

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

UNITED STATES OF AMERICA

v.

CASE No. 1:19cr11-AW

JUSTIN MICHAEL WILLIAMS
_____ /

STATEMENT OF FACTS

The Defendant admits that, if this case were to proceed to trial, the Government could prove the following facts beyond a reasonable doubt.

On January 23, 2019, in Lafayette County, the Lafayette County Sheriff's Office arrested Justin Williams outside of his camper trailer on a failure to appear warrant. Williams asked if they would let his girlfriend, who was in the camper, know that he had been arrested and give her his wallet. The Sheriff agreed and made contact with Williams's girlfriend from the door of the trailer. While the Sheriff was talking to the girlfriend, he observed drug paraphernalia inside the camper. He asked the girlfriend to get dressed and to come outside.

After speaking with deputies, the girlfriend said that she needed to use the restroom and agreed for a deputy to go inside the camper with her. The deputy waited outside of the restroom while she used it. While inside the camper, the deputy

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observed two glass smoking pipes and a bag of what appeared to be crystal meth on the table. He also observed a semi-automatic pistol laying in plain view. As they were leaving the camper, the deputy asked if the pistol was real, and the girlfriend responded that she did not know.

The deputy briefed the Sheriff about what he had seen and Williams overheard this briefing. He volunteered that none of the stuff belonged to the girlfriend, and it was all his. The deputy asked specifically what was his, and he said that he had about 2 ounces of meth, drug paraphernalia, a Tec-9 pistol, and three additional pistols in the camper.

Deputies kept the scene secure while a search warrant for the camper was obtained and executed. Numerous bags of methamphetamine, marijuana, four firearms, including a Tec-9, and over \$2500 in cash were seized.

The methamphetamine was analyzed by DEA's laboratory and was found to be at least 53.26 grams of actual methamphetamine (the sum of the low-end of the uncertainty ranges for the weight of actual methamphetamine for each exhibit).

Interstate nexus examination of the firearms and ammunition seized from the camper revealed that they were:

- An Intratec model TECDC9 9 millimeter pistol (disassembled into three pieces when found) was manufactured in Florida. An ATF

National Tracing Center report of the firearm traced the firearm traveling from Florida to a distributor in North Carolina and then to a dealer in Georgia in 1993. The firearm had two magazines with greater than 15 round capacity (32 and 36 rounds respectively).

- A Beretta model PICO .380 caliber pistol was manufactured in Tennessee.
- A Davis Industries model P380 .380 caliber pistol was manufactured in California.
- A Springfield Armory model XD-9 9 millimeter pistol was manufactured in Croatia. The firearm had a magazine with a 16-round capacity.
- 9 millimeter ammunition. A random sampling showed:
 - Winchester 9 millimeter ammunition was manufactured in either Illinois or Mississippi; and
 - Federal 9 millimeter ammunition was manufactured in Minnesota.
- .380 caliber ammunition. A random sampling showed:
 - Winchester .380 caliber ammunition was manufactured in either Illinois or Mississippi; and

- Federal .380 caliber ammunition was manufactured in Minnesota.

On January 24, 2019, Williams participated in a recorded interview with ATF and local law enforcement officers. Post-Miranda, Williams admitted to owning the meth, paraphernalia, cannabis, firearms, and ammunition found during the search. He discussed how much methamphetamine he had purchased and sold in the past few months. He said that all of the cash he had except for \$800 was from drug sales.

Justin Williams was in fact in possession of the 53.26 grams of actual methamphetamine and the firearms and ammunition described above. He intended to distribute the methamphetamine. He intended to use the firearms to protect himself, including protecting himself from the threat of drug-related robberies.

Prior to January 23, 2019, the Williams had been convicted two or more times of a serious drug felony or a serious violent felony:

a. On or about March 19, 2008, JUSTIN MICHAEL WILLIAMS was convicted in the State of Florida of a serious violent felony, that is, Robbery with Weapon, an offense described in Title 18, United States Code, Section 3559(c)(2), for which he served a term of imprisonment of more than twelve months.

b. On or about August 10, 2015, JUSTIN MICHAEL WILLIAMS was convicted in the State of Florida of a serious drug felony, that is, Possess

Methamphetamine with Intent to Sell or Deliver, an offense described in Title 18, United States Code, Section 924(e)(2)(A)(ii), for which he served a term of imprisonment of more than twelve months and for which he was released from service of a term of imprisonment on or about March 27, 2018.

In addition, on or about August 30, 2010, Justin Michael Williams was convicted in the State of Florida of two counts of Forgery. On or about June 10, 2008, Justin Michael Williams was convicted in the State of Florida of DWLS Habitual. On or about June 10, 2008, Justin Michael Williams was also convicted in the State of Florida of Grand Theft: Motor Vehicle.

None of Williams's felony convictions has been set aside, he has not received a pardon, and his right to possess a firearm has not been restored. Williams was aware that he is a convicted felon who is prohibited from possessing a firearm.

ELEMENTS

Count 1: Controlled Substances—Possession with Intent to Distribute, PJI O98

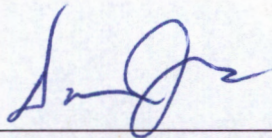
- (1) the Defendant knowingly possessed methamphetamine;
- (2) the Defendant intended to distribute the methamphetamine; and
- (3) the weight of the methamphetamine Defendant possessed was more than 50 grams.

Count 2: Possession of firearm in furtherance of a drug trafficking offense,
PJI O35.3

- (1) that the Defendant committed the drug trafficking crime charged in Count 1 of the indictment; and
- (2) that the Defendant knowingly possessed a firearm in furtherance of that crime, as charged in the indictment.

Count 3: Possession of firearm by convicted felon, PJI O34.6 modified in light of *Rehaif v. United States*

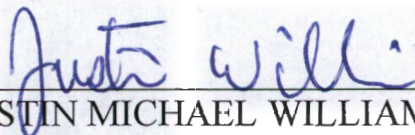
- (1) the Defendant knowingly possessed a firearm in or affecting interstate or foreign commerce; and
- (2) the Defendant knew that he had been convicted of a felony (a crime punishable by imprisonment for more than one year) before possessing the firearm.



DARREN JOHNSON
Attorney for Defendant

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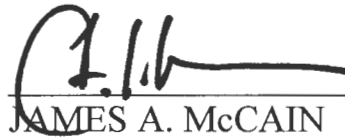


JUSTIN MICHAEL WILLIAMS
Defendant

7/12/19

Date

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