

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

UNITED STATES OF AMERICA

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CRIMINAL NO: 07-352

v.

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SECTION: "N"

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**SHELDON THOMPSON
also known as "Turtle"**

* * *

FACTUAL BASIS

Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts:

Agents with the Federal Bureau of Investigation (FBI) conducted an investigation into the drug trafficking activities of SHELDON DEAN, a/k/a "Shay," **SHELDON THOMPSON, a/k/a "Turtle,"** XAVIER O'CONNOR, a/k/a "Money," RANDY DEAN, a/k/a "Po," KEVIN COCKERHAM, a/k/a "Frog," COREY T. MUSE, a/k/a "Lambert," ALECIA WHITELEY, and THERESA WEAVER and others in the Eastern District of Louisiana and elsewhere. The investigation included the use of information from FBI agents, DEA agents, state and local law enforcement officers, and confidential sources. Agents analyzed pen register information and telephone toll records, conducted surveillance and made controlled narcotics purchases and seizures from members of this drug trafficking conspiracy. All substances obtained from members of the

organization tested positive for cocaine hydrochloride or heroin.

The FBI also utilized federal court ordered Title III wiretaps. On June 14, 2007, the Honorable Kurt D. Engelhardt, United States District Court Judge for the Eastern District of Louisiana, issued an Order authorizing the interception of wire communications made over telephone numbers (504) 609-6787 and (504) 270-3002, utilized by SHELDON DEAN, **SHELDON THOMPSON**, and XAVIER O'CONNOR. Interception of wire communications to and from (504) 270-3002 continued until July 13, 2007. Interception of wire communications to and from (504) 609-6787 continued until August 11, 2007. Historical and pending state drug arrests and state drug convictions, controlled undercover purchases, and wire intercepts of (504) 270-3002 and (504) 609-6787 revealed that SHELDON DEAN, RANDY DEAN, XAVIER O'CONNOR, and **SHELDON THOMPSON** were distributing heroin and other illegal drugs in the Eastern District of Louisiana. SHELDON DEAN, XAVIER O'CONNOR, RANDY DEAN and **SHELDON THOMPSON** sold heroin together and for each other's benefit. SHELDON DEAN and XAVIER O'CONNOR were one of **SHELDON THOMPSON's** sources of supply. Law enforcement agents and customers would testify that customers of SHELDON DEAN would purchase heroin from **SHELDON THOMPSON** and vice versa depending on who was available. For example, interception of a phone call on June 19, 2007, from telephone number (504) 609-6787 between SHELDON DEAN and one of his customers revealed that **SHELDON THOMPSON** was in the customer's vicinity so she asked SHELDON DEAN if she should buy from **SHELDON THOMPSON**. The customer indicated that she knew they were father and son and thought it would not matter who she bought from.

At trial, a cooperating defendant who purchased heroin from **SHELDON THOMPSON** would testify that **SHELDON THOMPSON**, **SHELDON DEAN** and **XAVIER O'CONNOR** had been selling him heroin off and on for five years. The cooperating defendant would testify that from on or about November of 2006 to April 27, 2007, he purchased at least two foils of heroin from **SHELDON THOMPSON** at least once, sometimes twice, a day. Law enforcement agents would testify that the weight of the heroin the cooperating defendant purchased on a daily basis would be approximately half a gram. The cooperating defendant would testify that he had personal knowledge of other customers of **SHELDON THOMPSON** and **SHELDON DEAN** and **XAVIER O'CONNOR**. Agents with the DEA would testify that the cooperating defendant and **SHELDON THOMPSON** were arrested on April 27, 2007, after the DEA and the New Orleans Police Department conducted a two day surveillance operation in which agents witnessed **SHELDON THOMPSON** make numerous hand-to-hand drug transactions.

Specifically, law enforcement officers would testify that on April 27, 2007, **SHELDON THOMPSON** was followed to the intersection of Bundy Road and Lake Forest Boulevard in the Eastern District of Louisiana. The officers witnessed **SHELDON THOMPSON** who was driving a Toyota Avalon pull up behind a blue Chevrolet pickup truck bearing a Mississippi license plate. The Chevrolet truck was driven by the cooperating defendant. Law enforcement officers would testify that after **SHELDON THOMPSON** arrived near the intersection, they witnessed the cooperating defendant walk to the Toyota and meet with **SHELDON THOMPSON** who handed the cooperating defendant a small object. Following the transaction, the cooperating defendant walked away from the vehicle, clinching the object in his left hand, and entered his pickup.

Law enforcement officers would testify that both **SHELDON THOMPSON** and the

cooperating defendant drove away from the intersection. The cooperating defendant was followed by New Orleans Police Department detectives. Detective Chad Perez would testify that an investigatory stop was conducted of the cooperating defendant and lying in plain view were two pieces of foil lying on the floorboard. The two pieces of foil contained a substance that tested positive for heroin. Agents would testify that each piece of foil contained an amount of heroin that was normally sold at street level for fifty dollars. Following his arrest, the cooperating defendant admitted that he obtained heroin from **SHELDON THOMPSON** on April 27, 2007. An investigatory stop of **SHELDON THOMPSON** found him to be in possession of ten pieces of foil containing a substance which field tested positive for heroin. Agents would testify that each piece of foil would normally sell for \$50.00.

