

Orleans Parish Sheriff's Office  
Marlin N. Gusman, Sheriff

Internal Affairs Division

June 27, 2011

Employee Name: Andry, Mark D.  
Assignment: Loyola Division - Serving Deputy  
Emp. #104058  
Home Address: 3311 Blair St.  
City, State & Zip Code: New Orleans, LA. 70131  
Home Telephone #: (504) .

Effective this date, June 27, 2011, at 12:00 p.m., you are "**Suspended,**" from duty in connection with an allegation that you acted in a manner unbecoming of an employee of the Sheriff's Office (OPSO). On Monday June 27, 2011, it was learned there were two (2) "Active/Outstanding Warrants" for your arrest for "Violation of a Protective Order" and "Simple Assault," under NOPD Item Number F-39356-11.

Such misconduct constitutes violation(s) of the Orleans Parish Sheriff Office (OPSO) Rules and Regulations: Rule(s) #201 "Adherence to law (State), and Rule #202 Professionalism."

For payroll purposes, the effective date and time of your "Suspension" is effective Friday June 27, 2011, at 12:00 p.m.

Marlin N. Gusman, Sheriff Orleans Parish

By:

  
Special Agent Byron J. Woods

CC: Personnel  
DM-2



**Office of the Sheriff**  
*Parish of Orleans • State Of Louisiana*

**Marlin N. Gusman**  
*Sheriff*

Date: July 1, 2011

RE: Disciplinary Hearing Results

IAD Control # 095- 11

Dear: Dep. Mark Andry

At a "Disciplinary Hearing," which was held on: June 30, 2011 it was determined you were found to be in violation of the Rules and Regulations of the Orleans Parish Criminal Sheriffs Office to wit Rule:

- Art: 201 "Adherence to Law (Title 42 Dual Employment)
- Art :201 "Adherence to Law (State Arrest)
- Art: 301 "Professionalism (count #1)
- Art: 301 "Professionalism (count #2)
- Art :402 " Instructions from an Authoritative Source"
- Art :502 "Associations

It was the decision of the Disciplinary Board or Hearing Officer(s): that as a result of the above indicated violation(s) you are to be assessed a Penalty of: **Remain on Indefinite Suspension until completion of court issues**

If you disagree with the findings of this Disciplinary Hearing, you have the right to appeal the decision directly to the Sheriff by writing and sending a letter to Sheriff Marlin N. Gusman outlining and explaining why you feel the decision is incorrect.

Sincerely,

On: \_\_\_\_\_

Sheriff Marlin N. Gusman

By/ Special Agent Byron J. Woods

I: \_\_\_\_\_

Received a copy of this letter



Office of the Criminal Sheriff  
Parish Of Orleans • State Of Louisiana

Marlin N. Gusman  
Sheriff

I, MARK ANDRY was notified on THURS, JUNE 30, 2011  
A "Disciplinary Hearing," which is to be held on my behalf by the OPCSO. I wish to  
"Waiver," the five (5) day waiting period, and have my Hearing on this date: 6/30/11.

Signature: Mark Andry  
Print Name: MARK ANDRY

# ORLEANS PARISH CRIMINAL SHERIFF'S OFFICE

## DISCIPLINARY HEARING DISPOSITION

SHERIFF   
  DIVISION COMMANDER   
  WARDEN'S/SHERIFF'S COMMITTEE  
 CHIEF

DATE: 6/30/11  
 I.A.D. CONTROL #: 095-11

TO: MARLIN N. GUSMAN, SHERIFF

FROM: Major Carlos Louque

On 6/30/11, a Disciplinary Hearing was held on the above referenced I.A.D. case. As the Hearing Officer, I reviewed the charge(s) against Deputy Mark Andry/ [redacted] Loyola Division.

After Consideration of the evidence presented, it is in my opinion that the charge(s) should be classified as follows:

Check (✓)  if additional sustained violation(s) (ASV).

