

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 19-204

v. * SECTION: "R"

JEFFREY HOLMES *

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* * *

FACTUAL BASIS

The defendant, **JEFFREY HOLMES**, has agreed to plead guilty as charged to Count One of the superseding bill of information, which charges the defendant with conspiring to distribute and to possess with the intent to distribute a quantity of a mixture/substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 846, 21 U.S.C. § 841(a)(1), and 21 U.S.C. § 841(b)(1)(C).

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and other admissible evidence, the following facts, many of which occurred in the Eastern District of Louisiana, beyond a reasonable doubt, to support the allegations in the superseding indictment now pending against the defendant:

By the spring of 2019, the Federal Bureau of Investigation ("FBI") had identified **ROY LEE JR** as a high-level drug trafficker who was moving kilogram quantities of heroin from Houston to New Orleans and serving as a high-level supplier for New Orleans. Lacking a confidential source who could purchase heroin directly from **ROY LEE JR**, the FBI decided to target **ROY LEE SR**, **ROY LEE JR**'s father, as a means of entry into **ROY LEE JR**'s drug trafficking organization.

J. H.
DH

In the late spring of 2019, the FBI used a confidential human source to make a series of controlled purchases of heroin from ROY LEE SR. Through this activity, the FBI amassed sufficient probable cause to conduct wire intercepts of ROY LEE SR's telephone. The FBI applied for and received authorization to interception ROY LEE SR's telephone in June 2019. The intercept of ROY LEE SR's phone lasted thirty days.

The FBI was able to use probable cause developed during the interception of LEE SR's phone to begin interceptions of LEE JR's phone in early July 2019. The FBI ultimately intercepted two of LEE JR's phones for a total of approximately 50 days between July and September 2019. These interceptions provided strong evidence of LEE JR's trafficking activities, including the structure of his organization and roles of various associates, his primary source of supply, and the identities of numerous customers who purchased from him. Agents also determined that LEE JR dealt primarily out of [REDACTED] at the Esplanade at City Park Apartments during the period when wire intercepts on his phones were active.

During the wire, JEFFREY HOLMES purchased heroin from LEE JR. For example, in a July 9, 2019 call, HOLMES told LEE JR he "was tryin' to get a, uh, a onion on our, on our level," which was a reference to wanting to buy an ounce of heroin. LEE JR told him, "Alright, I'm bout to be up that way," which was a reference to the Esplanade Apartments, where LEE JR then met HOLMES and sold him the heroin. In another call on July 14, 2019, HOLMES asked LEE JR if LEE JR had the same heroin or a new supply by asking if "It's a new day or same old." LEE JR, who had just returned from a resupply trip to Houston, told HOLMES, "I got-I got some new, and I got the old stuff." In another intercepted call the next day, HOLMES said in reference to heroin he had recently purchased from LEE JR, "I was bout to ask you. That's the, uh, that's

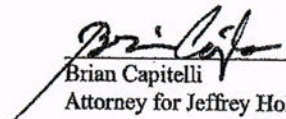
the new one by itself, huh?", and LEE JR confirmed it was.

The government and HOLMES stipulate and agree that he should be held accountable for at least 100 grams of heroin but less than 400 grams of heroin.

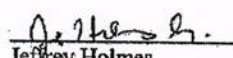
The limited purpose of this factual basis is to satisfy the Court that there is a sufficient basis in fact for HOLMES' guilty plea. This document does not contain all information known to the government about the charged conspiracy to distribute heroin.

 5/12/2021

Date
David Haller
Assistant United States Attorney

 5/8/21

Date
Brian Capitelli
Attorney for Jeffrey Holmes

 5/7/2021

Date
Jeffrey Holmes
Defendant

J. H.