UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 19-243

VERSUS * SECTION: "J"

LEVI HERMAN * VIOLATIONS: 18 U.S.C. § 2113(b)

* * *

FACTUAL BASIS

The above-named defendant, **LEVI HERMAN**, ("**HERMAN**") has agreed to plead guilty as charged to Count One of the Indictment. Had this matter proceeded to trial, the United States would have proved beyond a reasonable doubt the allegation of Count One of the Indictment, namely that **HERMAN** committed bank robbery as that crime is defined in Title 18, United States Code, Section 2113(a).

On Wednesday December 4, 2019, at approximately 3:06 p.m., officers with the New Orleans Police Department responded to a 911 call regarding a bank robbery at the Capital One Bank branch on 313 Carondelet Street in New Orleans. Upon arrival, officers were told that an unknown subject entered the bank and proceeded to the teller counter. As the subject approached the counter, he tossed a handwritten note to the bank teller, which read: "Give me all the money I have a gun."

The teller immediately relinquished approximately \$1,900.00 in U.S. currency to the suspect, who then fled the location on foot. Included in this currency was a GPS tracker, concealed within a bundle of bills. The victim teller described the suspect as a white male, approximately 30 years old, approximately 6'1", medium build, with a brown/reddish

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beard. The suspect was clad in a black baseball cap with an unknown graphic, a grey Nike jacket with a black striped across the front, and mirrored sunglasses. The suspect did not conceal his face, nor did he wear gloves.

After being notified of the incident, the FBI Violent Crimes Task Force responded to the scene. TFO Steven Quaintance interviewed the victim teller, who detailed the incident to him. While interviewing the employees, TFO Quaintance was advised by another employee present during the incident that the suspect was inside the bank the day before wearing the same outfit, pretending to be a customer. Capital One Security representatives provided investigators with a copy of the bank surveillance, which captured the robbery, as well as, the suspect inside the bank the day prior. The New Orleans Police Department Crime Lab processed the scene and recovered the robbery note, which is being examined for DNA and latent print evidence.

The GPS device was eventually recovered in the parking lot of Enterprise Rent-A-Car, located at 1019 Baronne Street. This indicated to investigators that the suspect had fled the business of foot, walking toward the I-10. On Thursday, December 5, 2019, Investigators reviewed the bank surveillance and obtained several clear photographs of the suspect. Utilizing these photographs, a law enforcement bulletin was distributed to the media, seeking information on the suspect. Almost immediately, numerous anonymous Crime Stopper tips, independent of one another, were received by the FBI, which identified Levi Herman ("HERMAN") as the suspect. The investigators then checked various law

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enforcement databases and confirmed that **HERMAN** was, in fact, the individual that had robbed the Capital One Bank.

Based on this information, HERMAN was arrested and transported to the Jefferson Parish Sheriff's Office Investigation Bureau, where he was secured in an audio and video-recorded room. TFO Quaintance then advised HERMAN of his rights per Miranda, via an Advice of Rights Form, which HERMAN endorsed, waving his right to counsel. In the interview, HERMAN provided TFO Quaintance with a full confession regarding the robbery of the Capital One. Additionally, HERMAN provided TFO Quaintance with intimate details of the robbery, which were not released to the general public. HERMAN was provided with three photographs, which were obtained from bank surveillance footage. Two photographs were captured on surveillance during the robbery, while the third photograph was obtained from bank surveillance the day before the robbery. HERMAN identified himself as the individual in each photograph.

At trial, an official from the bank would testify that the Capital One bank robbed by **HERMAN** was insured by the Federal Deposit Insurance Corporation ("FDIC") at the time of the said robbery.

This proffer of evidence is not intended to constitute a complete statement of all facts known to the government, 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

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that there exists a sufficient factual and legal basis for LEVI HERMAN plea of guilty to the offense charged in the Indictment.

SPIRO G. LATSIS

Assistant United States Attorney

3/5/20 Date 3/5/20

MAUR'A DOHERTY

Counsel for the Defendant

Defendant