

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 12-286
v.	*	SECTION: "L"
	*	
FAFANE DANIEL	*	
	*	
	*	

FACTUAL BASIS

If this case was to proceed to trial, the Government would present credible testimony and reliable evidence to prove the following facts beyond a reasonable doubt;

On Thursday, August 23, 2012, defendant, FAFANE DANIEL, and S.N. were ticketed passengers on Southwest Airlines flight number 2509, originating in Fort Lauderdale, Florida, terminating in Las Vegas, Nevada. DANIEL was traveling with her juvenile son, seated in the middle position, row seven, seat "C".

Upon takeoff, S.N. was seated on the opposite side of the aisle from DANIEL. S.N.'s wife, M.N., was originally seated beside DANIEL. M.N. exited her seat and approached a flight attendant, requesting the flight attendant speak with DANIEL concerning her juvenile son climbing on M.N. while seated in her assigned seat. The flight attendant advised M.N. she could not intervene and M.N. would have to speak with DANIEL concerning the matter.

M.N. returned to her assigned seat and asked her husband to switch seats with her. S.N. complied with his wife's request and took the seat beside DANIEL. S.N., while seated beside DANIEL, felt the boy's head on his leg. S.N. waited until the child was asleep and asked DANIEL to move her son. DANIEL responded that she wanted to wait until the child was in a deep sleep to move him. S.N. hesitantly agreed and went to sleep. While asleep, S.N. was woken by DANIEL standing over him and striking him in the face several times without his consent. Witness statements confirm that S.N. was sleeping and moved, causing DANIEL's juvenile son's head to fall from S.N.'s leg and hit the armrest. DANIEL assumed S.N. struck her juvenile son and attacked S.N. physically and in a verbal laced tirade, eventually ripping S.N.'s shirt.

Southwest Airline employees realized DANIEL was attacking S.N. and intervened with the assistance of an FBI Special Agent who was traveling on the flight. The Agent, along with airline employees, moved DANIEL and her son to the rear of the aircraft and notified the Captain, who diverted flight number 2509 to the New Orleans International Airport. Flight 2509 was met by the Jefferson Parish Sheriff's Office upon its arrival at the airport.

The foregoing facts will be proven by the testimony of Special Agents of the Federal Bureau of Investigation, additional testimonial evidence, and other documentary evidence.

GREGORY M. KENNEDY
Assistant United States Attorney

Date

DYLAN C. UTLEY, ESQ.
Attorney for Fafane Daniel

Date

FAFANE DANIEL
Defendant

Date