

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

UNITED STATES OF AMERICA	*	CRIMINAL NO: 20-00016
v.	*	SECTION: "D"
JOSEPH BROWN	*	

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FACTUAL BASIS

The above-named defendant, Joseph Brown ("BROWN"), has agreed to plead guilty to Counts 1 and 8 of the Indictment in the above captioned case. Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony, Title III wire and electronic interceptions, videos, physical surveillance, GPS data, seizures of money, drugs, firearms, 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, BROWN conspired with codefendants Lionel COOLEY, Kendrick DEMOURELLE, Kevin GRAY, Blake MONROE, and others, to distribute cocaine hydrochloride in the Eastern District of Louisiana. During this same period, BROWN also conspired with COOLEY, DEMOURELLE, MONROE, and others, to distribute cocaine base ("crack") in the Eastern District of Louisiana. BROWN was a low-level associate who worked for COOLEY, often running errands for him

This investigation began in early 2019 with controlled purchases of small amounts of crack cocaine from "N.B." who lives in St. Tammany Parish. The Drug Enforcement Agency ("DEA") worked up the drug supply chain to identify additional targets. During this yearlong investigation, agents used approximately seven court authorized Title III wiretaps on several of the conspirators'

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telephones, including phones that belonged to BROWN, COOLEY, and DEMOURELLE. Agents intercepted hundreds of communications over these telephones that proved that BROWN, COOLEY, DEMOURELLE, GRAY, MONROE, and others distributed drugs in the Eastern District of Louisiana. The facts listed below are not an exhaustive list of all criminal activity but rather just a small example of some of the criminal overt acts that were taken by members of the conspiracy.

Recovery of drugs from COOLEY's GMC Sierra Truck

On March 3, 2019 a tow truck driver from Quick Track Asset Recovery towed a 2016 GMC Sierra pickup truck, Louisiana License plate [REDACTED] from the vicinity of [REDACTED] in New Orleans East as part of a vehicle repossession. The vehicle was registered to "Clear Vision South LLC," with the address of 201 St. Charles Street, Suite 2500, New Orleans, LA. COOLEY is the registered owner of "Clear Vision South." [REDACTED] is the residence of one of COOLEY's relatives.

As part of this repossession, the tow truck driver conducted an inventory search and found a blue insulated bag on the vehicle's floor behind the driver's seat. Inside the blue bag was approximately two (2) kilograms of cocaine hydrochloride and 430 grams of crack. Specifically:

DEA Exhibit 2 – 1000.2 grams of cocaine hydrochloride;
DEA Exhibit 3 – 874.6 grams of cocaine hydrochloride;
DEA Exhibit 4 – 432.9 grams of cocaine base (crack); and
DEA Exhibit 5 – 29.74 grams of cocaine hydrochloride

The tow truck driver notified the New Orleans Police Department. DEA agents were then contacted and took possession of the above drugs. Inside the GMC Sierra truck were also a couple

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of cell phones, one of which was linked to COOLEY. The seized drugs were later tested at a DEA laboratory and came back positive for cocaine and crack cocaine, with the weights stated above.

BROWN Conducts Cocaine and Crack Sales Over the Phone

On September 3, 2019, a drug customer called Joseph BROWN and said: "I need to come snatch that . . . cocaine," telling BROWN he has "got like a dollar fifty." BROWN replied, "I got ya." BROWN and the drug customer also discussed whether BROWN has cocaine ("soft ball") or crack ("hard ball") for sale.

On September 11, 2019, another drug customer called BROWN to buy crack cocaine. BROWN told him to come by his house. After buying crack cocaine from BROWN, this drug customer was then pulled over by New Orleans police officers that same day. The customer told the police officers that he had just bought crack from BROWN.

COOLEY's Stash House

COOLEY used a stash house ("COOLEY's Stash House") located at [REDACTED] in New Orleans and a broken-down school bus ("School Bus") parked across from [REDACTED] one block away, to store his drugs. The Cooley Stash House is an abandoned multi-family, single-story residence with no electrical service. Following the installation of a pole camera on the 4700 block in October 2019, DEA obtained recordings of COOLEY, DEMOURELLE, and other drug associates engaging in drug trafficking activities on Ray Avenue.

