

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

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 11-019
v.	*	SECTION: "B"
ROBERT EDWARDS	*	VIOLATIONS: 21 U.S.C. § 846
		21 U.S.C. § 841(a)(1)
	*	21 U.S.C. § 841(b)(1)(A)(iii)
		21 U.S.C. § 841(b)(1)(B)(iii)
	*	21 U.S.C. § 841(b)(1)(C)
		21 U.S.C. § 843(b)
	*	18 U.S.C. § 2
	* * *	

FACTUAL BASIS

Should this matter proceed to trial, the Government will prove beyond a reasonable doubt, through credible testimony of special agents of the Federal Bureau of Investigation ("FBI"), state and local law enforcement agencies, and the production of reliable evidence, that the defendant, **ROBERT EDWARDS (EDWARDS)**, is guilty beyond a reasonable doubt of Count One of the Superseding Bill of Information. In that Count, the defendant is charged with knowingly and intentionally combining, conspiring, confederating, and agreeing with one or more persons to

distribute and possess with the intent to distribute two hundred-eighty (280) or more grams of a mixture or substance containing a detectable amount of cocaine base (crack), a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 846. The Government would establish the following examples of **EDWARDS's** involvement in the conspiracy through reliable and competent evidence:

Beginning at a time unknown, but prior to February 10, 2010, and continuing until on or about January 20, 2011, in the Eastern District of Louisiana, **EDWARDS** participated in a drug organization that conspired to obtain and distribute at least one and one-half (1.5) kilograms of crack and ten (10) kilograms of cocaine.

During the conspiracy charged in the Indictment, **EDWARDS** provided cocaine to his co-defendant, John Edward BAGENT (BAGENT), who then processed it for redistribution into crack. During the investigation, **EDWARDS** used various telephone facilities to coordinate illegal drug activities with his co-conspirators, including BAGENT. **EDWARDS's** drug related conversations with BAGENT were monitored and recorded through a court-authorized Title III wire intercept of a telephone facility used by BAGENT. The following paragraphs contain illustrative examples of **EDWARDS' participation in the conspiracy:**

September 14, 2010--Call session 3499: an undercover law enforcement officer (UC) contacted BAGENT and asked him about purchasing \$15,000.00 worth of crack. BAGENT advised the UC that he had that much crack available for sale.

September 15, 2010--Call session 3524: BAGENT called co-defendant/co-conspirator, Izeal DUCRE (DUCRE), his regular cocaine supplier, and inquired about obtaining cocaine for September 17, 2010. DUCRE told BAGENT that he was still waiting on his re-supply of cocaine. DUCRE talked to BAGENT about reaching out to an old partner to see if he had any cocaine left.

DUCRE and BAGENT also discussed how far BAGENT was going to "stretch" the cocaine [referring to the cooking process of cocaine into crack].

Call session 3531: the UC and BAGENT discussed the upcoming deal. BAGENT advised that he has a new batch of cocaine that he can provide.

Call session 3554: DUCRE advised BAGENT that his cocaine supplier did not call yet.

September 16, 2010--Call session 3566: DUCRE tells BAGENT that he did not hear from his cocaine supplier last night.

Call session 3577: BAGENT advised DUCRE that his customers are wondering when the cocaine is coming in. DUCRE says that it will be tomorrow.

Call session 3606: BAGENT called co-conspirator/co-defendant, Robbie RAY (Pookie), and advised that if things go right tonight, they will "pull it off" like last week, referencing a nine (9) ounce crack purchase on September 10, 2010 between BAGENT and the UC.

Call session 3610: BAGENT advised the UC that the cocaine supply is coming in tonight and the crack transaction is set for tomorrow.

September 17, 2010--Call session 3622: BAGENT advised the UC that he is still waiting on a phone call from his cocaine supplier.

Call session 3623: DUCRE tells BAGENT that he has not heard from his cocaine supplier.

Call session 3634: BAGENT tells the UC that he is waiting and does not just deal with anyone.

Call session 3635: BAGENT and DUCRE talked about the UC and BAGENT advised DUCRE that he has "15 stacks" (\$15,000) "waiting to happen" [referencing the amount the UC is

going to pay for the crack].