	RULE NUMBER & NAME	ASV	DISPOSITION
1.	201 - Adherence to Law (Title 42 Dual Employment)	<input type="checkbox"/>	SUSTAINED
2.	201 - Adherence to Law (State Arrest)	<input type="checkbox"/>	SUSTAINED
3.	301 - Professionalism (count #1)	<input type="checkbox"/>	SUSTAINED
4.	301 - Professionalism (count #2)	<input type="checkbox"/>	SUSTAINED
5.	402 - Instructions from an authoritative source	<input type="checkbox"/>	SUSTAINED
6.	502 - Associations	<input type="checkbox"/>	SUSTAINED

As a result, it is my/our recommendation that Deputy Andry should:

(Check (✓) One):     not be disciplined     to be disciplined    as follows:

	RULE NUMBER & NAME	DISPOSITION
1.	201 - Adherence to Law ( Title 42 - Dual Employment)	STAY ON SUSPENSION
2.	201 - Adherence to law (State Arrest)	LEGAL COURT CASE
3.	301 - Professionalism (count #1)	IS COMPLETE, THEN
4.	301 - Professionalism (count #2)	RETURN TO THE BOARD
5.	402 - Instructions from an authoritative Source	
6.	502 - Associations	

COMMENTS (optional): *Must bring my court papers to I.A.D.*

# ORLEANS PARISH CRIMINAL SHERIFF'S OFFICE

## DISCIPLINARY HEARING DISPOSITION

SHERIFF   
  DIVISION COMMANDER   
  WARDEN'S/SHERIFF'S COMMITTEE  
 CHIEF

DATE: 6/30/11  
 I.A.D. CONTROL #: 095-11

TO: MARLIN N. GUSMAN, SHERIFF

FROM: Major Carlos Louque

On 6/30/11, a Disciplinary Hearing was held on the above referenced I.A.D. case. As the Hearing Officer, I reviewed the charge(s) against Deputy Mark Andry/ [redacted] /Loyola Division.

After Consideration of the evidence presented, it is in my opinion that the charge(s) should be classified as follows:

Check (√)  if additional sustained violation(s) (ASV).

#	RULE NUMBER & NAME	ASV	DISPOSITION
1.	517 - Outside Employment	<input type="checkbox"/>	<i>Sustained</i>
2.		<input type="checkbox"/>	
3.		<input type="checkbox"/>	
4.		<input type="checkbox"/>	
5.		<input type="checkbox"/>	
6.		<input type="checkbox"/>	

As a result, it is my/our recommendation that Deputy Andry should:

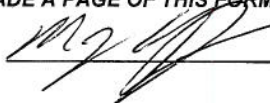
(Check (√) One):     not be disciplined     to be disciplined    as follows:

#	RULE NUMBER & NAME	DISPOSITION
1.	517 - Outside Employment	<i>Remain as Sustained</i>
2.		<i>Full Court Case is</i>
3.		<i>Complete</i>
4.		
5.		
6.		

COMMENTS (optional):

\*IF AN ADDITIONAL SUSTAINED VIOLATION(S) IS RECOMMENDED, AN INTEROFFICE CORRESPONDENCE ARTICULATING HOW THE ADDITIONAL VIOLATION(S) WAS DETERMINED SHALL BE ATTACHED, AND MADE A PAGE OF THIS FORM.

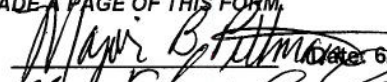
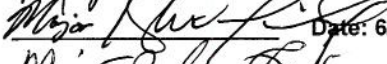
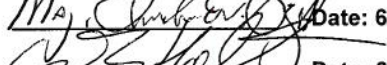
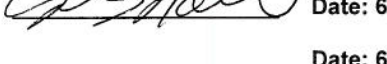
Signature of Hearing Officer(s):



Date: 6/30/11

**\*IF AN ADDITIONAL SUSTAINED VIOLATION(S) IS RECOMMENDED, AN INTEROFFICE CORRESPONDENCE ARTICULATING HOW THE ADDITIONAL VIOLATION(S) WAS DETERMINED SHALL BE ATTACHED, AND MADE A PAGE OF THIS FORM.**

Signature of Hearing Officer(s):

  
Date: 6/30/11  
  
Date: 6/30/11  
  
Date: 6/30/11  
  
Date: 6/30/11  
\_\_\_\_\_  
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Date: 6/30/11

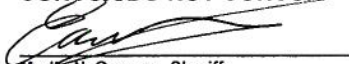
CONCUR/DO NOT CONCUR

\_\_\_\_\_  
Signature of Division Commander

Date:

COMMENTS:

~~CONCUR/DO NOT CONCUR~~

  
\_\_\_\_\_  
Martin N. Gusman, Sheriff

Date:

COMMENTS:

**INSTRUCTIONS:** The Hearing Officer shall be responsible for forwarding to I.A.D., via appropriate chain of command, both the *original* Hearing Notification Form and the *original* Hearing Disposition Form, along with the entire investigative report.

