

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

UNITED STATES OF AMERICA	*	CRIMINAL NO.
v.	*	SECTION:
GRAHAM LOVELACE	*	
	*	
	*	

FACTUAL BASIS

The defendant, **GRAHAM LOVELACE** (hereinafter, the “defendant” or “**LOVELACE**”), has agreed to plead guilty to Count One of the Bill of Information, charging him with travel with intent to engage in illicit sexual conduct, in violation of Title 18, United States Code, Section 2423(b). Should this matter proceed to trial, both the Government and **LOVELACE** stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty. The Government and the defendant further stipulate that 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 Bill of Information now pending against the defendant:

The Government would show that, at all times mentioned in the Bill of Information, **LOVELACE** was a resident of Greenville, South Carolina, within the District of South Carolina. **LOVELACE** has a date of birth of [REDACTED] [REDACTED]. The Government would further show that, at all times mentioned in the Bill of Information, the Victim resided in Belle Chasse, Louisiana, within the Eastern District of Louisiana (“EDLA”). The Victim was born in June 2006.

AUSA JG
Defendant Ray GKL
Defense Counsel RJ

The Government would admit documentary evidence and eyewitness testimony that on about autumn of 2020, **LOVELACE** met the Victim via an Xbox game called "Sea of Thieves." Based on records of the correspondence, as well as **LOVELACE**'s subsequent statement to law enforcement authorities, **LOVELACE** was aware that the Victim was a minor.

The Government would further admit documentary evidence and eyewitness testimony, that between about September 2021, and October 6, 2021, **LOVELACE** and the Victim engaged in conversation via Xbox messenger, in which they discussed **LOVELACE** traveling to the New Orleans area from South Carolina via automobile, and then traveling to the Victim's school bus stop to pick her up. **LOVELACE** and the Victim referred to each other as [REDACTED] and they expressed their love for each other throughout the conversations. **LOVELACE** and the Victim discussed, among other things, the logistics of **LOVELACE** meeting the Victim, having sex, and spending the rest of their lives together.

The Government would further admit documentary evidence and eyewitness testimony, as well as statements made by **LOVELACE**, than on about October 6, 2021, **LOVELACE** executed his plan and travelled from South Carolina to the Victim's school bus stop in the Eastern District of Louisiana by automobile. A motivating purpose of his travel was to engage in illicit sexual conduct with the Victim. **LOVELACE** and the Victim then travelled to New Orleans, where they stayed in hotel rooms together and engaged in oral sex and vaginal sexual intercourse.

Defendant's Arrest:

On October 6, 2021, the Victim's mother reported to the Plaquemines Parish Sheriff's Office ("PPSO") that her daughter, a 15-year-old juvenile female, was missing. The Victim's mother reported that the Victim left her residence, within EDLA, at approximately 6 am en route

to the school bus stop. The Victim's mother later learned that the Victim did not get on the bus or arrive at the school. When the Victim's mother attempted to contact the Victim via the Victim's cellular phone, she discovered the Victim's cellular phone was off.

On October 6, 2021, PPSO requested GPS location information "pings" related to the Victim's cellular phone number. The Victim's mother provided PPSO officials with photographs of Xbox chat messages that she stated were between the Victim and a user with the name "DRK KryptiK," later determined to be **LOVELACE**. The chat messages indicated the Victim and **LOVELACE** began planning in September 2021 for **LOVELACE** to travel from South Carolina to EDLA to pick the Victim up on October 6, 2021.

On the afternoon of October 7, 2021, the Victim's cellular phone appeared to be turned back on, and PPSO obtained two "pings," both of which were in the vicinity of the French Quarter of New Orleans. Later that afternoon, PPSO detectives traveled to the French Quarter to search for the Victim. During the search, PPSO saw the Victim and **LOVELACE** walking and holding hands in the 400 block of Bourbon Street. Both the Victim and **LOVELACE** were detained by law enforcement officials.

After the Victim was recovered, she was taken to Children's Hospital for a medical examination and a forensic interview, in which she reported the following:

[REDACTED]

4. [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

On October 7, 2021, after being appraised of and waiving his *Miranda* Rights, **LOVELACE** provided the following statement at the PPSO Detective Bureau:

[illegible]

Further Investigation:

If this case were to have gone to trial, agents would testify that they searched the National Crime Information Center (“NCIC”) database, which confirmed that **LOVELACE** is a resident of Greenville, South Carolina. Additionally, **LOVELACE**’s publicly available Facebook page, which contains pictures of **LOVELACE** and his identifiable tattoos, states that he “[l]ives in

Greenville, South Carolina.” Further, at the time he committed the instant offense, **LOVELACE** was on probation/parole supervision with the Greenville, South Carolina Sheriff’s Office. That term of supervision is scheduled to expire on August 14, 2023.

