

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

**UNITED STATES OF AMERICA**

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**CRIMINAL NO: 07-402**

v.

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**SECTION: "C"**

**KENNETH SHAVER**

\*

aka "Kenny"

**MERRI CHRISTI GIARRUSSO**

aka "Trouble"

\* \* \*

**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:

Beginning in late 2005 after Hurricane Katrina, Teresa Brenan started selling methamphetamine to support herself and her family, since she was out of work. During the first couple of months in the drug business, she met an individual named Ronald David Barker, who was also using and selling methamphetamine. They started dating but both had their own clientele and introduced each other to different sources of supply.

Around this same time Kenny Shaver met Merri Christi Giarrusso, who was using and selling methamphetamine. Giarrusso and Shaver started dating and Shaver also started selling methamphetamine. Shortly thereafter, Shaver and Giarrusso met Barker and Brenan. Since they all had a common interest, selling and using methamphetamine, they started supplying each other with the drug. Each had their own source of supply and clientele, but would supply the others if they had

the drugs.

At first Barker bought ounces of methamphetamine from Shaver several times a week. As time went on Brenan, Barker, and Shaver became larger drug dealers who were able to purchase pounds of methamphetamine from different sources of supply in the New Orleans area, the Baton Rouge area, and from Texas and Arizona. Barker sold most of his methamphetamine in Mississippi, Brenan sold hers generally in Metairie, La., and Shaver sold his on the Westbank and in the French Quarter area of New Orleans. Shaver's girlfriend, Merri Christi Giarrusso also sold methamphetamine with Shaver.

In September 2006 the state police received information that Teresa Brenan was distributing methamphetamine from her house at 3909 Wanda Lynn Drive in Metairie, La.

On December 4, 2006, State Police and DEA conducted surveillance at this address. Officers observed Teresa Brenan and Ronald David Barker leave the residence carrying a white bag and get into a white Chevrolet Malibu, bearing Florida license plate #R220LN. The car was a rental registered to Alamo Rent-A-Car, from Tulsa, Oklahoma. As the suspects drove down I-10 westbound, Troopers decided to conduct a traffic stop when they observed the driver (Barker) cross the fog line several times around the Laplace exit. Barker gave verbal consent to search the car. A search of the car revealed a quantity of methamphetamine, several other types of "pills", empty clear plastic baggies, a scale, a drug ledger, and approximately \$6,680.35. (\$4,400.00 belonged to Brenan and \$2,280.35 was taken from Baker's wallet). Both subjects were placed under arrest and booked in St. John the Baptist Parish on state drug charges.

Troopers then obtained a search warrant for the house in Metairie. During the search of the house the troopers found an additional amount of methamphetamine, several rubber bands, a box of

20 syringes, six vials of liquid Nandrolon Deconate, one Glock 40 caliber handgun (serial number 66L832), four Glock magazines, one Highpoint 9mm caliber handgun (serial number PI282550), one Titan .25 caliber handgun (serial number D940829), and numerous items associated with smoking methamphetamine. It should be noted that Kenneth Shaver gave one of these guns to Brenan for her protection. A field test was performed on the drugs, which tested positive for methamphetamine.

Both Brenan and Barker were booked into the custody St. John the Baptist Parish Sheriff's Office. Brenan made bond within the a day and was released. Barker spent several days in jail before he was able to back bond.

When Brenan got out of jail, she decided to set up drug deal with Shaver, where they would purchase a quantity of methamphetamine for approximately \$13,000.00 from one of Brenan's sources of supply named "Wado" within the next two weeks.

On December 15, 2006, Brenan rented a room at the Intercontinental Hotel in New Orleans, so that "Wado" could deliver the drugs to her at that location. While Brenan checked into the room and met with "Wado", Kenny Shaver waited outside in Brenan's car with approximately \$13,000.00. "Wado" arrived at the hotel and met with Brenan. He agreed to "front" the drugs to her. Once "Wado" gave the drugs to Brenan, he left the hotel. Shaver then went upstairs to see the drugs. Shortly thereafter, Shaver left the hotel in Brenan's car to go to the store. While on his way he was stopped by NOPD officers on a traffic violation. When the officers realized that Shaver did not have a valid drivers license he was placed under arrest. As it turned out he was also wanted on outstanding attachments from a neighboring jurisdiction. A search of the car revealed approximately \$13,000.00 in cash and some drug paraphernalia, such as a scale and other items associated with distributing drugs. Not knowing that they had just interrupted a drug deal, the NOPD officers then

called Brenan on her cell phone so that she could come and get her dog, that was in the car and her car. Brenan left the drugs in the hotel and went to the scene of the arrest where she took custody of her car and dog. Brenan then returned to the hotel, got the drugs, checked out, and sold them at a later date. Shaver spent a few days in Orleans Parish Prison until he made bond.

Shaver, Giarrusso, Brenan, and Barker continued to buy and sell methamphetamine together. They continued to get methamphetamine from several individuals, including “Wado”, “Manco”, “Slack”, “Cool”, “Just Jen”, “Mo” and others. Shaver and Giarrusso also continued to sell distributable amounts of methamphetamine to numerous people in and around the French Quarter area of the city, including but not limited to “Skeet” and “Seven”, who were dealing themselves to other methamphetamine users.

On April 5, 2007, Kenneth Shavers was arrested again by NOPD/DEA/ATF and a state search warrant was executed on his home, 1230 Esplanade Ave. Merri Christi Giarrusso, aka “Trouble” was in the house at the time of the search. During the search officers found two loaded handguns (a Ruger, Model P90, .45 caliber handgun, serial number 661-85434 and Desert Eagle, .45 caliber handgun, serial number 34307596), approximately \$166,670.00 dollars in cash in a safe, a cash counting machine, a digital pocket scale, a “coffee mate” can with false compartment, “Pledge” can with false compartment, several small zip lock baggies, digital scale, glass beaker, and several glass pipes used to smoke meth. Shaver also had a sophisticated surveillance camera system which allowed him to view areas outside of his house.

Shortly after his arrest on these charges, Shaver made bond. Once he was out of jail he started selling methamphetamine again. His source of supply from out of town “fronted” him some methamphetamine so that he could get back in the “game”. Shaver and Giarrusso continued to sell

methamphetamine, using there house on Esplanade Avenue as the main hub of their operations.

Several witnesses would are cooperating in this investigation would also testify that they saw Shavers with handguns on multiple occasions during the course of this conspiracy. According to these witnesses, Shaver had these guns for his protection because he was concerned about being robbed of his drugs and/or the large sums of money that he kept at the house on Esplanade Avenue.

On November 13, 2007, federal agents arrested Shaver, pursuant to a federal arrest warrant, after he fled from his house on Esplanade Avenue. When he was caught agents recovered a large sum of cash that was recovered from his backpack. This money, which totaled approximately \$27,810.00 was proceeds from the illegal sale of methamphetamine.

For sentencing purposes the government and the defendants, Kenneth Shaver and Merri Christi Giarrusso, agree that the government could prove, for sentencing purposes, that Shaver should be held responsible for at least 1.5 kilograms but less than 5 kilograms of a mixture or substance containing a detectable amount of methamphetamine and Giarrusso should be held responsible for at least 500 grams but less than 1.5 kilograms of a mixture or substance containing a detectable amount of methamphetamine.

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Assistant United States Attorney

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Merri Christi Giarrusso (Date)  
Defendant

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Kenneth Shaver (Date)  
Defendant