listed on Schedule I has a higher abuse potential than a substance on Schedule II. The abuse potential decreases as the Schedule numbers increase. Schedule II drugs or substances have some accepted medical use, but with severe restrictions, and

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DOJ Trial Attorney [Signature]
Defendant [Signature]
Defense Counsel [Signature]

have a high potential for abuse, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous, and abuse can lead to addiction, overdose, and sometimes death.

2. Oxycodone is classified as a Schedule II controlled substance. The use of oxycodone in any form can lead to physical and/or psychological dependence, and abuse of the drug may result in addiction. Oxycodone is sold generically or under a variety of brand names, including OxyContin and Roxicodone.

3. Between March 2019 and April 2019, the defendant, a resident of Jefferson Parish, Louisiana, agreed with Co-Conspirator 1 to obtain and distribute oxycodone pills on the black market.

4. Between March 2019 and April 2019, after obtaining pills from Co-Conspirator 1, the defendant, in turn, sold these pills to Individual 1. The defendant charged Individual 1 approximately \$25 to \$35 per pill that he sold to Individual 1.

5. Specifically, on or about April 4, 2019, in the Eastern District of Louisiana, **AARON JEFFREY DENN**, sold pills to Individual 1 in exchange for approximately \$6,000, which Individual 2 provided to the defendant after this sale of pills. In actuality, unbeknownst to the defendant, these pills contained a mixture of heroin and tramadol.

6. In total, between March 2019 and May 2019, the defendant admits that he conspired to distribute approximately 8.79 grams of oxycodone.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts

known by **DENN**, and/or the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the plea of guilty to the charged offense by **DENN**.

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, *inter alia*, Special Agents and forensic examiners from the Federal Bureau of Investigation and admissible tangible exhibits in the custody of the FBI.

DOJ Trial Attorney
Defendant
Defense Counsel


READ AND APPROVED:



JARED L. HASTEN
Trial Attorney

11/5/2019


Date



AARON DENN
Defendant

11.5.19

Date



WILLIAM P. GIBBENS
Attorney for Defendant

11/5/19

Date