

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

UNITED STATES OF AMERICA * **CRIMINAL NO. 20-088**

v. * **SECTION: "S"**

ELI JUAN MOORE *

* * *

FACTUAL BASIS

The above-named defendant, **Eli Juan MOORE**, has agreed to plead guilty as charged to Counts One, Five, and Seven of the Indictment now pending against him. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegation against the defendant, **Eli Juan MOORE ("MOORE")**:

Unless stated otherwise, all the facts set forth herein occurred within the Eastern District of Louisiana.

In February 2018, St. John the Baptist Sheriff's Office ("SJSO") deputies received a tip from a concerned citizen. The tipster stated that a handicapped black male that is confined to a wheelchair was selling multiple illegal narcotics from his residence including crack cocaine. The tipster was unaware of the black male's legal name, however the tipster stated that his street name was "Wheelchair" and that he resided around [REDACTED] in LaPlace, LA 70068. Additionally, SJSO deputies spoke with a reliable confidential informant ("SJSO CS#1"), who was familiar with the people and criminal activities that take place in the [REDACTED] area of LaPlace. Deputies

AUSA M.O.
Defendant EJM
Defense Counsel Jm

asked the SJSO CS#1 if they were aware of a black male, fitting the mentioned description, who was dealing drugs in that area. SJSO CS#1 immediately stated that the only person fitting that description was Batiste Sr. Investigators then conducted a computerized name check of Batiste Sr. and discovered that his physical address was [REDACTED] LaPlace, LA 70068. Deputies also conducted intermittent surveillance on the residence.

The Drug Enforcement Administration ("DEA") joined SJSO in investigating Batiste Sr.'s drug trafficking activities. While investigating Batiste Sr. in January 2019, a DEA confidential source ("DEA CS") provided DEA agents with a telephone number for Batiste Sr., which was [REDACTED]. On January 17, 2019, the Honorable Dana M. Douglas, United States Magistrate Judge for the Eastern District of Louisiana, signed an Order authorizing the installation and use of a pen register/trap and trace device on [REDACTED]. Agents also subpoenaed toll records for [REDACTED]. A review of the toll records and pen register data established that [REDACTED] made or received 5,384 calls from January 15, 2019 to February 21, 2019.

Notably, phone number [REDACTED] made contact 150 times with telephone number [REDACTED], subscribed to a Verizon Wireless prepaid customer, from January 15, 2019 to March 8, 2019, with the last contact on March 5, 2019. There were 150 voice contacts during this time frame, with the last voice contact on March 5, 2019. According to the DEA CS, the [REDACTED] telephone number was being used by MOORE.

Also, in January 2019, SJSO deputies cultivated another confidential source ("SJSO CS") who identified MOORE as a heroin source in the LaPlace, LA area and was using the [REDACTED] telephone number. On January 21, 2019, SJSO investigators used their SJSO CS to purchase one gram of heroin from MOORE, one of Batiste Sr.'s sons. During the surveillance of the

transaction, deputies observed **MOORE** depart from [REDACTED] LaPlace, LA, and walk to the predetermined meeting place to conduct the transaction with the SJSO CS. The [REDACTED] [REDACTED] is Batiste Sr.'s residence and where agents previously made controlled purchases. The drugs were analyzed at the St. John the Baptist Parish Sheriff's Office laboratory by Forensic Chemist, [REDACTED]. The drugs tested positive for heroin and had a net weight of 0.94 grams. SJSO investigators believe **Batiste Sr.** provided **MOORE** the heroin **MOORE** sold the SJSO CS.

On May 2, 2019, SJSO deputies investigated a possible break-in at [REDACTED] LaPlace Louisiana. Deputies confirmed that **MOORE** was the residence's occupant and that **MOORE** had an active warrant for his arrest for simple battery and a contempt of court warrant under docket number 2017-CR-130. Deputies went to that residence to execute the arrest warrant. When they arrived, they told **MOORE**, who was observed through the damaged door of the residence, to step outside. **MOORE** refused, so deputies had to forcibly remove **MOORE** from inside the residence. While removing him, deputies smelled a strong odor of marijuana inside the residence. Deputies observed loose marijuana on the counter near the bedroom where **MOORE** was observed. Deputies also saw a black digital scale on the single bed inside the trailer. On the digital scale was an unknown white powdery substance consistent with the color, packaging, and appearance of illegal narcotics. Next to the front door of the residence were two bags of new syringes.

MOORE was placed under arrest and deputies subsequently obtained a search and seizure warrant to search the residence. During the execution of the search and seizure warrant, deputies recovered the loose marijuana including four remnants of marijuana cigarettes from the bathroom counter, digital scales, a clear plastic bag with an unknown white powdery substance from the bathroom counter (approximately six grams), and an FM Hi-Power Model Detective, nine-

millimeter caliber semi-automatic pistol, bearing serial no. 346752, located behind **MOORE's** bedroom mattress.

MOORE is prohibited from possessing the aforementioned firearm located inside his residence. **MOORE**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed the firearm. On December 12, 2018, **MOORE** was convicted in the 40th Judicial District, Parish of St. John the Baptist, Docket Number 2018-139, Division "A," for Possession with Intent to Distribute Tramadol Hydrochloride, in violation of LA-R.S. 40:967(A)(1).


The aforementioned firearm was examined by a member of the Bureau of Alcohol, Tobacco, Firearms and Explosives, and were determined to have been shipped and transported in interstate commerce prior to being possessed by **MOORE**. The firearm was not manufactured within the state of Louisiana.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **MOORE** or 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 that there exists a sufficient legal basis for **MOORE's** plea of guilty to the charged offenses in Counts One, Five, and Seven of the Indictment.

AUSA M.O.
Defendant E.M.
Defense Counsel Jm

READ AND APPROVED:



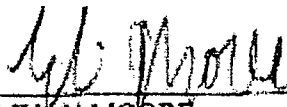
MOBAYONLE OSUNDARE
Assistant United States Attorney

6-17-21
Date



JEROME MATTHEWS, JR.
Counsel for Defendant

6-15-21
Date



ELI JUAN MOORE
Defendant

6/14/21
Date