

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

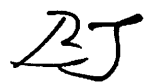
<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO. 18-265</b>
<b>v.</b>	*	<b>SECTION: H</b>
<b>BRYAN JOSEPH</b>	*	
<b>a/k/a "Ras"</b>	*	
<b>a/k/a "Rakeem"</b>	*	
<b>a/k/a "Nathan St. Brice"</b>	*	
<b>a/k/a "Necole Kelson"</b>	*	

\* \* \*

**FACTUAL BASIS**

Defendant **BRYAN JOSEPH, a/k/a "Ras" a/k/a "Rakeem" a/k/a "Nathan St. Brice," a/k/a "Necole Kelson,"** (hereinafter, "**JOSEPH**"), has agreed to enter a plea of guilty to a one-count Superseding Bill of Information in the above-captioned matter. Should this matter have proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt, through credible testimony and reliable evidence. The facts outlined herein occurred within the jurisdiction of the Eastern District of Louisiana.

On October 14, 2018, at approximately 9:45pm, Jefferson Parish Sheriff's Office (JPSO) was dispatched to the McDonald's in the Woodmere Subdivision, located in Harvey, Louisiana. When deputies arrived, they were advised that an unresponsive male, later identified as Jose Rodriguez, was found in a bathroom stall. Deputies found an uncapped needle, needle cap, bent spoon and corner of a cellophane bag near the body. Deputies also located Rodriguez's cell phone. A JPSO detective reviewed the store's video surveillance and saw Rodriguez arrive on a bicycle and enter the bathroom at 4:09pm.



*The Investigation*

On October 16, 2018, agents with the Federal Bureau of Investigation obtained Rodriguez's cell phone and reviewed the phone call and text message logs in an effort to identify who Rodriguez communicated with before his death. Through that review, agents learned that, prior to before his death, Rodriguez was communicating with a suspected a possible dealer was using phone number (770) 560-8278. The registered subscriber of this phone number was **JOSEPH**. In one text message, Rodriguez advised **JOSEPH** that he (Rodriguez) was at McDonald's in Harvey, Louisiana. GPS tracking of **JOSEPH**'s phone indicated that he was also in the area of the McDonald's at that time. After reviewing the GPS location of the phone associated with (770) 560-8278, agents learned that the phone frequented 2328 Bellaire Lane, located in Harvey, Louisiana. This residence is in the neighborhood behind the McDonald's where Rodriguez's body was found.

*October 23, 2018, Distribution of Heroin*

On October 23, 2018, a Confidential Human Source (CHS) placed a recorded and monitored call to (770) 560-8278 and **JOSEPH** answered the phone. The CHS ordered \$100 of heroin and **JOSEPH** asked, "Are you that fucking white boy out there spreading that shit that dude got that stuff from me? That dude died bro?" The CHS responded that he did not know about the person who had died. **JOSEPH** directed the CHS to a Save-A-Lot store at 5005 Lapalco Blvd., Marrero, Louisiana. The CHS then travelled the Save-A-Lot parking lot and met with **JOSEPH**. **JOSEPH** sold the CHS 1.0 gram of heroin for \$100. The transaction was audio and video recorded.

BJ

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LDP

**JOSEPH** drove a red 2004 Hyundai Santa Fe to the controlled purchase and agents followed him to 2328 Bellaire Lane after the controlled purchase.

*October 25, 2018, Distribution of Heroin*

On October 25, 2018, the CHS conducted another controlled purchase of heroin from **JOSEPH**. Prior to the purchase, agents located **JOSEPH**'s red Santa Fe in the driveway of 2328 Bellaire Lane. The CHS placed a recorded and monitored phone call to **JOSEPH** who directed the CHS to Winn Dixie at 4627 Westbank Expressway. Agents watched **JOSEPH** leave the residence, enter the Santa Fe, and drive to meet the CHS. The CHS went to the Winn Dixie and **JOSEPH** sold the CHS 1.0 gram of heroin for \$100. This purchase was also audio and video recorded.