Upon an almost daily arrival at [REDACTED] COOLEY would scan his surroundings looking for law enforcement and then enter COOLEY's Stash House without a key. COOLEY would normally stay inside the COOLEY Stash House for just a few moments before emerging with a chair that he kept outside the Stash House and would bring inside. On multiple occasions

agents observed COOLEY enter COOLEY's Stash House with a bulge in his front sweatshirt pocket then exit with an empty pocket. On multiple other occasions, agents observed COOLEY enter with an empty front sweatshirt pocket and then exit COOLEY's Stash House with a bulge in his pocket. During this investigation, agents learned that COOLEY stored cocaine and crack cocaine in the COOLEY Stash House and in the School Bus.

\$50,140.00 seized from DEMOURELLE's car

On November 21, 2019, intercepted communications revealed that COOLEY and DEMOURELLE planned to meet near the School Bus on Ray Avenue for the purpose of COOLEY obtaining cocaine from DEMOURELLE. At approximately 11:03 a.m. that morning, agents, via the pole camera, observed DEMOURELLE arrive at [REDACTED] in his GMC Denali. COOLEY was standing across from the School Bus. DEMOURELLE exited his Denali and he and COOLEY walked over to COOLEY's truck which was parked on the same block. COOLEY entered the passenger seat of his truck while DEMOURELLE stood in front of the open front passenger door. COOLEY then handed DEMOURELLE a white plastic bag which DEMOURELLE rummaged through. DEMOURELLE then put the white plastic bag in his Denali and drove away.

Agents followed DEMOURELLE and observed him commit several traffic violations. New Orleans Police Department ("NOPD") officers then conducted a traffic stop on DEMOURELLE's Denali. After a canine "sniff" of the vehicle, NOPD officers found inside the vehicle a small amount of suspected marijuana and a backpack that contained the same white plastic bag and \$50,140.00 inside. The NOPD officers detained DEMOURELLE and seized the




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currency and suspected marijuana.¹ NOPD issued DEMOURELLE a misdemeanor summons and a traffic citation and he was released a short time later. The \$50,140.00 seized from the white plastic bag inside DEMOURELLE's Denali, and which came from COOLEY, was enough to purchase approximately two kilograms of cocaine. DEMOURELLE has not sought the return of these seized funds.

Cocaine delivery on November 22, 2019

The next morning, November 22, 2019, COOLEY and DEMOURELLE arranged over the telephone for the delivery of approximately 765 grams of cocaine to COOLEY on Ray Avenue. Specifically, DEMOURELLE told COOLEY at about 8:14 a.m. that morning that "my partner down there now. You heard me. He gonna bring you a half. You heard me. And I'll bring you the difference." About an hour later, at about 9:22 a.m., COOLEY called DEMOURELLE and asked what was happening. DEMOURELLE replied that his associate is "taking a lil' longer man cause he, you know, he don't know how to scale that shit." DEMOURELLE then added that "what he about to come bring you, it's gonna be right under a half and I'ma come bring you the nine and four." This is in reference to the cocaine that COOLEY was buying from DEMOURELLE that morning, with a "under a half" meaning a little less than half a kilogram of cocaine and "nine" and "four" referring to nine ounces and four ounces of cocaine, respectively.

¹ NOPD transferred the U.S. currency to DEA for forfeiture proceedings.

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At around 9:45 a.m., Blake MONROE, one of COOLEY's associates, pulled up in his Ford Escape and parked in the driveway of [REDACTED] across from the School Bus. COOLEY was waiting outside. COOLEY entered the passenger side door of MONROE's Ford Escape and rustled through a white plastic bag which contained money for the cocaine that COOLEY was buying from DEMOURELLE later that morning. A few minutes later, COOLEY exited MONROE's car and put this white plastic bag full of money inside the trunk of his Mercedes. COOLEY's car was parked on the same block of Ray Avenue. MONROE then drove away.

