

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA

v.

Case Number 3:17cr71/MCR

ANTHONY J. FOUNTAIN, JR.
_____ /

FACTUAL BASIS FOR GUILTY PLEA

The defendant admits that if this case were to proceed to trial, the government could prove the following facts.

On May 17, 2017, the ATF Pensacola Field Office conducted a controlled purchase of methamphetamine from the defendant. The transaction was arranged via controlled text messages and phone calls on what was once the telephone utilized by now convicted drug trafficker Garry Worthey, Jr. (cousin to the defendant). During the transaction, an ATF Special Agent acting in an undercover capacity purchased approximately 57.3 grams of methamphetamine. The contraband was purchased from Anthony FOUNTAIN JR. During the transaction, FOUNTAIN JR. was in possession of the entire quantity of methamphetamine and distributed the contraband to the undercover agent (UC) for the price of \$1800. The transaction between FOUNTAIN JR. and the UC was captured on audio and video surveillance. The transaction occurred at the intersection of Pace Street and Fairfield Avenue in

the city of Pensacola, Florida.

On May 22, 2017, a controlled purchase of a firearm was conducted from FOUNTAIN JR., a previously convicted felon. The controlled purchase was conducted by the aforementioned ATF UC. During the transaction, FOUNTAIN JR. was in possession of the firearm. A transfer of the firearm to the ATF UC, from the defendant, occurred for \$150. The transaction between FOUNTAIN JR. and the UC was captured on audio and video surveillance. The transaction occurred at or near the intersection of Burgess Road and Pensacola Boulevard, Pensacola, Florida. Agents examined the firearm, which was identified as a Smith and Wesson, Model Airweight, .38 Special caliber revolver. The Smith and Wesson .38 Special caliber revolver was manufactured in the state of Massachusetts and thus travelled in and affected interstate commerce. The defendant is a convicted felon as outlined in the fully incorporated indictment, and he has not had his rights restored to possess said firearm.

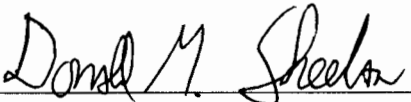
On May 23, 2017, another transaction took place. The ATF UC purchased approximately 70.3 grams of methamphetamine from the defendant for \$2,350. This was a "buy/bust." Once the methamphetamine distribution transaction took place and the defendant left the ATF UC vehicle, law enforcement approached. The defendant fled and began to throw potential evidence into Pensacola Bay. This was all captured on video surveillance by the Customs and Border Protection

helicopter that was flying overhead. All evidence was retrieved by law enforcement.

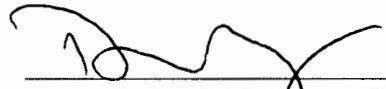
Elements of the Offense

The defendant has reviewed Eleventh Circuit Pattern Jury Instructions O34.6 and O98 with defense counsel, and thusly the defendant understands all the elements that must be proven by the government beyond a reasonable doubt.


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Date


ANTHONY J. FOUNTAIN, JR.
Defendant

7/13/17
Date