**THIS FORM SHALL BE ISSUED TO AND SIGNED FOR BY THE ACCUSED EMPLOYEE AT LEAST FIVE (5) CALENDAR DAYS PRIOR TO THE DATE OF THE HEARING.**

ORIGINAL: I.A.D. Investigative Report file

# ORLEANS PARISH CRIMINAL SHERIFF'S OFFICE

## DISCIPLINARY HEARING NOTIFICATION

SHERIFF    DIVISION COMMANDER    WARDEN'S/SHERIFF'S COMMITTEE  
 CHIEF

DATE: 6/30/11  
I.A.D. CONTROL #: 095-11

TO: Deputy Mark Andry/ [redacted] Loyola Division

FROM: Major Carlos Louque

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An investigation conducted by Agt B. Woods has revealed that on or about Tuesday June 7, 2011 you allegedly: were accused of Threats and Battery of a female civilian with an arrest record (14-Arrests ) who identified herself as your girlfriend of 31/2 years. An investigation was conducted and it was learned that the accusations were not sustained, but based on other information, documentation and testimonial evidence developed in this case you were alledged to have been working a second job without permission from the OPSO Sheriff Marlin N. Gusman and are in violation of OPSO rules and regulations relative to Dual Employment, along with other rules and regulations such as Associations, Instructions from an authoritative source and Professionalism. On Monday June 27, 2011 a Warrant for your arrest was for violation of a "Protective Order" that was issued on June 22, 2011. It was alledged that you violated the protective order and was arrested and suspended from the OPSO.

Such conduct is a violation of:

Rule #, Para # (number of regulation/order/law)	Rule Name
201 - Adherence to Law (Title # 42 Dual Employment)	Moral Conduct
201 - Adherence to Law (State Arrest)	Moral Conduct
301 - Professionalism (count #1)	Professional Conduct
301 - Professionalism (count #2)	Professional Conduct
402 - Instructions from an authoritative source	Performance of Duty
502 - Associations	Restricted Activities
517 - Outside Employment	Restricted Activities

You are hereby instructed to appear in the uniform of the day, or coat and tie or appropriate dress for female employees, UNARMED, on Thursday, June 30, 2011 at the Internal Affairs Division Office, for a Disciplinary Hearing before Major Jerrod Spinney. At that time you will be afforded an opportunity to present any mitigating circumstance, justification, or explanation you may have to offer. You may also have legal counsel or other representative, or both, present at the Disciplinary Hearing in the capacity of an observer to the proceedings.

Signature of the Hearing Officer:  Date: 6/30/11

Signature of Employee:  Date: 6/30/11

**Orleans Parish Sheriff's Office**  
**Marlin N. Gusman, Sheriff**

**Internal Affairs Division**

**INTER-OFFICE MEMORANDUM**

To: Marlin N. Gusman, Sheriff

From: IAD Special Agent Byron J. Woods IAD# 095-11

Date: June 27, 2011

Subject: Complaint (Alleged Threats and Battery - Deputy Mark Andry)

