

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

UNITED STATES OF AMERICA * **CRIMINAL DOCKET NO: 07-296**

v.

* **SECTION: "C"**

PATRICK W. JONES

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FACTUAL BASIS

If this case were to proceed to trial, the government would prove the defendant, **PATRICK JONES**, guilty beyond a reasonable doubt in a two-count indictment, which charges the defendant with the unlawful possession of firearms, in violation of Title 18, United States Code, Section 922(g)(1) and 924(a)(2). The government would establish through credible and competent witnesses and evidence the following facts to support the defendant's guilty plea to Count One of the Indictment.

DEFENDANT KNOWINGLY POSSESSED A FIREARM

On Tuesday, December 13, 2005, New Orleans Police Officers Gary Kessel and Alex Brady were dispatched to the 1900 block of St Charles Avenue to investigate suspicious persons parked in a burgundy Chevrolet Trailblazer at that location. Kessel and Brady

conducted a canvass of the area, and observed Patrick W. Jones and another male subject walk away from a vehicle where Jones was the driver. The officers decided to take a closer look at the vehicle Jones and the other male subject exited. Officer Brady conducted a name check on both individuals while Kessel did a cursory view of the vehicle by looking through the window. Kessel observed a rifle lying across the center console where Jones and the other male subject had been sitting.

In the meantime, Brady had received information from the name check conducted upon Jones and the other male subject and discovered that Jones had outstanding warrants for his arrest. Brady informed Jones of the outstanding warrants for his arrest. Brady arrested Jones and read Jones his Miranda rights. Jones agreed to speak with Brady and he told Brady that he had been previously convicted of possession of Heroin, on August 3, 1999. Jones also indicated the rifle in the vehicle was his possession and not the passenger's. Officer Kessel retrieved the rifle from the vehicle that Jones admitted to driving.

**THE FIREARM POSSESSED BY THE DEFENDANT TRAVELED IN OR
AFFECTED INTERSTATE COMMERCE**

The rifle that had been seized from Jones was a Springfield model M14, 7.62 x 51 caliber semiautomatic bearing serial number 002868. The rifle was loaded with ten live rounds of WCC 7.62 x 51 caliber ammunition. One of the rounds was loaded in the chamber of the semiautomatic rifle. According to Special Agent Michael Dixon of the Bureau of Alcohol, Tobacco, Firearms and Explosives, a person with experience and knowledge to

