

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

UNITED STATES OF AMERICA	*	CRIMINAL NO. 17-55
v.	*	SECTION: "L"
NATHAN BALLANSAW III	*	VIOLATION: 21 U.S.C. § 841(a)(1)
	*	21 U.S.C. § 841(b)(1)(C)
	*	21 U.S.C. § 846
	*	18 U.S.C. § 924(c)(1)(A)
	* * *	

FACTUAL BASIS

The above-named defendant, **NATHAN BALLANSAW III**, has agreed to plead guilty to Count One of the Second Superseding Indictment, in which he is charged with conspiracy to distribute and possess with the intent to distribute five kilograms or more of cocaine hydrochloride, one hundred grams or more of heroin, and a quantity of cocaine base. 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 defendant **NATHAN BALLANSAW III ("BALLANSAW")**:

The Drug Enforcement Administration ("DEA") conducted a long-term narcotics trafficking investigation starting in approximately April 2016. During the course of the investigation, DEA obtained court orders authorizing wiretapping over two telephones utilized by DASHAWN LEWIS ("LEWIS"): [REDACTED] [REDACTED] ("Telephone #1"), and [REDACTED] [REDACTED] ("Telephone #2"), and four telephones utilized by MARK RICHBURG ("RICHBURG"): [REDACTED]

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██████████ ("Telephone #3"), ██████████ ("Telephone #4"), ██████████ ("Telephone #5), and ██████████ ("Telephone #6").

Generally, the investigation revealed that RICHBURG was a heroin, cocaine, and cocaine base trafficker who utilized several locations in New Orleans and Metairie as residences and/or stash locations. RICHBURG supplied heroin to numerous other individuals, including LEWIS, who also sold heroin to customers in New Orleans and elsewhere. RICHBURG also supplied heroin to another co-conspirator, MICHAEL HOLMES ("HOLMES"). In addition, RICHBURG utilized BALLANSAW and LEO CATCHINGS ("CATCHINGS") to distribute narcotics, to customers in the New Orleans metropolitan area. RICHBURG sold narcotics to MARSHALL JONES ("JONES") and DAVID TURNER ("TURNER"), who then distributed those narcotics to customers in the New Orleans metropolitan area.

In addition, DEA's investigation revealed that WYVONNE TYSON and JOHNNY TRIPLETT ("TRIPLETT") traveled between Texas and New Orleans on behalf of RICHBURG to pick up kilogram quantities of heroin and cocaine from a supplier in Texas.

Intercepted Conversations Over RICHBURG's Phones Involving CATCHINGS & BALLANSAW

During the investigation, DEA intercepted numerous conversations between RICHBURG and others, during which they discussed their narcotics business. Some of those conversations are summarized below, which are examples of numerous other similar narcotics-related conversations intercepted by DEA.

For example, on March 11, 2017, at approximately 6:51 p.m., RICHBURG, using Telephone #6, placed an outgoing call to BALLANSAW, at ██████████. During that conversation, RICHBURG stated, "I want you to go upstairs" and BALLANSAW said, "uh huh." RICHBURG said, "And they have a uh....they have a ticket, they have a ticket for the game

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tonight. The McDonaugh 28" and **BALLANSAW** replied, "uh huh" and RICHBURG stated, "it's sitting on the table, get it and Weedy is on his way over there by you to get it" and **BALLANSAW** replied, "and give it to him?" and RICHBURG said, "yeah."

Special Agents from DEA believe that during this call, RICHBURG instructed **BALLANSAW** to sell approximately one ounce of narcotics to one of RICHBURG's customers, Weedy. Specifically, DEA agents know based on previously intercepted calls and physical surveillance that RICHBURG often referred to [REDACTED] as "upstairs," because it is the second floor of the building. Moreover, DEA agents know that the term "ticket" is commonly used to refer to narcotics or to narcotics proceeds. Moreover, they know that narcotics traffickers commonly refer to narcotics by describing its weight, and believe that when RICHBURG said "28," he was referring to 28 grams (or one ounce) of narcotics.

At approximately 9:10 p.m., RICHBURG, using Telephone #6, received an incoming call from an unidentified individual ("WEEDY"), at [REDACTED], RICHBURG told WEEDY, "I'm upstairs Weedy, what you talking about brother, what's happening?" and WEEDY responded, "No I got the 1450. That's what I made since you been gone". Later in the call, RICHBURG told WEEDY, "Alright then, well come on then, come on."