Federal Bureau of Investigation (“FBI”) Special Agent (“SA”) [REDACTED] would testify that he obtained video surveillance from the Boomtown Casino Hotel in Harvey, Louisiana, and it shows **LOVELACE** and the Victim entering and exiting a room in the hotel on October 6, 2021. [REDACTED] would also testify that he gathered video surveillance from the Marriott Hotel on 555 Canal Street in New Orleans, which also shows **LOVELACE** and the victim entering and exiting the hotel lobby and entering **LOVELACE**’s vehicle in the parking garage.

FBI SAs investigated various mediums of communication between **LOVELACE** and the Victim, including but not limited to Xbox, PicsArt, and email, ranging from late 2020 until **LOVELACE**’s arrest in October 2021. Specifically, on December 7, 2020, **LOVELACE** emailed the Victim a photo of his erect penis. Further, on December 21, 2020, the Victim sent electronic messages to **LOVELACE**’s mother, in which the Victim identified herself as **LOVELACE**’s “[REDACTED]” On December 30, 2020, **LOVELACE** communicated with the Victim on the PicsArt website/application. In that posting, he uploaded photos with a “love letter” caption, in which he referred to himself as the [REDACTED]

The Government would further admit into evidence that in late December 2020 / early January 2021, **LOVELACE** and the Victim communicated via Xbox messenger. In that conversation, **LOVELACE** and the Victim discussed the Victim going to live with **LOVELACE** in South Carolina and spending their lives together. **LOVELACE** attempted to purchase the Victim a one-way bus ticket from EDLA to South Carolina. They strategized how the Victim

would board the bus because she was underage and did not have an ID. However, that conversation ended when the Victim's mother discovered the conversation, entered the chat, informed **LOVELACE** that the Victim was fourteen (14) years old at that time, and told **LOVELACE** to stop contacting the Victim.

██████ would testify that from October 1 – 6, 2021, **LOVELACE** and the Victim exchanged approximately 1,063 messages via the Xbox chat. In the messages, **LOVELACE** and the Victim discussed **LOVELACE** leaving South Carolina to go to the Eastern District of Louisiana to pick up the Victim and subsequently engage in illicit sexual conduct.

Search Warrants:

On October 8, 2021, FBI ██████ obtained a search warrant for **LOVELACE**'s cellular telephone. Agents would testify that in **LOVELACE**'s phone, they identified videos of the defendant in his car on the highway traveling to EDLA, showing highway signs of **LOVELACE** passing through Atlanta, Georgia and on Interstate-10 at Claiborne Avenue in New Orleans.

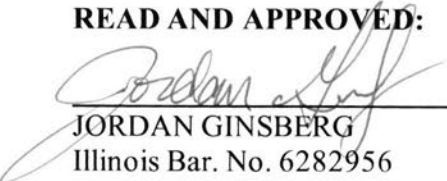
The above facts come from an investigation conducted by, and would be proven at trial by, credible testimony from, the Special Agents and forensic examiners from the FBI, other witnesses, documents, and electronic devices in the possession of the FBI, and statements made by the defendant, **GRAHAM LOVELACE**.

LIMITED NATURE OF FACTUAL BASIS

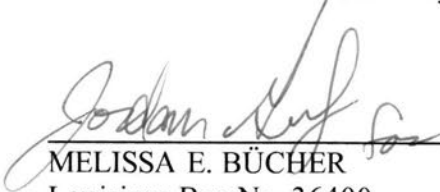
This proffer of evidence is not intended to constitute a complete statement of all facts known by **GRAHAM LOVELACE** and by the Government, but rather is a minimum statement

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 **GRAHAM LOVELACE's** plea of guilty to the charged offense.

READ AND APPROVED:


JORDAN GINSBERG
Illinois Bar. No. 6282956
Assistant United States Attorney

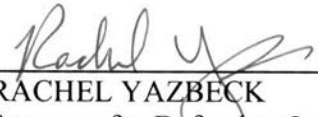
5-12-22
Date


MELISSA E. BÜCHER
Louisiana Bar. No. 36400
Assistant United States Attorney

5-12-22
Date


GRAHAM LOVELACE
Defendant

5/12/2022
Date


RACHEL YAZBECK
Attorney for Defendant Lovelace

5/12/2022
Date