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**Case Summary**

A complaint of alleged **"Threats and Battery"** was filed with the OPSO Internal Affairs Division against OPSO **"Loyola (Civil) Division"** Deputy Mark Andry. Ms. Anastasia Nedd the complainant stated that on Tuesday, June 7, 2011, at the location of \_\_\_\_\_ St., in the Algiers neighborhood of the City, OPSO Deputy Mark Andry put his 'closed fist' to her head and forcefully pushed against her head with his fist. Ms. Nedd further alleged Deputy Andry use obscene language toward her calling her a **"whore, and bitch,"** and threatened to either 'kill her' or 'have someone else kill her.' Ms. Nedd stated she did not wish to file **"Criminal Charges"** against Deputy Andry with the New Orleans Police Department, (NOPD) for the alleged **"Threats and Battery"** because she does not trust the New Orleans Police Department (NOPD). She said she believes members of the NOPD Fourth (4<sup>th</sup>) District may be conspiring with Dep. Andry to frame her or find a way to arrest her on bogus charges for unknown reasons. After her initial complaint Ms. Nedd has contacted the OPSO/IAD in attempts to supply additional information against Dep. Nedd which she feels will help in getting Dep. Andry "terminated" from the Sheriff's Office. Ms. Nedd gave the IAD a copy of a "Protective Order" issued in Jefferson Parish and filed against Dep. Andry by his wife Junan Andry, in 2008. Ms Nedd said she obtained and gave the IAD this document to show Dep. Andry is prone to violence. Ms. Nedd stated to this IAD Agent on three (3) occasions since her initial complaint, she has seen Dep. Andry passing in front of her home. She said that Dep. Andry stopped by her home on one occasion and asked to speak to her but she told him 'no she did not want to talk to him ever again,' and he left the area. Ms. Nedd stated she took this action by Dep Andry of stopping by her house as a threat to her safety. She called the IAD on two more occasions stating Dep. Andry is passing in front of her home numerous times a day and this she feels is also a threat to her safety. She said when he passes by now, he does not stop but she feel threatened by his being



in her neighborhood. Ms. Nedd has stated to this IAD Agent that she thought Dep. Andry should be "**Suspended,**" and questioned the IAD actions for not suspending him. Ms. Nedd stated to this IAD Agent and to Dep. Andry that she expects him to be "**Arrested and Fired**" from the Sheriff's Office as a result of this IAD Investigation. Ms. Nedd has continued to call this office inquiring as to when this case will be finished and she has since decided to file a "**Protective Order**" in Orleans Parish Civil Court against Dep. Andry on June 22, 2011. This new "Protective Order," filed by Ms. Nedd, is basically identical and seems to "mimic" the allegations in Dep. Andry's wife Juana 2008, "Protective Order" and the allegations Ms. Nedd made in this IAD Investigation. **(Exhibit #7) and (Exhibit #8)**

Ms. Nedd allegedly attempted to intimidate Ms. Shontell Richardson, the female she thinks is Dep. Andry's "**girlfriend,**" and who supposed to be her witness against Dep. Andry, by calling the lady's mother's home telephone on \_\_\_\_\_ Street in Algiers. Ms. Richardson said her mother told her Ms. Nedd was attempting to get information about Dep. Andry and Ms. Richardson's relationship to each other. She somehow obtained and called Ms. Richardson's home telephone in the state of Texas, at 3:30 am, one morning and told Ms. Richardson's husband that Ms. Richardson and Dep. Andry are having an "**Affair**" in New Orleans. Ms. Richardson stated Ms. Nedd told her husband that Dep. Andry was her boyfriend and that Ms. Richardson was causing problems to their relationship.

Mr. Nedd sent an "E-Mail" to Mr. Richard Angelico of the **Metropolitan Crime Commission (MCC)** and also spoke to him in person, alleging Dep. Andry is involved in a scheme to steal property from persons after they are evicted by him, for the Constable's Office. This complaint contained some of the same allegations made against Dep. Andry that was made to the MCC back in October of 2010. **(Exhibit #2)** The complaint to the MCC in October 2010, was resolved by Constable Grundmeyer and the MCC closed its investigation. That complaint dealt mainly with the allegation of alleged "Theft of property" by Dep. Andry from people evicted. There were no witnesses or other evidence in this matter that could found by the MCC or Constable Grundmeyer. In the new Complaint to the MCC Ms. Nedd indicated she unknowingly assisted in removing property from an eviction site on one occasion and that Dep. Andry has brought questionable (stolen) property to her residence in the past.

