

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

UNITED STATES OF AMERICA

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CRIMINAL NO: 09-391

v.

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SECTION: "K"

LANDRY GRANDISON

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FACTUAL BASIS

If this case were to proceed to trial, the United States would prove the following facts beyond a reasonable doubt:

In the beginning of 2009, agents of the Drug Enforcement Administration (DEA) began an investigation into the drug trafficking activities of WILLIAM STEVENSON and others in the Eastern District of Louisiana and elsewhere. On July 28, 2009, United States District Judge Ivan L.R. Lemelle signed an order authorizing the interception of wire communications over cellular telephone number (504) 402-9853 utilized by WILLIAM STEVENSON (hereinafter referred to as STEVENSON). Interception of wire communications to-and-from this telephone continued until August 16, 2009. Agents were also granted a federal search warrant for text messages sent to and from telephone number (504) 402-9853. Following the termination of the wire interception on STEVENSON's telephone, agents were granted authorization by United States District Judge Ivan L.R. Lemelle to intercept communications over cellular telephones (504)896-

0210 (utilized by MARK ROSS); (832) 724-9881 (utilized by **LANDRY GRANDISON**); and (281) 302-9107 (utilized by CASSANDRA BATISTE and TROY POCHE). During the course of the investigation, agents learned that STEVENSON conspired with MARK ROSS, LANDRY GRANDISON, TROY POCHE, and CASSANDRA BATISTE to obtain wholesale supplies of heroin that he mixed with cutting agents and packaged for individual distribution to addicts.

At trial, agents would testify that **GRANDISON** was one of STEVENSON's sources of supply for heroin. At the time of the conspiracy, **GRANDISON**, BATISTE and POCHE, all New Orleans natives, lived in Houston, Texas. **GRANDISON** would pay for POCHE to travel on commercial airline flights from Houston to New Orleans with samples of heroin for STEVENSON to inspect and determine if he wanted to purchase a larger quantity. POCHE would travel back to Houston with the money STEVENSON gave him. Once **GRANDISON** got word that STEVENSON wanted the larger quantity of heroin, he would send BATISTE on a commercial airline to body carry the quantity of heroin to STEVENSON in New Orleans.

In August 2009, agents would testify that the wire interception of STEVENSON's telephone was intercepting conversations confirming POCHE's meetings with STEVENSON. For example, agents would testify that on August 12, 2009, STEVENSON was intercepted on phone number (504) 402-9853 giving POCHE \$28,000 on Jackson Avenue in New Orleans. After their meeting, STEVENSON and **GRANDISON** exchanged the following text messages over STEVENSON's cellular telephone:

GRANDISON: "he didnt tell u about the 4"

STEVENSON: "4 how much?"

GRANDISON: "U just jacked me out 2"

STEVENSON: “Cum back”.

GRANDISON: “28”

STEVENSON: “Thats what i gave him”

GRANDISON: “Thats why i said u jack me out 2 dollars”

STEVENSON: “Cum on bra im struggling na”

GRANDISON: “Lucky i luv u win this one 75 for 4”

STEVENSON: “send it and ima send the bread back with them”

Agents would testify that these text messages confirm that STEVENSON gave POCHE \$28,000 which was \$2,000 short of the \$30,000 **GRANDISON** charged for a ½ kilogram of heroin. **GRANDISON** agreed to accept the \$28,000 when he said “lucky i luv u” and then offered STEVENSON another 4 ½ ounces of heroin for \$7500. STEVENSON accepted the offer for additional heroin when he told **GRANDISON** to send it and he would send the money (“bread”) back with them (BATISTE and POCHE).

The following day, BATISTE traveled from Houston to New Orleans on a commercial airline. The wire on STEVENSON’s phone intercepted the conversation between BATISTE and STEVENSON after BATISTE arrived at the Louis Armstrong International airport. BATISTE called STEVENSON at 2:10 p.m. and said “Yeah, I’m here how we doing this?” STEVENSON said “stay there, I’m going to come there.” An hour later, STEVENSON and BATISTE talked again. STEVENSON asked BATISTE, “you going to be upstairs or downstairs?” BATISTE answered “downstairs.” STEVENSON said “alright, you can come out in like five minutes.” Agents would testify that STEVENSON was picking BATISTE up at the lower level or baggage claim of the airport.

