

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 21-090

v. * SECTION: "D"

MIKAL BLACK *

* * *

FACTUAL BASIS

The defendant, **MIKAL BLACK** ("**BLACK**"), has agreed to plead guilty to Count 4 of the Indictment now pending, charging him with possession of a firearm by a convicted felon in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

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, beyond a reasonable doubt, to support the allegations in the Indictment filed against the defendant:

On or about July 5, 2020, officers with the Plaquemines Parish Sherriff's Office ("**PPSO**") obtained a warrant for **BLACK**'s home to search for a Glock handgun he was reported to possess earlier that day. **BLACK**'s mother identified which room belonged to **BLACK**. In his bedroom, **PPSO** deputies seized one (1) Winchester .40 caliber round, six (6) Winchester 9mm rounds, and a Glock .40 caliber semi-automatic handgun box.

On or about August 6, 2020, L.M. was driving south on Highway 23 through Ironton, Louisiana. It was late in the evening and dark. **BLACK**'s dog was on the loose and ran in front of L.M.'s vehicle. She struck the dog and pulled over to the side of the road to call authorities and report the accident.

AUSA *CR21*
Defendant *MB*
Defense Counsel *JRW*

While L.M. waited on the side of the road, **BLACK** arrived in a black Titan pickup truck before any authorities arrived. He appeared angry and volatile. Out of fear of **BLACK**, L.M. began to drive away from the scene. While driving away, she heard gunshots. At the scene, **BLACK** discharged his Glock .40 caliber semi-automatic handgun. The shell casings ~~how many~~ were from Winchester .40 caliber rounds. ^{cas} MB JAW

When officers arrived, both **BLACK** and L.M. had left the scene. They recovered two .40 caliber spent shell casings. They later interviewed L.M. who identified **BLACK** in a photographic lineup. **BLACK** was also interviewed but denied any wrongdoing. He claimed it was another male who drove up in a black Titan pickup truck.


On August 11, 2020, PPSO investigators obtained a search warrant for the black Titan pickup truck and executed the search while the vehicle was parked outside of **BLACK**'s workplace. Inside, they found a backpack which had within it a .40 caliber Glock semi-automatic handgun with a 50 round drum attached to it containing 49 rounds of .40 caliber ammunition. This was the same Glock handgun which **BLACK** possessed on July 5, 2020 and August 6, 2020.

The 49 rounds inside the Glock consisted of eight rounds manufactured by Winchester, one round manufactured by Hornady, and 40 rounds manufactured by Smith and Wesson. The eight Winchester rounds within the Glock matched the single .40 caliber round found in **BLACK**'s bedroom on July 5, 2020, and the two spent shell casings found on the road where **BLACK** discharged the Glock on August 11, 2020.

Glock does not manufacture any firearms in the state of Louisiana and the Glock firearm possessed by **BLACK** was shipped and transported in interstate commerce prior to coming into his possession. All of the rounds recovered throughout this investigation were ammunition designed and intended to be used in a firearm. Winchester does not manufacture ammunition

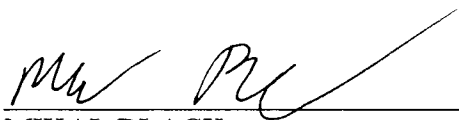
within the state of Louisiana, and they all were shipped and transported in interstate commerce prior to coming into **BLACK**'s possession.

BLACK knew he had previously been convicted of a felony offense in the 25th Judicial District Court of Louisiana, Case No. 18-00956 "B," for Manufacturing a Schedule I Controlled Dangerous Substance in violation of LA R.S. 40:966(A)(1).




CHARLES D. STRAUSS
Assistant United States Attorney

11/23/21
Date



MIKAL BLACK
Defendant

11/23/21
Date



JAMES WILLIAMS
Attorney for Defendant

11/23/21
Date