*October 31, 2018, Execution of Search Warrants*

Based on the two controlled purchases, FBI agents obtained search warrants for 2328 Bellaire Lane and the Hyundai Santa Fe. On October 31, 2018, agents were surveilling **JOSEPH**'s vehicle when they observed him conduct what they believed to be a narcotics transaction with the occupants of a Ford Explorer. After the Ford Explorer drove away, agents stopped the vehicle. As agents approached the vehicle, they saw two uncapped needles in plain view. The three occupants (B.B., D.A. & H.Y.) were advised of their *Miranda* Rights and interviewed separately. All occupants stated that D.A. had just purchased two bags of heroin for \$20 total, for them to share. D.A. showed the agents where he hid two bags of heroin in the vehicle. Agents separately showed each of the occupants a photograph of **JOSEPH** and each positively identified **JOSEPH** and

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referred to him as “Ras,” as well as the person who had just sold them the heroin. B.B., D.A & H.Y. each stated they had been buying heroin from “Ras” for approximately one month.

Agents simultaneously executed the search warrant at 2328 Bellaire Lane. Inside the house, agents located approximately 68.8 grams of heroin, approximately 156 grams of marijuana, and digital scales with sandwich bags.

Agents also stopped the Santa Fe that **JOSEPH** was driving. A \$20 bill was in the driver’s side area of the vehicle where **JOSEPH** was sitting. Agents advised **JOSEPH** of his *Miranda* Rights and he agreed to make a statement. **JOSEPH** stated that the owner of 2328 Bellaire Lane was a relative who had not been to the house in four to five years. **JOSEPH** stated that when he was released from prison in May 2018, the house was unlocked and he changed the locks so that he had a key. **JOSEPH** stated that he maintained lawn care on the house. **JOSEPH** possessed a key that worked in the locks to the house. **JOSEPH** also stated that he had two months remaining on his parole, he would just revoke himself, the charges would be dropped, and he would be a free man. **JOSEPH** concluded the interview by saying that he had been in the “game” since the 1990s, he was not a “snitch” or “freshman,” and he would not provide law enforcement with any more information.

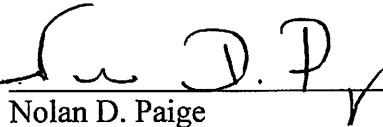
When **JOSEPH** was arrested on October 31, 2018, his girlfriend, A.F., was also in the vehicle. A.F. was interviewed and told agents that, approximately two weeks prior, she overdosed on heroin that **JOSEPH** had given her, but **JOSEPH** revived her with Narcan. She stated that after she woke up, **JOSEPH** said, “This stuff is so strong, it’s killing people.” **JOSEPH** then told her that the man on the bicycle (Rodriguez) bought \$20 worth of drugs from him (**JOSEPH**) and died in the McDonald’s bathroom.

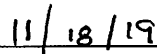
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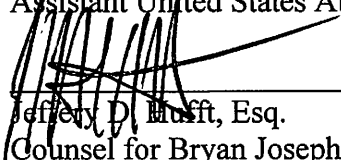
Agents also reviewed Rodriguez's phone log and identified a friend, R.L., who was with Rodriguez before his death. Agents interviewed R.L. who stated that he (R.L.) loaned his bicycle to Rodriguez and paid him (Rodriguez) the \$20 that he used to buy the heroin from **JOSEPH**. R.L. also stated that he witnessed Rodriguez talking on the phone with **JOSEPH** and ordering heroin from **JOSEPH**.

An autopsy conducted by the Jefferson Parish Forensic Center concluded that the Jose Rodriguez died as a result of the toxic effects of Heroin and Fentanyl. All of the suspected heroin seized in connection with this investigation was scientifically analyzed and tested positive for the presence of heroin but negative for the presence of fentanyl.

READ AND APPROVED:


  
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Nolan D. Paige  
Assistant United States Attorney

  
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Jeffrey D. Mufft, Esq.  
Counsel for Bryan Joseph

  
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Bryan Joseph  
Defendant

  
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