On August 15, 2009, a call was intercepted from phone number (504) 402-9853 wherein STEVENSON asked POCHE if he “got it or if had a picture or a sample.” POCHE replied, “yeah.” STEVENSON asked “you got a sample?” POCHE said “yeah.” STEVENSON said, “I thought he said it was the same thing.” POCHE replied “That’s all he sent me down here with.” STEVENSON said “Alright, meet me on Jackson.” Agents would testify that STEVENSON was asking POCHE if he had a sample of heroin or if he had the entire amount for purchase. When STEVENSON said he thought it was the same thing, he believed that **GRANDISON** was sending the same quality of heroin STEVENSON purchased on August 12, 2009.

At trial, agents would testify that based on the wire intercepts, surveillance, and toll analysis **GRANDISON** continued to supply STEVENSON until the end of 2009 when DEA agents arrested STEVENSON. Testimony would be offered to prove that STEVENSON typically purchased 1/4 kilogram or ½ kilogram quantities from **GRANDISON**.

At trial, documents from one commercial airline would be introduced to prove that prior to the wire interception, from January 2009 through July 2009, POCHE traveled from Houston to New Orleans 35 times and BATISTE traveled from Houston to New Orleans 34 times. The tickets, which were primarily for one-way flights and purchased the same day of travel, were paid for in cash or by credit cards or debit cards associated with **GRANDISON**. Agents would testify that the wire intercepts of BATISTE and POCHE’s telephone and **GRANDISON**’s telephone, revealed that BATISTE and POCHE were addicts who **GRANDISON** supplied with heroin. The trips BATISTE and POCHE made to and from New Orleans were to mule money and heroin between **GRANDISON** and STEVENSON.

Just prior to STEVENSON’s arrest, **GRANDISON** and STEVENSON conducted a

heroin deal which involved DEWAYNE COOPER, a New Orleans resident and criminal associate of **GRANDISON**. On December 2, 2009, the wire interception of **GRANDISON**'s phone number (832) 724-9881 intercepted a series of telephone calls and texts between **GRANDISON** and COOPER wherein **GRANDISON** and COOPER were planning to meet for a deal with STEVENSON. **GRANDISON** traveled to New Orleans from Houston, Texas via commercial airplane with Troy POCHE in order for POCHE to test the heroin that was to be supplied by COOPER. While in New Orleans, POCHE would also meet STEVENSON to give him a sample of COOPER's heroin.

At trial, agents would testify that they saw **GRANDISON** and POCHE arrive at the Louis Armstrong International Airport and depart the airport in a blue Cadillac sports utility vehicle with a temporary tag driven by a black male who was later positively identified by agents as COOPER. On December 3, 2009, at 8:03 a.m. agents monitoring the wire interception of **GRANDISON**'s telephone intercepted a text message between **GRANDISON** and STEVENSON wherein STEVENSON wrote to **GRANDISON** "tell him cum on Jackson." STEVENSON maintained a stash house at 1328 Jackson Avenue, Apartment O, New Orleans, Louisiana. At approximately 8:38 a.m. COOPER called **GRANDISON** and asked if he should bring "a baseball." **GRANDISON** said "definitely, definitely." At trial, experienced narcotics agents would testify that a "baseball" is a reference to a sample of narcotics. Shortly after this telephone call, agents saw COOPER leave his 2315 Bienville Street residence. COOPER was followed until he reached a hotel in Metairie where he was observed picking up POCHE and **GRANDISON**. The group was followed by agents to 1328 Jackson Avenue where agents saw POCHE exit the vehicle and enter the door for a common hallway to 1328 Jackson Avenue,

Apartment O. **GRANDISON** and **COOPER** were followed to a shopping center on Tchoupitoulas Street in New Orleans where they were observed parking in the parking lot.

