

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

UNITED STATES OF AMERICA

v.

CASE NO. 3:18cr2/RV

ALEX A. MENA
_____ /

FACTUAL BASIS FOR GUILTY PLEA

This statement of facts is submitted on behalf of the undersigned parties. All parties agree that if the above-captioned case were to go to trial, the government could produce competent, substantial evidence of the following facts to prove Defendant is guilty of the count(s) of the Indictment to which Defendant is pleading guilty. The parties further agree that all of the following facts are true and correct and that not all of the facts known from or related to this investigation are contained in this brief summary.

STATEMENT OF FACTS

On or about October 20, 2011, Defendant Alex A. Mena was convicted in the State of California of Attempted Carjacking. On or about November 10, 2014, Defendant was convicted in the State of California of Sell or Furnish Marijuana or Hashish. For each of these crimes, Defendant was subject to punishment by a term of imprisonment exceeding one year.

On or about November 29, 2017, a search warrant was executed on the residence of Defendant Alex A. Mena, Co-Defendant Kenneth Ray McLemore, and Co-Defendant Justin G. Reimche in Destin, Florida. During the search, law enforcement agents approximately \$10,000 in cash and a Hi-Point 9 millimeter rifle loaded with Hornady and Winchester 9 millimeter ammunition in the closet in Mena's bedroom. Agents found approximately \$21,000 in cash underneath Mena's bed. In Defendant's bedroom, agents found three cell phones, one of which contained a photograph of a shipping label indicating it had been shipped to the residence from California on November 27, 2017, two days prior to the execution of the search warrant. A cardboard box lined with white plastic material bearing the same shipping label was found in a closet near the front door of the residence. That box matched one in a video uploaded to McLemore's Snapchat account on or about November 27, 2017, which showed someone taking several large clear plastic vacuum-sealed packages of marijuana out of two cardboard boxes. Similar cardboard boxes were also found in Defendant's bedroom and McLemore's bedroom.

Agents also found approximately 143 grams of marijuana in a large plastic bag, a digital scale, and a quantity of cash in Reimche's bedroom. In the kitchen, agents found two large digital scales, a vacuum sealer, a box of disposable gloves, and boxes of plastic bags and vacuum seal bags. In addition, agents found a cell phone in the

kitchen that contained text messages between Reimche and Mena discussing firearms and drugs.

The Hi-Point rifle was manufactured in Ohio. The Hornady ammunition was manufactured in Nebraska. The Winchester ammunition was manufactured in Illinois.

ELEMENTS

The elements of conspiracy to distribute and possess with intent to distribute marijuana, in violation of 21 U.S.C. § 846, are that:

- First:* two or more people in some way agreed to try to accomplish a shared and unlawful plan;
- Second:* the Defendant, knew the unlawful purpose of the plan and willfully joined in it; and
- Third:* the object of the unlawful plan was to distribute or possess with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1).

The elements of possession with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1), are that:

- First:* the Defendant knowingly possessed marijuana; and
- Second:* the Defendant intended to distribute the marijuana.

The elements of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c), are that:

- First:* the Defendant committed the drug trafficking crime charged in Count One of the indictment; and

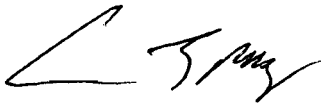
Second: the Defendant knowingly possessed a firearm in furtherance of that crime, as charged in the indictment.

The elements of possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1), are that:

First: the Defendant knowingly possessed a firearm in or affecting interstate or foreign commerce; and

Second: before possessing the firearm, the Defendant had been convicted of a felony – a crime punishable by imprisonment for more than one year.

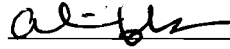
CHRISTOPHER P. CANOVA
United States Attorney



CHRISTOPHER L. RABBY
Attorney for Defendant

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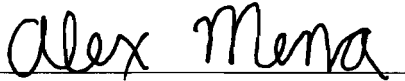
Date



ALICIA H. FORBES
Assistant United States Attorney

4/4/18

Date



ALEX A. MENA
Defendant

4/4/18

Date