## Case Report

On Wednesday June 8, 2011, Ms. Anastasia Nedd, who gave an address of \_\_\_\_\_  
\_\_\_\_\_ 70114, and a telephone number of (504) \_\_\_\_\_, came to the OPSO IAD Office to file a complaint of alleged "**Threats and Battery**" against OPSO Deputy Mark Andry. Ms. Nedd stated that on Tuesday June 7, 2011, at about 6:00 pm she was on her way home when she observed Deputy Andry's vehicle parked at \_\_\_\_\_ Street in Algiers, which is in her neighborhood a few blocks away from her home. Ms. Nedd stated she and Deputy Andry were in a personal relationship (boyfriend/girlfriend) for the past three and one half (3-1/2) years and she often stops when she sees his car in and around the area which is not unusual. She stated she waited for about fifteen (15) minutes for Dep. Andry to come out of the house but when he did not appear she went up to the house and rang the door bell. She said a young female, later learned to be Ms. Shontell Richardson, telephone number (504) \_\_\_\_\_, answered the door and

she asked the lady if Dep. Mark Andry was inside of the house. The young lady acknowledged Dep. Andry was at the house and Ms. Nedd asked her if she would call him for her. Initially the lady stated "no" but as Ms. Nedd turned to walk away the lady called for her to wait and she called Dep. Andry to the door. Ms. Nedd stated when Dep. Andry came out of the residence and saw her he became very upset and angry and began cursing at her and calling her names such as **"bitch and whore."** Ms. Nedd stated Dep. Andry made several attempts to rush at her and strike her but the then unknown Black Female from the residence, got between them and stopped him from actually hitting her. She said Deputy Andry did finally come in contact with her by placing his closed fist against the side of her head and forcefully pushed the fist against her head. At Ms. Nedd's IAD interview, on the day after this alleged incident, there was no indication that she had any "Physical Trauma." There were no signs of cuts, bruises, scratches or swelling to Ms. Nedd's head or facial area. She further stated Deputy Andry stated to her that **'she was a dead bitch and that he was going to kill her or have her killed.'** Ms. Nedd stated the female at the Cupid street address spoke with her and told her what Dep. Andry did was not right and Ms. Nedd feels the lady known only as **"Shontell"** may be willing to give the IAD a statement and verify her complaint. Ms. Nedd also indicated a Black Male known only as **"Josh"** approached her after the incident with Dep. Andry and offered to assist her if she needed help or a witness.

Ms. Nedd stated she and Deputy Andry have been together for three and one half years and that they have had break ups before and that they usually get back together at some point. She said she saw Deputy Andry on the morning of Tuesday June 7, 2011, at about 9:00 am, and Dep. Andry had even told her he loved her and gave her a kiss. She said she has been suspecting something was not right between them for a while and she suspected he may have been seeing or was keeping company with some other female. She indicated when she found him at the address on Cupid Street it must have upset him and made him feel like he had been caught or discovered with another woman.

Ms. Nedd stated she did not report this incident to the NOPD because she does not trust the NOPD Fourth District Officers. She said she feels the NOPD Officers in the 4<sup>th</sup> District are Deputy Andry's friends and they may be a part of what she believes to be a **"Conspiracy"** to either have her arrested or cause her great bodily harm even death. She said some of the conversations she has had lately with Dep. Andry, such as 'she should move from the area or even leave town.' made her suspicions that something was going on that she needed to know but Dep. Andry was not telling her what was happening.

On Friday June 10, 2011, Ms Nedd called the OPSO/IAD Office to relay additional information about this complaint. Ms. Nedd stated she had been in contact with one of her alleged witnesses, known only as **"Josh,"** but later learned to be Mr. Joshua J. Burton, B/M DOB \_\_\_\_\_, telephone number of (504) \_\_\_\_\_, and residing at \_\_\_\_\_, Marrero, Louisiana. Ms. Nedd stated Josh informed her he is willing to give the IAD a statement as to, what he witnessed on the date of the alleged assault against her by Dep. Andry, which was Tuesday June 7, 2011. Ms. Nedd stated Josh is not willing to give his full name or any personal information about himself to the IAD and indicated he just desired her to be the contact person between the IAD and himself. Ms. Nedd was advised by this IAD Agent to contact Josh and we would speak to him to determine if his input into this matter would be of value considering the limitations he wished to impose.