Having observed, over the course of the investigation, **SHELDON THOMPSON** enter and exit an apartment in the Lakewind East apartment complex between hand-to-hand drug transactions, law enforcement agents would testify that they applied for and were granted a state search warrant for **SHELDON THOMPSON's** apartment and found approximately 106 grams of heroin, drug paraphernalia, such as digital scales and cutting tools, and \$8,109.00 in U.S. currency. Also located in the apartment were two fully loaded handguns, a Smith and Wesson .38 caliber revolver, serial number CFA9397342PD and a Davis .38 caliber handgun, serial number AP344489, both of which an ATF agent would testify were transported in interstate commerce. After his arrest, **SHELDON THOMPSON** admitted to DEA Agent Tommy Moffett that he had distributed heroin in the Eastern District of Louisiana for approximately the last year and that he had drugs and drug paraphernalia hidden in his Lakewind East apartment. Lab reports and other physical evidence seized from **SHELDON THOMPSON's** apartment would be produced at trial.

Court records would be produced to show that following the April 27, 2007 arrest, **SHELDON THOMPSON** made bond. He was subsequently arrested on June 27, 2007, in St. Bernard Parish, in the Eastern District of Louisiana, for distribution of a substance containing a detectable amount of heroin.

Following **SHELDON THOMPSON**'s arrest, agents intercepted a phone call in which **RANDY DEAN** and **SHELDON DEAN** talked about an individual whom **RANDY DEAN**, **SHELDON DEAN**, and **SHELDON THOMPSON** suspected had tipped off the St. Bernard Sheriff's Department. **RANDY DEAN** and **SHELDON DEAN** talked about how "Turtle was careless and how they would only sell to V.I.P.s after 8 p.m."

Agents also intercepted a telephone call between **SHELDON THOMPSON** and **SHELDON DEAN** in which they talked about the suspected informant and **SHELDON THOMPSON**'s arrest. **SHELDON THOMPSON** asked if **SHELDON DEAN** had "heard anything from that bitch?" **SHELDON DEAN** said that neither "he nor Money [**XAVIER O'CONNOR**] have heard from him." **SHELDON DEAN** told **SHELDON THOMPSON** that "I know how to get his "fuckin' ass." **SHELDON DEAN** told **SHELDON THOMPSON** that "he tries to come through [a known individual] so [known individual] will know where he is." **SHELDON DEAN** asked **SHELDON THOMPSON** if "it happened right after he saw him?" **SHELDON THOMPSON** said "it happened as soon as he got out of the car . . . as soon as he got out of the car I pulled off and the lights started coming on." **SHELDON THOMPSON** and **SHELDON DEAN** continued to talk about the case against **SHELDON THOMPSON** and the credibility of the alleged informant. **SHELDON THOMPSON** told **SHELDON DEAN** "to go to the store on the corner by Hardin Park and ask for Dago . . . and leave a number for Dago to call you back . . . and when he calls you back

to tell him what's up and he is going to handle it . . . trust me.” Agents interpreted **SHELDON THOMPSON**'s directions to SHELDON DEAN to be facilitating the murder of the suspected informant.

On July 1, 2007, SHELDON DEAN made a call to warn **SHELDON THOMPSON** that the FBI might be listening to **SHELDON THOMPSON**'s phone calls because SHELDON DEAN received information that the suspected informant was told by the St. Bernard Sheriff's Department that there was an attempt on his life. On July 6, 2007, SHELDON DEAN and XAVIER O'CONNOR talked about Turtle and not taking phone calls from the “hot phone” . . . that Turtle was talking about “smashing people.” SHELDON DEAN and XAVIER O'CONNOR talked about how the FBI got Turtle the first time and that they will probably get him again.

On August 22, 2007, Judge Engelhardt issued an Order authorizing the interception of wire communications made over telephone number (832) 473-9793, utilized by COREY T. MUSE. Interception of (832) 473-9793 ended on September 13, 2007.

The intercepted wire communications, along with physical surveillance, showed that COREY T. MUSE supplied KEVIN COCKERHAM with cocaine hydrochloride and heroin. The undersigned prosecutor, FBI Special Agents, and DEA Special Agents assigned to this investigation have done a thorough review of all drug types and quantities provable during the entire course of the conspiracy. The amount of narcotics that **SHELDON THOMPSON** was responsible for distributing or that was reasonably foreseeable to him as being distributed in this case includes a total quantity of at least 1 kilogram, but not more than 3 kilograms of heroin. This assessment was arrived at through careful analysis of all confidential informant purchases, wire interceptions, consensually monitored telephone calls, law enforcement surveillance, telephone records analysis,

distributions, and witness interviews.

At trial the government would present the testimony of people who have purchased drugs from and who have sold drugs with the defendants. The government will also produce the powdered cocaine and heroin that was recovered during this conspiracy.

READ AND APPROVED:

EMILY K. GREENFIELD (LA Bar 28587)
Assistant United States Attorney

DATE

Robert Early ()
Counsel for Defendant

DATE

Sheldon Thompson
Defendant

DATE