

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL NO: 14-072

v.

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SECTION: "H"

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BRITTANY BAUER

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FACTUAL BASIS

If this case were to proceed to trial, the Government would prove the Defendant, BRITTANY BAUER, guilty beyond a reasonable doubt. The Government would establish the following through reliable and competent evidence:

On February 14, 2013, agents of the Bureau of Alcohol Tobacco, Firearms and Explosives travelled to Bauer's apartment located at 2107 Cobblestone Lane, Apt. F, New Orleans, Louisiana, in relation to an investigation into stolen firearms. When the agents arrived at the apartment, they advised Bauer of the investigation and indicated that they would like to speak with her. Bauer waived her *Miranda* Rights and told agents that several firearms and other items were previously brought to her apartment by her brother, Brittan Parsons, and his friend, Alex Brasington. Bauer indicated that most of the firearms were still inside the apartment. Bauer gave agents consent to enter and search her apartment for the stolen firearms. Agents recovered six firearms, five of which were confirmed as stolen from burglaries in Huntsville, Alabama. Agents also found approximately 1700 rounds of stolen ammunition. The five stolen firearms included:

1. Uberti .45 caliber rifle, model (Aldo) 1860 Henry, serial number 25224;
2. Uberti .44-40 caliber rifle, model (Aldo) 1860 Henry, serial number 24155;
3. Crescent Fire Arms 12 gauge shotgun, unknown model, serial number 131807;
4. Remington 12 gauge shotgun, model 1187, serial number PC171415; and
5. Mauser, 7.62 mm caliber, model 98, unknown serial number.

Bauer told the agents that she, Parsons and Brasington advertised the sale of stolen firearms on the internet website "Armslist.com". As a result of the advertisement, Bauer, Parsons and Brasington negotiated the sale of a stolen Glock 9 mm caliber handgun to an individual in the Lakeview area of New Orleans ("Buyer A") by using her cell phone to call and text message Buyer A. Bauer provided the agents with the telephone number of Buyer A. Further investigation revealed that, on January 27, 2013, Bauer, Parsons, Brasington and an unknown individual travelled to the residence of Buyer A and sold Buyer A a stolen Glock 9 mm caliber handgun, Model 19, serial number SDA782 and 200 rounds of ammunition for \$550.00.

Bauer also told the agents that, in February 2013, she sold three (3) stolen firearms and ammunition to an individual in the French Quarter area of New Orleans ("Buyer B"). Bauer sold the following stolen firearms to Buyer B for \$1000.00:

1. Daniel Defense 5.56 caliber rifle, model M-4, serial number AJB00441;
2. Remington 12 gauge shotgun, model 870, serial number 1240454V; and
3. Ruger rifle, model 77, .17 HMR, serial number 703-55777.

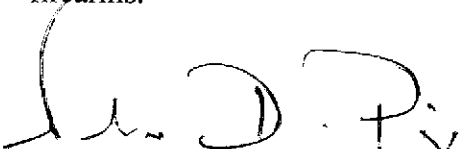
From approximately January 2013, to February 14, 2013, Bauer, Parsons and Brasington conspired together and agreed to transport the above-referenced stolen firearms from Alabama to Louisiana. On various dates between January 20, 2013, to February 14, 2013, Bauer, Parsons and Brasington transported the above-referenced stolen firearms from Alabama to Louisiana. From January 20, 2013, to February 14, 2013, Bauer stored the above-referenced stolen firearms inside her apartment in New Orleans.

On April 9, 2013, agents obtained a search warrant which authorized the search of Bauer's cell phone. A search of the cell phone revealed numerous photographs of the stolen firearms and text messages regarding the stolen firearms. In some text messages, Bauer offered to sell the firearms and acknowledged that the firearms were stolen and stored in her apartment.


Text messaged communications dated January 26, 2013, included the following:

Bauer: U know folks that want guns... ?
Unknown: Are they hot?
Bauer: Yeah
Bauer: ...it's my...brothers crazy ass
Unknown: Have they been used in crimes to your knowledge?
Bauer: No no crimes just freshly hot...
Bauer: They from bama so the further away we can get rid of them the better
Bauer: Dude they...packed an arsenal in my trunk
Unknown: u drove it to NO??
Bauer: Yeah man he's lost his...mind he hit all these places in hsv and we brought everything here to get rid of it

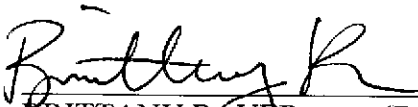
While the investigation revealed that each of the seized firearms had been stolen and previously travelled in interstate commerce; the investigation did not reveal that Bauer stole the firearms.

 10/2/14

NOLAN D. PAIGE (Date)
Assistant United States Attorney

 10/2/14

CLAUDE J. KELLY, III (Date)
Attorney for Defendant Bauer



BRITTANY BAUER (Date)
Defendant