

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

\*

CRIMINAL NO: 19-087

v.

\*

SECTION: "H"

YRIAN DEVORE

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\* \* \*

FACTUAL BASIS

The above-named defendant, **YRIAN DEVORE** ("DEVORE"), has agreed to plead guilty to Count Five of the Indictment, which charges him with possession with intent to distribute 500 grams or more of cocaine hydrochloride, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B). Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony, drug evidence, Title III wire and electronic interceptions, and other reliable evidence, the following facts. Unless stated otherwise, these acts occurred in the Eastern District of Louisiana:

During the time frame of the charged conspiracy, **DEVORE** conspired with codefendants Gene RUDOLPH ("RUDOLPH"), Paul METZ, Dale PHILLIPS, Jr., ZYETA Rudolph (ZYETA), and Elbert CHILDS to distribute cocaine in the Eastern District of Louisiana.

In December 2018, agents secured approval for Title III interceptions on two phones belonging to RUDOLPH. Through interceptions on RUDOLPH's phones and physical surveillance, agents learned that CHILDS, who lived in Houston, served as an intermediary between RUDOLPH and RUDOLPH's Houston-based cocaine suppliers. On numerous occasions, CHILDS assisted RUDOLPH in acquiring the cocaine that RUDOLPH then sold in

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New Orleans. ZYETA and **DEVORE** worked for RUDOLPH by knowingly transporting drugs and money between Houston and New Orleans on RUDOLPH's behalf.

**Use of ZYETA RUDOLPH as a Currier**

On December 3, 2018, Houston Police Department officers were monitoring passengers at the Megabus station at 815 Pierce Street, Houston. Officers observed **ZYETA** arrive at the station in an Uber. ZYETA was in possession of a black duffel bag, a black backpack, and a multi-colored rolling suitcase. Two officers decided to approach ZYETA and initiate conversation. During the conversation, officers asked ZYETA if she was in possession of any drugs or drug proceeds. ZYETA responded that she had no money and offered to allow the officers to search her bags. In the duffel bag, officers recovered four brick-shaped objects and one clear, sealed plastic bag containing a rock-like substance. Officers asked ZYETA what the substance was, and she replied that it was cocaine. ZYETA in fact did know that the package she possessed contained cocaine. The cocaine weighed 4,490 grams. Lab results confirmed that the substance was in fact cocaine.

ZYETA has acknowledged that she was transporting the cocaine at the behest of and on behalf of her brother, RUDOLPH. Through conversations with RUDOLPH, ZYETA was aware that RUDOLPH intended to sell the cocaine in the New Orleans area. ZYETA further acknowledges that CHILDS assisted RUDOLPH in obtaining the cocaine from a source of supply in Houston.

**Calls With Elbert Childs:**

On December 4-5, 2018, CHILDS and RUDOLPH engaged in a number of phone conversations that were intercepted by law enforcement. During these conversations, RUDOLPH complained to CHILDS that his sister, ZYETA, had been arrested in Houston on December 3 while

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transporting approximately 4.5 kilograms of cocaine hydrochloride on behalf of RUDOLPH. Law enforcement seized the cocaine upon ZYETA's arrest. CHILDS acknowledges that he was aware of, and helped to broker, RUDOLPH's purchase of the cocaine, and knew that ZYETA would be transporting the cocaine for RUDOLPH. CHILDS also had contributed to the purchase cost of the 4.5 kilograms of cocaine. During one intercepted conversation, where CHILDS and RUDOLPH were complaining about the law enforcement seizure, CHILDS told RUDOLPH, "I lost it like you lost it," meaning CHILDS lost money when the cocaine was seized. RUDOLPH stated, "I lost like a whole dollar, boy"—referring to the loss of cocaine valued at \$100,000.

**Use of DEVORE as a Currier:**

After ZYETA was arrested, RUDOLPH needed someone new to assist with transporting money and cocaine between Houston and New Orleans. RUDOLPH enlisted **DEVORE**, a truck driver, who agreed to transport drugs and money for RUDOLPH. On December 10, 2018, RUDOLPH met **DEVORE** in Slidell, Louisiana, and handed over a large amount of U.S. currency. **DEVORE** drove the currency in his tractor-trailer from Slidell to Houston. Because RUDOLPH sought to distance himself from the drug and money evidence, on December 11, 2018, RUDOLPH flew to Houston instead of driving with **DEVORE**. Once they both arrived, **DEVORE** and RUDOLPH met at a Shell gas station located at 14034 Hempstead Road, Houston. There, **DEVORE** handed RUDOLPH his currency. RUDOLPH then drove from the gas station to a residence located at [REDACTED] [REDACTED] [REDACTED] Houston, where he met with CHILDS and an individual known to them as their cocaine source of supply. After obtaining cocaine from the source in exchange for the currency, RUDOLPH traveled back to the Shell gas station and met with **DEVORE**. The following day, **DEVORE** drove the cocaine in his tractor-trailer from

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Houston to Slidell. Upon arriving in Slidell, **DEVORE** met with RUDOLPH again and handed over RUDOLPH's cocaine.

**Second Use of DEVORE as a Currier:**

On December 17, 2018, RUDOLPH met with **DEVORE** in the New Orleans area and handed over drug currency, which **DEVORE** agreed to transport to Houston. **DEVORE** traveled from New Orleans to the same Shell gas station on Hempstead Road in Houston, where he met with CHILDS. Agents followed **DEVORE** and CHILDS as they then traveled together to a strip club in Houston. Later that evening, RUDOLPH, who was still in New Orleans, spoke to CHILDS and confirmed that CHILDS and **DEVORE** were together watching a football game. During the intercepted conversation, RUDOLPH told CHILDS that the amount of U.S. currency that **DEVORE** had delivered was "sixty-one eight," meaning \$61,800. CHILDS maintained possession of the U.S. currency in Houston while **DEVORE** continued driving to other cities on a business trip. On December 21, 2018, **DEVORE** traveled back to Houston and met with RUDOLPH, who by that time had traveled to Houston by plane. During their meeting, at the same Shell gas station, RUDOLPH handed **DEVORE** approximately 3 kilograms of powder cocaine that RUDOLPH had acquired from his cocaine supplier, with the help of CHILDS. **DEVORE** began traveling back to the New Orleans area. Louisiana State Police troopers conducted a traffic stop of **DEVORE's** tractor-trailer in St. John Parish. In the cab of the truck, troopers recovered approximately 3 kilograms of cocaine hydrochloride. These drugs were later sent to the DEA laboratory and tested positive for cocaine hydrochloride.

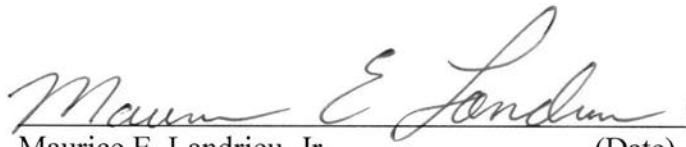
**DEVORE** and the government stipulate for the purposes of sentencing that **DEVORE** was responsible for at least 500 grams but less than 5 kilograms of a mixture or substance containing a


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detectable amount of cocaine hydrochloride, through **DEVORE's** own conduct and the reasonably foreseeable conduct of his co-conspirators.

**Limited Nature of Factual Basis**

This proffer of evidence is not intended to constitute a complete statement of all facts, 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 **DEVORE's** plea of guilty to the charged offense.

 4/27/21  
Maurice E. Landrieu, Jr. (Date)  
Assistant United States Attorney

 4-27-21  
Anna Friedberg (Date)  
Counsel for Defendant Yrian Devore

 4/27/21  
Yrian Devore (Date)  
Defendant