

ORIGINAL

FILED

JUL 30 2009

CLERK, U.S. DISTRICT COURT

NORTHERN DISTRICT OF TEXAS

Deputy

FACTUAL RESUMÉ

UNITED STATES OF AMERICA v. DAVID HELLUMS (9)
NO. 5:09-CR-004-C(09)- LUBBOCK DIVISION - NORTHERN DISTRICT OF TEXAS

INDICTMENT:

TO BE ARRAIGNED ON COUNT ONE OF THE SUPERSEDING INDICTMENT- Charging a violation of 21 U.S.C. § 846, Conspiracy to Distribute and Possess With Intent to Distribute 5 Kilograms or More of Cocaine and 100 Kilograms or More of Marijuana.

MAXIMUM PENALTY:

Imprisonment for a period of not less than ten (10) years and not more than life. Notwithstanding any other provision of law, the court shall not place on probation or suspend the sentence of a person convicted of this offense and no person convicted of this offense shall be eligible for parole during the term of imprisonment imposed. A fine not to exceed \$4,000,000. A term of supervised release of at least 5 years, which follows a term of imprisonment. If the defendant violates the conditions of supervised release, he could be imprisoned and subject to additional terms of supervised release and imprisonment as determined by the Court in accordance with law.

MANDATORY ASSESSMENT:

\$100.00

PLEA AGREEMENT:

As set forth in the Plea Agreement letter attached hereto and incorporated herein.

ELEMENTS OF THE OFFENSE:

Conspiracy to Distribute and Possess with Intent to Distribute Cocaine and Marijuana

1. That two or more persons, directly or indirectly, reached an agreement to distribute or possess with intent to distribute a mixture and substance containing a detectable amount of cocaine and marijuana;
2. That the defendant knew of the unlawful purpose of the agreement;

3. That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and
4. That the overall scope of the conspiracy involved at least 5 kilograms of cocaine and 100 kilograms of marijuana.

FACTS:

Hellums admits that from in and around 2005 and continuing through on or about December 13, 2008, in the Lubbock, Abilene, San Angelo, Dallas, and Fort Worth Divisions of the Northern District of Texas, and elsewhere, he, Jose Robledo Nava, a/k/a Chino, Luis Nava, a/k/a Flaco, Reynaldo Nava, a/k/a Rat, Robert Allen Ramirez, a/k/a Nesyo, Marie Chavez, a/k/a Shorty, Carol Ann Rivas Nava, Cecily Dominique Juarez, Jesus Martinez, a/k/a Solid, James Johnathan Cole, a/k/a Blitz, Eduardo Daniel Mares, a/k/a Pitt, Gabriel Lee Gonzales, Michael Conde, a/k/a Psycho, Guerrero Olivas, a/k/a Screech, John Guzman, Hiluterio Chavez, a/k/a Zeus, and Eliseo Perez, a/k/a Wicked, defendants, and others, directly or indirectly, reached an agreement to distribute and possess with intent to distribute a mixture and substance containing a detectable amount of cocaine and marijuana. Hellums admits that he knew of the unlawful purpose of the agreement and that he joined in the agreement willfully, that is, with the intent to further its unlawful purpose. Hellums admits that the overall scope of the conspiracy involved at least 5 kilograms of cocaine and 100 kilograms of marijuana. Hellums further admits that he and his co-defendants named in count one of the superseding indictment intentionally and knowingly possessed with the intent to distribute cocaine and marijuana, and distributed cocaine and marijuana to another person or persons.

Specifically, Hellums admits that he would and did transport, divide, package, distribute, and store cocaine and marijuana throughout the Northern District of Texas in furtherance of this conspiracy and to effect the objects thereof.

Hellums further admits and acknowledges that not every fact known to the government or to him is set forth in this factual resume but only those facts necessary to form an adequate factual basis for his plea of guilty to count one of this superseding indictment.

The above facts are true and correct:



David Hellums
Defendant

07-29-09
Date



Michael Paul Sales
Attorney for Defendant

7-29-09
Date