Ms. Nedd went on further to state she "FAXED" a complaint to and had gone to the **New Orleans Metropolitan Crime Commission (MCC)** and spoken to Mr. Richard Angelico, who is an Investigator with the MCC. **(Exhibit #2)** She stated she still does not wish to file a Criminal Complaint against Dep. Andry with the NOPD but she felt if she reported her complaint to another agency such as the MCC, for security purposes, she would have some sort of backing and additional security in the event something happened to her by Dep. Andry or his friends and or associates. Ms. Nedd stated Mr. Angelico told her the MCC is currently looking into several other complaint against Dep. Andry where he may be involved in illegally obtaining property from "Evictions" in which he is personally involved, via his job with the Sheriff's Office or the Constable's Office of the New Orleans Second City Court, In Algiers, (Hon. Ennis H. Grundmeyer, Constable). Mr. Angelico allegedly was angry with Ms. Nedd for being associated with Dep. Andry because her name has been mentioned as a partner in some of the alleged MCC misconduct complaints against Dep. Andry. Ms. Nedd alleged there have been several occasions where Dep. Andry has brought items such as televisions and furniture to her home which she now feels may have been illegally obtained or taken from eviction locations by Dep. Andry. Ms. Nedd stated she would submit a report to the IAD Office outlining her concerns about Dep. Andry's duties and possible misdeeds in the Algiers Constable's Office. There is also some concern and a need to know as to whether or not Dep. Andry is working for the **2<sup>nd</sup> City Court Constable**, or had ever obtained proper authorization from the Sheriff's Office to work a second job as a **"Process Server"** for that Office. Ms Nedd further stated she had been in contact with the OPSO Civil Division and had spoken to Mr. Claude Reese about Dep. Andry's alleged misconduct against her and alleged misdeeds (*illegally removing property from eviction sites*) he committed while working for the Second City Court Constable's Office.

On Thursday June 16, 2011, at about 8:50 am Ms. A. Nedd contacted the IAD Office and spoke to Agent B. Woods. Ms. Nedd wanted to inform the IAD that Dep. M. Andry passed by her home last night 06-15-2011, at about 7:00 pm asking to speak to her. Ms. Nedd stated she told Dep. Andry that she did not want to speak to him anymore that they were through and told him not to call or try to contact from that day forward. Ms. Nedd stated she is more afraid of Dep. Andry and feels he is threatening her by his actions of coming to her house and passing in her neighborhood.

## Testimonial Evidence

**Shontell Richardson:** In an audio recorded interview by the IAD via the telephone on Friday June 10, 2011, at about 2:39 pm, Ms. Shontell Richardson was interviewed. Ms. Richardson's name was given to the IAD by the complainant Ms. Nedd as a possible witness for her defense in this matter. In this interview Ms. Richardson basically disputed the claims made by Ms. Nedd in that Deputy M. Andry committed a "Battery" on her by placing his fist to her head and pushing with force. Ms. Richardson stated that at no time did Dep. Andry come into physical contact with Ms. Nedd. Ms. Richardson stated Ms. Nedd came to her mother's residence at \_\_\_\_\_ Street, in Algiers, LA. On the date and time specified in this report. Ms Richardson stated she was visiting from Texas, where she now resides and that she and Dep. Andry were old friends from High School and before that time. She said their families have been

friends for many years back to when she and Dep. Andry were children. Ms. Richardson said when Ms. Nedd came to her parents residence, Ms. Nedd asked for if Dep. Andry was there. Ms. Richardson stated she initially told Ms. Nedd Dep. Andry no he was not there because of Ms. Nedd's manner or attitude in coming to her parents door and asking for Dep. Andry. Ms. Richardson stated she called Dep. Andry to the door and told him someone was asking for him. She said Dep. Andry came to the door and met Ms. Nedd outside of the residence where they began to argue. She said the argument got very heated and Ms. Nedd was telling Dep. Andry she loved him but Dep. Andry was telling Ms. Nedd he did not want to be associated with her any longer. Ms. Richardson stated she kept Ms. Nedd and Dep. Andry apart and did not allow them to come into physical contact with each other at any point during this incident. Ms. Richardson stated that at no time did Dep. Andry threaten to "kill or have Ms. Nedd killed." Ms. Richardson said she convinced Dep. Andry to leave the scene and Ms. Nedd remained and she and Ms. Richardson did some 'girl talk,' where Ms. Richardson explained her relationship of being just friends with Dep. Andry. Ms. Richardson stated after about thirty minutes or more Ms. Nedd left the area but Ms. Richardson stated for the next hour or so she observed Ms. Nedd driving pass the scene as if to be looking to see if Ms. Andry would return.