At about 9:58 a.m., DEMOURELLE called COOLEY and told him to "go by your buses he, he in a silver impala" and "he coming to bring everything, to bring you the whole three nines now." This referred to meeting at the School Bus ("go by your buses") and approximately twenty-seven (27) ounces of cocaine, with "three nines" code for three nine-ounce packages of cocaine.

At around 10:25 a.m., an associate of DEMOURELLE, "K.R.," arrived in a silver Impala and parked in front of [REDACTED] next to the School Bus. COOLEY, who was waiting outside the School Bus, entered the passenger seat of the silver Impala. About two minutes later, "K.R." exited his silver Impala, retrieved a brown box from the trunk, and then returned to the vehicle. A few seconds later, COOLEY exited "K.R."s car carrying the same brown box. COOLEY then placed the brown box, which contained the cocaine from DEMOURELLE, inside the trunk of his parked Mercedes. About an hour later, DEMOURELLE called COOLEY and asked whether he "is all good." COOLEY replied that he was.

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Cocaine sale on November 25, 2019

On November 25, 2019, at around 8:39 a.m., BROWN drove COOLEY to the 4700 block of Ray Avenue. Pole camera video showed BROWN, in the driver seat of his parked car rolling a marijuana blunt, while COOLEY, wearing a red Coca-Cola shirt, sat in the front passenger seat. COOLEY then exited the car carrying a large Foot Locker plastic bag which was full of money to purchase approximately a half a kilogram of cocaine from DEMOURELLE later that morning. COOLEY then placed this bag in the trunk of his Mercedes which was also parked on Ray Avenue.

At about 9:07 a.m., COOLEY called BROWN and asked whether he wanted to make thirty dollars driving him to New Orleans later that morning which he could use to buy BROWN's son a video game. BROWN agreed to drive COOLEY back to New Orleans and said he will "take the back to back route . . . just how we spoke." The "back route" meant not travelling on the highways, so as to avoid Louisiana State Police who often patrolled these roads. Twenty minutes later, at about 9:27 a.m., COOLEY called BROWN and told him he was going "to walk around there, by you," meaning walk over to BROWN's house.

At 9:33a.m., COOLEY, wearing the same red Coca-Cola shirt, drove up to [REDACTED] Slidell, Louisiana. This is DEMOURELLE's house. COOLEY lived next door at [REDACTED]. COOLEY exited his black Mercedes and DEMOURELLE walked over to his car. COOLEY then opened the trunk of his Mercedes and gave DEMOURELLE the same large Foot Locker plastic bag that COOLEY had put inside his Mercedes earlier that money. This bag contained money for the cocaine that COOLEY was buying from DEMOURELLE.

At around 9:42a.m. COOLEY, wearing the same red Coca-Cola shirt, walked toward the garage at [REDACTED] Slidell, which is BROWN's home, and a few blocks away

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from COOLEY's home. BROWN and COOLEY walked into and out of BROWN's garage a few times and then got into BROWN's truck. They drove away at around 9:45a.m. About five minute later, they returned in BROWN's truck and pulled into BROWN's driveway. BROWN and COOLEY exited the truck, leaving both front doors open. BROWN then opened his truck's hood while COOLEY grabbed a white package of cocaine from the vehicle's center console. COOLEY had picked up this cocaine package from DEMOURELLE less than thirty minutes before. BROWN and COOLEY hid the white cocaine package inside the engine area of BROWN's truck so to avoid detection by law enforcement if stopped on their drive back to New Orleans. BROWN and COOLEY then drove back to New Orleans.

Late that day, COOLEY and DEMOURELLE talked over the phone about that morning's cocaine sale. During this conversation, DEMOURELLE said, "No, it was supposed to be um... 13 8." '13 8' referred to \$13,800, which was the agreed upon purchase price for the cocaine that COOLEY had bought from DEMOURELLE that morning.

