

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 20-92

v. * SECTION: "R"

CORNELIUS GARRISON *

DONIESHA GIBSON *

CHANDRIKA BROWN *

ISHAIS PRICE *

AISHA THOMPSON *

DEWAYNE COLEMAN *

DONISESHA LEE *

a/k/a Donisha Lee

DONREION LEE *

ERICA LEE THOMPSON *

* * *

FACTUAL BASIS AS TO DONISESHA LEE

Introduction

Should this matter have gone to trial, the government would have proved through the introduction of reliable testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the government in Count 1 of the Indictment now pending against the defendant, **DONISESHA LEE** ("**DONISHA LEE**"), charging her with a violation of Title 18, United States Code, Section 371, namely, conspiracy to commit mail fraud. The defendant, along with her co-conspirators and others, beginning at a time unknown and continuing through the date of the indictment, in the Eastern District of Louisiana, and elsewhere, conspired to commit mail fraud in connection with staged accidents, including one that occurred on September 6, 2017.

AUSA *BJR*
Defendant *DL*
Defense Counsel *[Signature]*

Background

The section of Interstate 10 eastbound, milepost 239, near the Almonaster exit was located in the Eastern District of Louisiana. Averitt Express, Inc. (“Averitt”) was an interstate commercial trucking company headquartered in Cookeville, Tennessee. ACE American Insurance Company (“ACE”) was headquartered in Philadelphia, Pennsylvania. Averitt was self-insured up to \$1,000,000.00 for vehicle accidents, and ACE provided excess insurance coverage for Averitt. GEICO Insurance Company (“GEICO”) maintained offices throughout the United States, including Macon, Georgia. GEICO insured the vehicle purportedly used by Erica Lee on or about September 6, 2017. GEICO utilized a law firm based in New Orleans to provide legal representation with respect to the vehicle purportedly used by Erica Lee on or about September 6, 2017. On or about July 25, 2018, a Petition for Damages was filed in CDC, on behalf of Erica Lee (“Erica Lee Lawsuit”). The Erica Lee Lawsuit sought to recover damages from Averitt and Truck Driver A. On or about August 27, 2018, a Petition for Damages was filed in CDC, on behalf of Aisha Thompson, Dewayne Coleman, **DONISHA LEE**, and Donreion Lee (“Thompson Lawsuit”). The Thompson Lawsuit sought to recover damages from Averitt, ACE, GEICO, Truck Driver A, and Erica Lee.

The Offense

At a time unknown but prior to on or about September 6, 2017, Co-Conspirator B contacted Erica Lee and arranged a meeting for Erica Lee and Passenger A for the purpose of staging an automobile accident. Dewayne Coleman, **DONISHA LEE**, Donreion Lee, and Erica Lee agreed to stage an automobile accident. Dewayne Coleman, **DONISHA LEE**, Donreion Lee, and Erica Lee used Erica Lee’s RAV4 to pick up Passenger A and Slammer Co-Conspirator (“Slammer”). Dewayne Coleman, **DONISHA LEE**, Donreion Lee, and Erica Lee agreed to allow Slammer to

drive Erica Lee's RAV4 for the purpose of staging an automobile accident with a tractor-trailer in order to obtain money through fraud. Slammer drove Dewayne Coleman, **DONISHA LEE**, Donreion Lee, Erica Lee, and Passenger A in the RAV4 to locate another vehicle to collide with on Interstate 10 in the vicinity of the Almonaster exit. At approximately 10:05 P.M., Slammer, while driving east on Interstate 10, observed a 2016 Freightliner tractor-trailer operated by Averitt, and slammer intentionally collided with the Averitt tractor-trailer. Slammer exited Erica Lee's RAV4 after the collision and told Erica Lee to get behind the wheel of the RAV4 to make it appear that Erica Lee was driving the vehicle at the time of the staged accident. After the staged accident, Erica Lee contacted the NOPD to report that she had been in an automobile accident. Erica Lee falsely reported to the NOPD that she had been the driver of the RAV4 and that the tractor-trailer had struck her vehicle. Passenger A falsely claimed to the NOPD that she was Aisha Thompson.

Approximately one or two days after the staged accident, Coleman, **DONISHA LEE**, Donreion Lee, Erica Lee, and Aisha Thompson went to an attorney's office for the purpose of collecting money from the insurance and trucking company. Coleman, **DONISHA LEE**, Donreion Lee, Erica Lee, and Aisha Thompson sought medical treatment from doctors and healthcare providers. Aisha Thompson treated for approximately six months despite not being in the RAV4 at the time of the staged accident.