DEA agents believe that during this call, WEEDY told RICHBURG that he would bring money for the ounce of narcotics, namely cocaine, that he purchased earlier that night from **BALLANSAW**. Specifically, DEA agents know, based on their training and experience, that \$1,450 is consistent with the retail price of an ounce of cocaine. Therefore, they believe that when WEEDY referred to "1450" he was referring to the cost of the ounce of cocaine discussed in the earlier conversation.

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On March 13, 2017, at approximately 3:03 p.m., RICHBURG, utilizing Telephone #6, received an incoming call from **BALLANSAW**, utilizing telephone number [REDACTED]. During the call, RICHBURG asked **BALLANSAW**, "Where you at?" and **BALLANSAW** replied, "I'm going by Zed's to get me something to eat but I'm still at the house" and RICHBURG responded, "You still at the house?" and **BALLANSAW** said, "uh huh" and RICHBURG replied, "Alright. Don't pull off yet. Don't leave yet. I'm right on Katie Street. Open the door for me. I need to get in there right fast."

At approximately 4:00 p.m., the investigative team, via a pole camera, observed RICHBURG arrive at [REDACTED], New Orleans, Louisiana, driving a 2016 Silver Toyota Camry, bearing Texas license plate [REDACTED]. At approximately 4:04 p.m., the team, via the pole camera, observed RICHBURG conduct a hand to hand transaction with an unidentified black female in front of [REDACTED], New Orleans, Louisiana. At approximately 4:05 p.m., the team, via the pole camera, observed RICHBURG enter inside of the [REDACTED], New Orleans, Louisiana.

At approximately 4:10 p.m., RICHBURG, utilizing Telephone #6, placed an outgoing call to **BALLANSAW**, utilizing telephone number [REDACTED]. During the call, RICHBURG asked **BALLANSAW**, "Where you at?", and **BALLANSAW** said, "On my way back to the house." RICHBURG replied, "how far you is I need a computer right quick" and **BALLANSAW** answered, "I'm about a block away" and RICHBURG said, "alright bring me that computer right quick." DEA agents know based on training and experience that the word "computer" is code for a scale to weigh narcotics.

At approximately 4:15 p.m., the investigative team, via the pole camera, observed **BALLANSAW** arrive [REDACTED], New Orleans, Louisiana on a bicycle. The team then

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observed **BALLANSAW** walk to the door of the residence and depart on the bicycle moments later. Based on the intercepted call, DEA agents believe that **BALLANSAW** later met with **RICHBURG** to provide him with a scale.

On March 18, 2017, at approximately 3:44 p.m., **RICHBURG**, utilizing Telephone #6, made an outgoing call to **CATCHINGS**, utilizing assigned telephone number [REDACTED]. During the call, **RICHBURG** asked, "Hey did Dino close you out?" and **CATCHINGS** responded, "no not yet he aint never came yet but I only had three I got rid of one already before he had called" and **RICHBURG** said, "oh go ahead and go around there by **NATE**, because that's the...". Later in the same call, **RICHBURG** told **CATCHINGS**, "Look matter of fact what you can do is when you go over there with Dino, what kinda do, just take...they got a couple of them in there. Just get him one out of there".

DEA agents know, based on their training and experience, that narcotics traffickers commonly refer to narcotics by describing their quantity or weight. Therefore, they believe that when **CATCHINGS** stated that he "got rid of one," he was telling **RICHBURG** that he had sold a quantity of narcotics, likely one ounce or one gram. Moreover, they believe that when **RICHBURG** told **CATCHINGS** to go "by **NATE**," he was telling **CATCHINGS** to go to **BALLANSAW**'s residence. Moreover, they know that narcotics traffickers refer to narcotics using vague terms. Therefore, they believe that when **RICHBURG** told **CATCHINGS** that they "got a couple of them in there," and "just get him one out of there," he was telling **CATCHINGS** to gather narcotics from **BALLANSAW**'s residence. Moreover, agents believe that the reference to "Dino" refers to **TURNER**, and that **RICHBURG** was instructing **CATCHINGS** to provide a quantity of narcotics to **TURNER**.

On March 21, 2017, at approximately 6:19 p.m., **RICHBURG**, utilizing Telephone #6,

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made an outgoing call to **BALLANSAW**, utilizing telephone number [REDACTED]. During the call, **RICHBURG** said, "Hey **BLOOM** I need a favor" and **BALLANSAW** replied, "Hit me." **RICHBURG** said, "Say look. I need you to take that number seven (7) and split it down the middle for me" and **BALLANSAW** answered, "ok" and **RICHBURG** replied, "I'm a make the block but I'm gonna pull on the side cool?"