December 11, 2019 arrest of MONROE

On December 11, 2019, at approximately noon, NOPD officers were conducting undercover surveillance at the corner of Chef Menteur Highway and Werner Boulevard in New Orleans East. NOPD officers observed a white Mercedes drive up to this corner and then stop. Officers then watch a man in a black hooded sweatshirt approach the vehicle and conduct a suspected hand-to-hand purchase of illegal narcotics from the driver.

This information was relayed to other NOPD officers who then conducted a traffic stop on the white Mercedes. This vehicle is registered to a relative of COOLEY, the same relative who was the registered owner of COOLEY's seized GMC Sierra which was towed on March 3, 2019 with approximately two (2) kilograms of cocaine hydrochloride and 430 grams of crack inside. These NOPD officers approached the white Mercedes and had the driver, later identified as MONROE, and a female passenger, exit the car because of safety concerns. When asked, both MONROE and his passenger said that there were no firearms in the vehicle.

The NOPD officers observed in plain sight suspected marijuana in the car and an AK-47 Draco assault weapon (serial number DR-4768-17R0), with a high capacity magazine (30 rounds), partially covered by a female black coat behind the front passenger seat. MONROE and the female passenger, MONROE's girlfriend "K.S." A subsequent search of the vehicle revealed two digital scales, both with white residue. One scale was in the compartment on the driver's door and the other scale was under the front passenger's seat. A search incident to arrest revealed that MONROE was in possession of more than \$3000.00 in various denominations and "K.S." was in possession of more than \$800 in various denominations.

A female witness told NOPD officers in a recorded statement that she had watched a man in a black hooded sweatshirt approach the Mercedes and purchase what she believed were drugs from the driver. The NOPD officers then spoke with the man whom they suspected had just purchased drugs from MONROE. In a recorded statement, this man confirmed that he "bought a \$5.00 rock from the guy driving the white car." When asked where this "rock" of crack cocaine was, the man said that he "smoked it."

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Pursuant to a search at jail, NOPD officers found a plastic sandwich bag hidden under MONROE's testicles that contained a little less than 28 grams of crack cocaine. A field test and later a NOPD drug test confirmed the contents of MONROE's bag as crack cocaine.

February 1, 2020 discussion of crack cocaine sale

On February 1, 2020, DEMOURELLE spoke with an unidentified man at about 5 p.m. about the sale of approximately nine ounces of crack cocaine. This man told DEMOURELLE that "his dude that wanted the Drew Brees . . . already cooked." "Drew Brees" is a reference to nine ounces since Drew Brees wore number nine while playing for the New Orleans Saints and "already cooked" is code for crack cocaine. Approximately thirty minutes later, DEMOURELLE called an associate and told her to meet him on St. Bernard Avenue in New Orleans with that "big jar," which is code for the glass jar that DEMOURELLE and this associate used to store crack cocaine for resale.

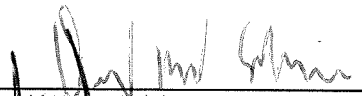
February 12, 2020 search warrants

On February 12, 2020, DEA agents executed eight search warrants in connection with this investigation. One of these warrants was executed on GRAY's residence, located at [REDACTED] Chalmette, Louisiana. During this search, agents found approximately 479 grams of a mixture or substance containing heroin, separated into three plastic bags, a digital scale, and a machine press.


BROWN and the government stipulate for the purposes of sentencing that BROWN was responsible for at least five hundred grams but less than two kilograms of a mixture or substance containing a detectable amount of cocaine hydrochloride, and at least twenty-eight grams but less than 112 grams of crack cocaine, through BROWN's own conduct and the reasonably foreseeable conduct of his co-conspirators.

Limited Nature of Factual Basis

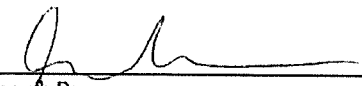
This proffer of evidence is not intended to constitute a complete statement of all facts, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for BROWN's plea of guilty to the charged offenses.

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
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