

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 2:15cr80
	)	
DEYONTA HINTON,	)	
a/k/a "Red," "Mike,"	)	
	)	
Defendant.	)	

STATEMENT OF FACTS

By signing below, the parties and their respective counsel agree that if this case had gone to trial, the government's evidence would have established the following facts beyond a reasonable doubt:

1. From in or about November 2013 to in or about July 2015, the defendant, DEYONTA HINTON, was a member of the Outten drug trafficking organization (the "Outten Organization"), based in Portsmouth, Virginia. The defendant entered into a conspiracy with members of the Outten Organization to manufacture, distribute and possess with intent to distribute in excess of one kilogram of heroin in the Eastern District of Virginia. The defendant personally managed the distribution of over one kilogram of heroin during the course of the conspiracy. The defendant also managed at least six individuals, including co-defendant JERMAINE JONES ("JONES") and unindicted co-conspirators F.F., G.H., L.H., W.A., and M.L., who assisted in the distribution of heroin for the organization.

2. Based on knowledge learned after the fact, the defendant learned the following information: In or about November 2013, unindicted co-conspirator J.R. rented a vehicle for

co-defendant SHERITA NICKS (“NICKS”) so that she could transport heroin and cocaine from New York to Virginia for the Outten Organization. NICKS was arrested on or about November 14, 2013, in Middletown, Delaware, for possessing approximately 168 grams of cocaine and approximately half a kilogram of heroin. NICKS admitted to police that this was the second time that she transported this amount of heroin from New York to Virginia for the Outten Organization.

3. During the course of the conspiracy the defendant bought in excess of approximately 2.5 kilograms of heroin from co-defendant ALONZO OUTTEN and sold the following amounts to the following individuals: approximately 70 grams of heroin to co-defendant GARNETT BROWN (“BROWN”), approximately 40 grams of heroin to Confidential Human Source (“CHS”) 7, approximately 758 grams of heroin to CHS 9, approximately 41 grams of heroin to CHS 14, and approximately 150 grams of heroin to CHS 16. Law enforcement officials coordinated nine controlled purchases of heroin from the defendant and drug “runners” working for the defendant, in which they recovered a total of approximately 14.7 grams of heroin.

4. Co-defendant ALONZO OUTTEN sold in excess of approximately 2.5 kilograms of heroin to the defendant during the course of the conspiracy. After receiving the heroin from ALONZO OUTTEN, the defendant sold it to other individuals.

5. Co-defendant BROWN purchased heroin from the defendant from in or about March through June of 2015. BROWN commonly purchased 1/8 ounce of heroin for \$300 or a 1/4 ounce of heroin for \$600 from the defendant approximately once a week through March and April 2015, totaling a minimum of two ounces of heroin. BROWN purchased a minimum of 1/2 ounce of heroin from the defendant during May and June of 2015. On five separate occasions between the summers of 2013 and 2014 BROWN observed the defendant in possession of

approximately three ounces of heroin.

6. In or about December 2014 the defendant attempted to sell ounce quantities of heroin to the Imperial Gangsta Bloods (“IGB”) gang’s second-in-command. The defendant offered to sell the IGB’s second-in-command an ounce of heroin for \$2,200. The IGB second-in-command gang member observed the defendant with approximately two ounces (56 grams) of heroin at the BP gas station on Frederick Boulevard in Portsmouth, Virginia.

7. The defendant sold CHS 9 approximately 758 grams of heroin from in or about January 2014 to in or about July 2014. These purchases occurred in public parking lots in the Town Pointe and Port Norfolk sections of Portsmouth, Virginia. CHS 9 purchased approximately one to two grams of heroin daily from the defendant from January 2014 through the end of February 2014. In or about March 2014 the defendant agreed to sell CHS 9 larger quantities of “uncut” or “uncapped” heroin. CHS 9 began purchasing “8 ball” (3.5 grams or 1/8 ounce) quantities of heroin for \$350 from the defendant approximately every day from March until the middle half of April. In the second half of April 2014, CHS 9 began purchasing ¼ ounce (7 grams) quantities of heroin from the defendant approximately every day until the end of May. From in or about June 2014 until in or about the middle of July 2014, CHS 9 purchased ounce quantities (28 ounces) for approximately \$2,800 from the defendant on four occasions. During some of these purchases CHS 9 observed the defendant with gallon size clear Ziploc-type bags containing multi-ounce quantities of heroin. The defendant would remove the bag from the defendant’s backpack, remove the heroin, and “cut” off an ounce to sell to CHS 9. The heroin would be weighed on a portable digital scale and then sold to CHS 9.

8. From in or about August 2014 to in or about January 2015, CHS 14 purchased approximately 41 grams of heroin from the defendant. CHS 14 purchased approximately .4 grams of heroin about four times a week over the course of approximately six months. On several occasions CHS 14 purchased multiple times a day from the defendant. On one occasion CHS 14 purchased heroin from the defendant at a residence on Twin Pines Road in Portsmouth, Virginia. While CHS 14 was at the Twin Pines Road residence, he/she observed the defendant “cutting” a large piece of heroin from a multi-ounce quantity of heroin in an upstairs bedroom.