On or about April 11, 2018, and on or about July 6, 2018, defendant's attorney mailed an envelope from his/her office, ****, New Orleans, LA 70130, via the U.S. Postal Service to ACE American Insurance Company, Attn: V.B., 436 Walnut Street, Philadelphia, PA 19106-3703, containing a settlement demand on behalf of clients Aisha Thompson, Coleman, **DONISHA LEE**, and Donreion Lee demanding "policy limits in full and final settlement of this claim."

On or about March 1, 2019, GEICO mailed four (4) settlement checks, based on false statements and representations, payable to Aisha Thompson, Coleman, **DONISHA LEE**, Donreion Lee, and their attorneys totaling approximately \$30,000.00, from GEICO's offices in Macon, Georgia to GEICO's attorneys located at ****, New Orleans, LA 70163-1116. On or about March 25, 2019, Coleman endorsed a settlement check in the approximate amount of \$7,500.00. On or about March 25, 2019, Donreion Lee endorsed a settlement check in the approximate amount of \$9,000.00. On or about March 26, 2019, **DONISHA LEE** endorsed a settlement check in the approximate amount of \$6,000.00. On or about March 26, 2019, Aisha Thompson endorsed a settlement check in the approximate amount of \$7,500.00.

On or about March 26, 2019, Coleman, **DONISHA LEE**, and Donreion Lee each provided false testimony in depositions taken in conjunction with the Thompson Lawsuit. On or about April 9, 2019, Aisha Thompson provided false testimony in a deposition taken in conjunction with the Thompson Lawsuit. In these depositions, Coleman, **DONISHA LEE**, Donreion Lee, and Aisha Thompson lied about the September 6, 2017 accident including, but not limited to, who was driving the RAV4 and the extent of their injuries.

The government would introduce incriminating statements made by **DONISHA LEE** to the FBI on March 5, 2020. In this FBI interview, **DONISHA LEE** admitted that she, Erica Lee, Donreion Lee, Dewayne Coleman, Slammer, and an unknown female (Passenger A) participated in a staged automobile accident on I-10 on September 6, 2017.

According to **DONISHA LEE**, on September 6, 2017, she, Erica Lee, Donreion Lee, and Dewayne Coleman picked up an unknown female (Passenger A) and they drove to a location near I-10. **DONISHA LEE** said a dark colored sedan pulled behind them when they stopped. At that

time, Slammer got into the driver's seat of Erica Lee's vehicle (RAV4). Erica Lee slid over the center console into the passenger seat.

Slammer drove onto I-10 and within five minutes located an 18 wheeler. Slammer hit the 18 wheeler and caused the accident. After they flagged down the 18 wheeler, Slammer said he needed to get out of the RAV4. Slammer exited the RAV4 via the front right passenger door, got into the dark sedan, and fled the scene.

DONISHA LEE told the FBI that the unknown female (Passenger A) claimed to be Aisha Thompson. After the accident, the unknown female (Passenger A) told them to contact a particular attorney whose office was on St. Charles Avenue. **DONISHA LEE** said she knew the unknown female and Slammer received a "cut" for staging the accident. **DONISHA LEE** received a settlement for the staged accident.

In addition, the government would introduce dash camera video evidence of Slammer making his escape from the RAV4 after the accident while the RAV4 was in the East-bound lane of traffic on the I-10.

Limited Nature of Factual Basis and Conclusion

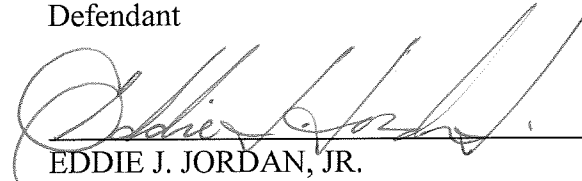
This proffer of evidence is not intended to constitute a complete statement of all facts known by **DONISESHA LEE, a/k/a Donisha Lee** and/or the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for her guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the plea of guilty to the charged offense by **DONISESHA LEE, a/k/a Donisha Lee**.

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, *inter alia*, Special Agents and forensic examiners from the Federal Bureau of Investigation and admissible tangible exhibits in the custody of the FBI.


READ AND APPROVED:



DONISESHA LEE, a/k/a Donisha Lee
Defendant



EDDIE J. JORDAN, JR.
Counsel for Defendant



BRIAN M. KLEBBA
Assistant United States Attorney