Call sessions 3648, 3649 and 3652: a series of calls between BAGENT and EDWARDS. BAGENT advised EDWARDS that he has not had any cocaine in three (3) days. They agree to meet at Gloria's Bar in Slidell, Louisiana.

Call session 3660: EDWARDS advised BAGENT that he is on the way to meet at Gloria's Bar.

Call session 3661: BAGENT advised the UC that it would be a couple of hours before they could meet and that he got the cocaine from "another partner" [referencing EDWARDS].

Call session 3662: EDWARDS advised BAGENT that he is going to pick up Pookie, the crack "cook" of the conspiracy, and bring him over to BAGENT's residence.

Call session 3663: BAGENT advised the UC to start heading his way in Slidell, Louisiana.

Call session 3664: Pookie tells BAGENT that he is waiting on EDWARDS to pick him up.

Call session 3668: Pookie and BAGENT talk about EDWARDS bringing BAGENT nine (9) ounces of cocaine.

Call session 3669: EDWARDS tells BAGENT that he could only get his hands on eight (8) ounces of cocaine.

Call session 3670: EDWARDS advised BAGENT that he is on his way to meet BAGENT.

Call session 3671: BAGENT gives EDWARDS directions to his father's house.

Call session 3673: BAGENT calls the UC and pushes the crack deal time back. He instructs the UC that he just got it [referencing the eight ounces of cocaine from EDWARDS].

Call session 3689: BAGENT advised the UC that he is half-way done [processing or

"cooking" the cocaine into crack] because he received it late.

Call session 3699: BAGENT and Pookie called **EDWARDS** and advised him that the cocaine was sub-standard. It only amounted to eleven (11) ounces of crack after it was "cooked" or processed. Accordingly, **BAGENT** tells **EDWARDS** that he will only pay him \$7,500 for the cocaine.

Call session 3703: BAGENT tells the UC to meet by BAGENT's father's house.

Call session 3711: BAGENT tells Pookie that he only paid **EDWARDS** \$7,500 for the cocaine. He stated that **EDWARDS** said Pookie should have only cooked two (2) ounces of cocaine at a time. Pookie advised BAGENT that he in fact only cooked two (2) ounces of the cocaine at a time. Pookie advised BAGENT that the cocaine provided by **EDWARDS** was of poor quality.

September 18, 2010--Call session 3719: **EDWARDS** called BAGENT and claimed that BAGENT cheated him on the price of the cocaine. BAGENT says that he only got ten and one-half (10½) ounces of crack out of the cocaine in the end. **EDWARDS** says that he talked to Pookie and Pookie said the crack came out to a higher amount. As such, **EDWARDS** demanded more money from BAGENT.

Call session 3726: BAGENT and Pookie talk about **EDWARDS** being upset because he was supposedly shorted on the money for the cocaine transaction between BAGENT and **EDWARDS**. BAGENT told Pookie that he offered **EDWARDS** \$250 more to resolve the dispute.

The UC will testify that on September 17, 2010, BAGENT sold her 307.87 grams of crack in exchange for \$11,000 in United States currency. An expert with the St. Tammany Parish Crime Laboratory would testify that the substance sold by BAGENT to the UC on September 17, 2010 was

in fact cocaine base (crack), a Schedule II narcotic drug controlled substance, with a total net weight of 307.87 grams.

As indicated above, the Government would introduce at trial the Title III wire intercepts, testimony of law enforcement, photographs and lab reports, as well as the testimony of co-conspirators, to prove that the organization obtained least one and one-half (1.5) kilograms of crack and ten (10) kilograms of cocaine during the life of the conspiracy. For sentencing purposes the Government and the defendant, **EDWARDS**, agree that **EDWARDS** should be held responsible for at least two hundred-eighty (280) grams but not more than eight hundred-forty (840) grams of cocaine base or "crack," which he and the other members of the conspiracy distributed during the course of the conspiracy because **EDWARDS** knew that cocaine he provided to BAGENT would be processed into crack and sold by the conspirators for the above amount during the course of the conspiracy.

APPROVED AND ACCEPTED:

ROBERT EDWARDS (date)
Defendant

BRUCE C. ASHLEY, II (date)
Attorney for Defendant

EDWARD J. RIVERA (date)
Assistant United States Attorney