9. From in or about February 2014 to in or about February 2015, CHS 16 purchased approximately 150 grams of heroin from the defendant and his runners. From February 2014 to September 2014, CHS 16 purchased approximately one gram of heroin per day from the defendant’s uncle. In or about September 2014 CHS 16 established a direct connection to the defendant and began purchasing five (5) gram quantities of heroin on approximately a daily basis through January of 2015. CHS 16 also observed the defendant with a gallon-size clear Ziploc-type bag containing multi-ounce quantities of heroin.

10. On or about July 11, 2014, during a controlled purchase in Portsmouth, Virginia, which was audio and video recorded, the defendant sold approximately one (1) gram of heroin for an amount of United States currency.

11. On or about July 26, 2014, during a controlled purchase in Portsmouth, Virginia, which was audio and video recorded, the defendant sold approximately four (4) grams of heroin for an amount of United States currency.

12. On or about August 12, 2014, during a controlled purchase in Portsmouth, Virginia, which was audio and video recorded, the defendant sold approximately four (4) grams of heroin

for an amount of United States currency and used unindicted co-conspirator L.H. to deliver the narcotics.

13. From in or about December 2014 to in or about February 2015 CHS 7 purchased a total of approximately 40 grams of heroin from the defendant. CHS 7 bought in one gram quantities, and on one occasion observed the defendant with approximately 300 bundles, which contained a total of approximately 300 grams of heroin.

14. On or about February 12, 2015, during a controlled purchase in Portsmouth, Virginia, which was audio and video recorded, the defendant sold approximately one (1) gram of heroin for an amount of United States currency.

15. On or about February 24, 2015, during a controlled purchase in Chesapeake, Virginia, which was audio and video recorded, the defendant sold approximately one (1) gram of heroin for an amount of United States currency and used unindicted co-conspirator W.A. to deliver the narcotics. This heroin transaction occurred at or near a Sleep Inn motel on Western Branch Boulevard. The defendant paid for a room at the Sleep Inn that his Uncle lived in and from which he sold heroin and brought in additional customers. Several days later on or about February 27, 2015, JONES and co-defendant ALONZO OUTTEN arrived at the Sleep Inn motel in a 2015 Limited Edition Ford Flex and sold approximately 2.9 grams of heroin.

16. On or about February 28, 2015, during a controlled purchase in Chesapeake, Virginia, which was audio and video recorded, the defendant and co-defendant JONES sold approximately one (1) gram of heroin for an amount of United States currency.

17. On or about February 28, 2015, in Chesapeake, Virginia, the defendant and JONES made a second sale of approximately one (1) gram of heroin for an amount of United States

currency.

18. The Sleep Inn motel is one of several venues the defendant used to sell heroin. The defendant also sold heroin from a Taco Bell on Western Branch Boulevard in Chesapeake, a Comfort Suites motel in Suffolk, from several residences on Dunkirk Street behind Towne Point Pub in Portsmouth, from a residence on Terry Street in Portsmouth, and from a residence and a church parking lot on Maryland Avenue in the Port Norfolk section of Portsmouth.

19. On or about May 13, 2015, during a controlled purchase in Portsmouth, Virginia, which was audio and video recorded, the defendant sold approximately three (3) grams of heroin for an amount of United States currency and used unindicted co-conspirator G.H. to deliver the narcotics.

20. On or about June 26, 2015, during a controlled purchase in Portsmouth, Virginia, which was audio and video recorded, the defendant sold approximately one (1) gram of heroin for an amount of United States currency.

21. The drugs recovered during the controlled and law enforcement observed purchases referenced in the paragraphs above, with the exception of the transactions that occurred after February 12, 2015, were tested by the Commonwealth of Virginia Department of Forensic Science. They tested positive for heroin. The suspected heroin recovered from the February 24, 28, May 13, and June 26, 2015 drug sales all tested positive in a field test and is currently with the Commonwealth of Virginia Department of Forensic Science for further analysis. The 515 grams of suspected heroin recovered after the November 2013 arrest of NICKS was tested by NMS Labs in Willow Grove, PA. The substance tested positive for heroin.

22. On July 14, 2015, the defendant was arrested at a residence he shared with unindicted co-conspirator C.B. on Arden Street in Portsmouth, Virginia. After law enforcement officials took the defendant into custody, they recovered from the residence a digital scale with suspected narcotics residue, gel capsules, some of which contained a powder substance, a strainer, a sifter, and \$330 in United States currency.

23. The acts taken by the defendant in furtherance of the offenses charged in this case, including the acts described above, were done willfully and knowingly with the specific intent to violate the law. The defendant acknowledges that the foregoing statement of facts does not describe all of the defendant's conduct relating to the offenses charged in this case, nor does it identify all of the persons with whom the defendant may have engaged in illegal activities. The defendant further acknowledges that he is obligated under his plea agreement to provide additional information about this case beyond that which is described in this statement of facts.

Respectfully submitted,

Dana J. Boente
United States Attorney

By:

John F. Butler
Special Assistant United States Attorney
Joseph E. DePadilla
Andrew C. Bosse
Assistant United States Attorneys

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Deyonta Hinton, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Deyonta Hinton, Defendant

I am the attorney for defendant, Deyonta Hinton. I have carefully reviewed the above Statement of Facts with him. His decision to enter into this factual stipulation is knowing, intelligent, and voluntary.

Defense Counsel