Approximately five minutes after **POCHE** arrived at Jackson Avenue, **STEVENSON** was seen exiting the common door of 1328 Jackson Avenue where agents followed him in his automobile to the B.W. Cooper public housing development. Fifteen minutes after **STEVENSON**'s departure, **POCHE** was retrieved by **GRANDISON** and **COOPER**. At trial, testimony would be offered to prove that following this interaction, **STEVENSON** purchased ½ kilogram of heroin from **GRANDISON**.

On December 16, 2009, during the search of 1328 Jackson Avenue, Apt. O, agents seized numerous packages of a substance which field tested positive for narcotics, tin foil containing a substance testing positive for heroin and tin foil cut into small squares, two electric grinders containing suspected heroin residue, Superior Mannitol (cutting agent) and \$987.00 in cash. At trial, a forensic chemist would testify that laboratory testing confirmed the substances seized were heroin and cocaine hydrochloride. The total net weight of the heroin seized at the Jackson Avenue apartment was 229.9 grams. The net weight of the cocaine hydrochloride seized at the Jackson Avenue apartment was 41.7 grams.

During the execution of the search warrant at 3648 Loyola Drive, where **STEVENSON** was arrested, agents seized numerous packages of a substance which field tested positive for narcotics, tin foil, boxes of Reynolds Wrap, three bottles of Mannitol (cutting agent), a digital scale and other drug distribution paraphernalia, and \$77,900.00 in cash. At trial, a forensic chemist would testify that laboratory testing confirmed the substances seized were heroin and cocaine hydrochloride. The heroin seized from **STEVENSON**'s Kenner apartment had a net

weight of 500.9 grams. The cocaine hydrochloride seized from STEVENSON's Kenner apartment had a net weight of 281.4 grams.

The same day, agents executed a search of HOWARD LUMAR's residences and DEWAYNE COOPER's residences. At COOPER's 2315 Bienville Street residence, agents found cocaine hydrochloride. At trial, a forensic chemist would testify that laboratory testing confirmed the substance seized was cocaine hydrochloride with a net weight of 593.1 grams. At LUMAR's stash house on Canal Street, agents found cocaine hydrochloride and heroin. At trial, a forensic chemist would testify that laboratory testing confirmed the substances seized were cocaine hydrochloride and heroin. The cocaine hydrochloride had a net weight of 696.1 grams and the heroin had a net weight of 89.4 grams. Prior to **GRANDISON**'s arrest in Houston on December 17, 2009, agents intercepted a telephone call to **GRANDISON** from COOPER wherein COOPER told **GRANDISON** that agents conducted the searches and found the drugs. COOPER told **GRANDISON**, "it ain't pretty. . . they got Lu Lu, you heard me?" COOPER told **GRANDISON** "they ran into 95" which an experienced narcotics agent would testify was code for cocaine hydrochloride. Lu Lu was a reference to HOWARD LUMAR with whom both COOPER and **GRANDISON** were acquainted and knew to be a narcotics dealer.

The government and the defendant agree and stipulate that the amount of narcotics that the defendant, **LANDRY GRANDISON**, was responsible for distributing and that was reasonably foreseeable to him as being distributed by co-conspirators in this case is at least 10 kilograms but no more than 30 kilograms of heroin and at least 500 grams but not more than 5 kilograms of cocaine hydrochloride.

GRANDISON admits that on or about July 20, 2005, in the United States District Court

for the Eastern District of Louisiana, under docket number 03-258 “C,” he pled guilty to the charge of conspiracy to possess with the intent to distribute heroin in violation Title 21, United States Code, Section 846. He was sentenced to 24 months imprisonment.

Read and Approved:

LANDRY GRANDISON (Date)
Defendant

BENNY GEORGE (Date)
Defense Counsel for Landry Grandison

EMILY K. GREENFIELD (Date)
Assistant United States Attorney