DEA agents know based on their training and experience, that narcotics traffickers refer to narcotics by discussing their weight. Therefore, they believe that when **RICHBURG** said that he wanted **BALLANSAW** to take "seven" and split it "down the middle," he was telling **BALLANSAW** to take either 7 grams of narcotics (likely cocaine) and split it into two quantities of 3.5 grams, which is approximately one eighth of an ounce each, or to take 7 ounces of narcotics and split it into two quantities of 3.5 ounces each.

Search Warrants on March 28, 2017

Agents from DEA executed search warrants on several properties, including the following properties on March 28, 2017: (1) [REDACTED] [REDACTED] [REDACTED] New Orleans, [REDACTED] [REDACTED], New Orleans, Louisiana; (3) [REDACTED] [REDACTED] [REDACTED], New Orleans, Louisiana; (4) [REDACTED] [REDACTED], Metairie, Louisiana, (5) [REDACTED] [REDACTED] [REDACTED], New Orleans, Louisiana; (6) [REDACTED] [REDACTED], New Orleans, Louisiana; (7) and [REDACTED] [REDACTED] [REDACTED] Avondale, Louisiana. These properties were utilized by **RICHBURG**, **HOLMES**, **LEWIS**, **BALLANSAW**, and **CATCHINGS** to store narcotics, drug paraphernalia, and in some cases, weapons.

[REDACTED] [REDACTED] Agents arrested **LEWIS** and co-defendant Ashley **OVERTON** ("OVERTON") inside this residence. Members of the team seized several individually-packaged quantities of heroin, over \$5,000 of U.S. currency, and scales.

[REDACTED] [REDACTED] [REDACTED] The door to [REDACTED] [REDACTED] [REDACTED] was barricaded, so it took several

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minutes for DEA to gain entry into the residence. Upon entry, members of the DEA observed RICHBURG inside, along with a female individual. Inside the residence, members of the team seized approximately one ounce of heroin and one empty kilogram-sized plastic wrapper containing cocaine residue. Members of the team also seized a quantity of cocaine hydrochloride, as well as adulterants and dilutants used as additives for cocaine and heroin. DEA also seized drug paraphernalia, including plastic bags, scales, and Pyrex cookware. Furthermore, DEA seized one receipt for a plane ticket for TRIPLETT showing a trip between Houston and New Orleans.

██████████ ██████████ DEA arrested BALLANSAW inside the residence. Members of the team seized one loaded Smith and Wesson Model 638-2, .38 caliber firearm bearing serial number CBE5523. In addition, DEA seized several individually packaged-quantities of cocaine base from the residence.

██████████ ██████████, Metairie, Louisiana: Members of the team seized a 9mm Smith and Wesson firearm as well as ammunition and magazines. The firearm was loaded.

██████████ ██████████ ██████████ Members of the team arrested CATCHINGS inside the residence and seized approximately one half ounce of cocaine base and approximately 5 grams of heroin. In addition, members of the team seized a quantity of ammunition.

██████████ ██████████ Members of the team seized one kilo press from inside this residence, as well as additional drug paraphernalia.

██████████ ██████████ Members of the team arrested HOLMES inside the residence and seized a quantity of cocaine base and a 9mm Sig Sauer handgun, which was loaded.

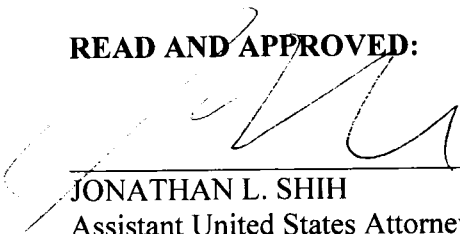
The Government and BALLANSAW agree and stipulate for purpose of sentencing that the Government could prove that BALLANSAW was responsible for cocaine, cocaine base and heroin which was equivalent to between 60 kilograms and 80 kilograms of marijuana, through his

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own conduct and the reasonably foreseeable conduct of his co-conspirators during the course of the conspiracy.

This proffer of evidence is not intended to constitute a complete statement of all facts known by **BALLANSAW**, 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 and factual basis for **BALLANSAW**'s plea of guilty to these crimes.

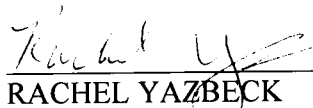
READ AND APPROVED:



JONATHAN L. SHIH
Assistant United States Attorney

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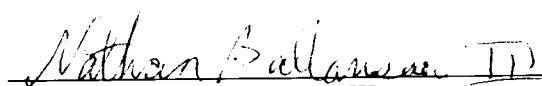
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RACHEL YAZBECK
Attorney for Defendant

6/17/2021

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NATHAN BALLANSAW III
Defendant

6/17/2021

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