

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

UNITED STATES OF AMERICA	*	CRIMINAL NO: 12-325
v.	*	SECTION: "L"
MICHAEL J. HEBERT	*	
*	*	*

FACTUAL BASIS

Should this case were to proceed to trial, both the Government and the defendant, **MICHAEL J. HEBERT**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty. The Government and the defendant would further stipulate that the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant.

In July 2012, United States Secret Service (USSS) Special Agents received information that an individual in New Mexico was selling fraudulent Secret Service badges and credentials over the internet via ebay. One of the buyers was **MICHAEL J. HEBERT** (“HEBERT”), who resided in Houma, Louisiana. On August 10, 2012, local law

enforcement and USSS agents learned from HEBERT'S wife that HEBERT was in Nigeria working as a welding instructor.

On August 13, 2012, the agents learned that HEBERT was scheduled to return from Nigeria. Once HEBERT landed in the New Orleans airport, he was met by federal and local law enforcement agents. HEBERT admitted that he had purchased the fake badges but that he was only a collector and that he sold them to other collectors. He allowed the agents to enter his apartment and consented to the search of his home for additional fraudulent documents. While in the apartment, the agents observed more fraudulent documents and several items that looked like hand grenades, explosives, and dynamite. HEBERT told them that the materials were not real and could not be detonated. However, the agents removed these items from the apartment and terminated the search.

Law enforcement agents obtained a search warrant for the apartment and evacuated the apartment complex in an abundance of caution. Agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) were called to the scene, and they examined the items, which were determined to be inert and contained no explosive materials. Pursuant to the search warrant, the agents seized seventeen (17) firearms and over 7,000 rounds of ammunition from the apartment. ATF agents would testify that these seventeen firearms were in operating condition.

HEBERT was advised of his Miranda rights, which he waived, and he agreed to provide an oral statement to the agents. He informed them that he purchased the firearms for collection purposes. He was familiar with the ATF because he was a licensed firearm dealer when he was investigated by them in 1990. He acknowledged that he was a convicted felon and was prohibited from possessing firearms. He also admitted that he was familiar with

firearms regulations and knew that he possessed one of the firearms, the Stag Arms, model Stag-15, .223 caliber, semi-automatic rifle, serial number 00229, with a 13 inch barrel, in violation of the National Firearms Act.

A query of the National Firearms Registration and Transfer Record revealed that this firearm, the Stag Arms, model Stag-15, .223 caliber, semi-automatic rifle, serial number 00229, with a 13 inch barrel, was not registered to any individual. Furthermore, HEBERT did not appear in the database as a registrant.

APPROVED AND ACCEPTED:

Date

MICHAEL J. HEBERT
Defendant

Date

ROBERT J. PASTOR
Attorney for Defendant

Date

LOAN "MIMI" NGUYEN
Assistant United States Attorney