

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

UNITED STATES OF AMERICA * **CRIMINAL DOCKET NO: 11-220**
v. * **SECTION: "R"**
DON LEE ALEXANDER, JR. *
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* * *

FACTUAL BASIS AND SURRENDER AGREEMENT

If this case were to proceed to trial, the government would prove the defendant, **DON LEE ALEXANDER, JR.**, guilty beyond a reasonable doubt in a single count indictment, which charges the defendant in count one of the indictment with bank robbery, in violation of Title 18, United States Code, Section 2113(a). The government would establish through credible and competent witnesses and evidence the following facts:

On August 19, 2011, at approximately 12:00 p.m., Don Lee Alexander, Jr. dressed in a short-sleeved shirt, brim hat, and sunglasses entered the Whitney Bank located at 4845 Veterans Boulevard, Metairie, LA, Eastern District of Louisiana. Alexander went to the

first teller window where he placed a canvas bag on the teller counter. A Whitney Bank teller would testify that Alexander handed her a note stating, "Give me your money and no dye pack." The teller was so nervous and intimidated that she did not read any further. Whitney Bank teller gave Don Lee Alexander, Jr. \$6,203.00 (six thousand two hundred and three dollars) in Whitney Bank funds.

After receiving the money, Don Lee Alexander, Jr. walked out of the Whitney Bank with \$6,203.00 (six thousand two hundred and three dollars). An audit of Whitney Bank funds conducted by the branch bank manager would confirm that Alexander received \$6,203.00 (six thousand two hundred and three dollars) of U.S. currency held in the care, custody, control, management, and possession of Whitney Bank whose deposits were at the time insured by the Federal Deposit Insurance Corporation (FDIC).

After the August 19, 2011 bank robbery a photograph of the bank robber was released to the public via Crimestoppers with the assistance of the local media. Almost immediately former co-workers of Mr. Alexander identified him as the perpetrator of the Whitney Bank robbery. These co-workers would testify that the person in the bank surveillance photograph that was released to the local media was Alexander that they knew and worked with for nearly three years. They also identified Alexander by his distinctive fleur de lis tattoo prominently displayed in the bank surveillance photograph. Moreover, Alexander's paramour for twelve (12) years observed the bank surveillance photograph and also positively identified him as the person she knew as Don Lee Alexander, Jr.

On or about August 25, 2011, six days after the bank robbery, Federal Bureau of Investigations Special Agent Patrick Strawn and others went to 920 Starret Street, River Ridge, LA to arrest Don Lee Alexander, Jr. for the August 19, 2011 bank robbery of Whitney Bank. At the time of Alexander's arrest at the Starret location, he admitted to the FBI that his brother had nothing to do with the robbery, it was all him. Alexander was arrested without incident. FBI observed the bank surveillance photograph of Alexander and determined he was the same person as displayed in the bank surveillance photograph. In addition, the fleur de lis tattoo displayed on the bank robber's photograph was also displayed on Alexander's forearms. Alexander granted the FBI agents permission to search his room and Alexander informed the officers that he had two firearms in his bedroom.

**AGREEMENT TO SURRENDER GUNS AND CASH
TO THE FEDERAL BUREAU OF INVESTIGATION**

These firearms were identified as a Sig Sauer, 9mm Kurz, model P230, .380 caliber pistol bearing serial number S144189 that had two magazines and a Taurus, model 3172, .357 magnum revolver bearing serial number VE948198. Alexander agrees that these firearms he had in his unlawful possession are to be surrendered to the FBI for destruction. He fully agrees as a person with a prior felony conviction, he is not allowed to possess firearms or ammunition. He further acknowledges pursuant to the Code of Federal Regulations (C.F.R.) that requires the F.B.I. to inform him that he has the opportunity to claim these firearms. 41 C.F.R. § 128-48.102-1. Alexander understands that if he does not claim these firearms within 30 days of signing a Waiver of Ownership that the title to the

firearms will vest in the United States Government. He agrees to surrender said firearms to the F.B.I. with the understanding the firearms will be destroyed by the F.B.I. under their normal destruction procedures.


In addition, he agrees to surrender U.S. currency in the amount of \$974.00 (nine hundred and seventy-four dollars) that was found by FBI agents in his bedroom. Alexander admits that said proceeds were monies he unlawfully obtained from Whitney Bank during the August 19, 2011 bank robbery. Alexander knowingly and voluntarily submits to this court that the Code of Federal Regulations (C.F.R.) requires that the F.B.I. inform him that he has an opportunity to claim said U.S. currency. 41.C.F.R. § 128-48. 102-1. He understands that if he does not claim this U.S. currency in the amount of \$974.00 within 30 days of signing of the Waiver of Ownership, the title to the U.S. currency will vest in the United States Government. Alexander further agrees that the surrender of the firearms and cash in no way affects this Court's ability to impose restitution, fine, imprisonment or any of the remedy within the Court's jurisdiction under federal law and the recommended sentence under United States Sentencing Guidelines.

Moreover, Don Lee Alexander, Jr. by signing this Factual Basis and Agreement of Waiver of Ownership hereby agrees that the facts contained therein are true, and that in fact he knowingly and intentionally committed the bank robbery of Whitney Bank by taking monies in the possession of Whitney Bank. The defendant agrees that the bank and the proceeds were federally insured by the Federal Deposit Insurance Corporation. The defendant further agrees that he was able to take monies from Whitney Bank by means of intimidation of a Whitney Bank teller who was a person of ordinary sensibilities. Mr. Alexander further agrees to surrender firearms and cash that were in Don Lee Alexander, Jr.'s possession at the time of his arrest and allow the disposition of said seizures under F.B.I. procedures.

APPROVED AND ACCEPTED:



DON LEE ALEXANDER, JR. 11-9-11
Defendant Date



ROMA KENT Nov. 9. 2011
Attorney for Defendant Date



ABRAM MCGULL, II 11/9/2011
Attorney for the United States of America Date