On Monday June 13, 2011, Ms. S. Richardson called the IAD office to inform this Agent that Ms. Nedd called her mother's residence in an attempted to speak to her mother about Dep. Andry. She said this upset her mother and Ms. Richardson's sister took the telephone and told Ms. Nedd not to call their residence anymore.

On Tuesday June 14, 2011, Ms. S. Richardson contacted the IAD Office and spoke to this IAD Agent concerning Ms. A. Nedd calling Ms. Richardson's husband via the telephone in Texas at about 3:00, 3:30, and 4:00 am. Ms. Richardson stated Ms. Nedd told her husband that she Ms. Richardson was in New Orleans, dating, going out with, and keeping company with Dep. Andry and they were boyfriend and girlfriend. She said Ms. Nedd told her husband that Dep. Was her (Ms. Nedd's boyfriend) and that Ms. Richardson was coming between them. Ms. Richardson stated her husband called her and was very upset and apparently believed what Ms. Nedd had told him. Ms. Richardson stated she does not know how Ms. Nedd obtained her home telephone number in Texas and that she did not give Ms. Nedd that number. Ms. Richardson was very angry and upset that Ms. Nedd would call her husband and make such false statements and attempting to cause problems with her husband. Ms. Richardson stated she is now considering contacting the New Orleans Police Department (NOPD) and filing a "Formal Complaint," for "**Harassment**" and "**Threats**" against Ms. S. Nedd. Ms. Richardson stated she now feels threatened by Ms. Nedd's recent actions against her and thinks Ms. Nedd may even resort to violence against her at some point in time.

**Joshua J. Burton:** In and audio recorded interview at the IAD on June 13, 2011, Ms. Joshua Burton came in to give a statement relative to this incident. In his statement to the IAD Mr. Burton admitted he did not hear or see the entire incident with Ms. Nedd and Dep. Andry. Mr. Burton state he was exercising by riding his bicycle when he passed though the area of the ~~\_\_\_\_\_~~ Block of ~~\_\_\_\_\_~~ Street in Algiers, LA. Mr. Burton stated he heard loud arguing coming from a house in that block and he observed a B/M dressed in what appeared to be a uniform arguing with a B/F at a home. Mr. Burton stated he was about sixty (60) feet away from the incident and he could hear some obscene language being used by both parties. He stated the B/M in the uniform made several attempts to come into physical contact with the B/F and to him

appeared he may have struck the B/F but he could not definitely state that the female was ever struck, punched, slapped etc. Mr. Burton stated there was another B/F at the scene and she appeared to stay in between the two people who were arguing. Mr. Burton stated after the incident ended he followed the B/F (Ms. Nedd) to her residence which was a few blocks away from the initial incident. Mr. Burton stated asked Ms. Nedd if she was "Okay" and if she was injured. He said he asked Ms. Nedd if the man had struck her and she told him "no," she was not struck. Mr. Burton stated he told Ms. Nedd if she needed help or needed him as a witness for anything he would be available. Ms. Burton stated he gave Ms. Nedd his telephone number in case she wished to contact him. Mr. Burton further stated he never hear Dep. Andry make any verbal threats to "kill Ms. Nedd" or "to have her killed," by someone else.

**Hon. Ennis H. Grundmeyer (Constable New Orleans Second City Court):** On Wednesday June 15, 2011, this IAD Agent along with IAD Commander Wilfred Washington Jr. and IAD Agent Johnny Morreale contacted Constable Grundmeyer at his office via the telephone, in an unrecorded interview, to speak to him about allegation made by Ms. A. Nedd against Dep. M. Andry. Constable Grundmeyer was asked if OPSO Deputy Mark Andry was also employed with the Constable's Office of the Second City Court for Orleans parish. Mr. Grundmeyer acknowledged that Dep. M. Andry was on a contract basis (Employed ???) with his office with the position of a "**Deputy Constable.**" Constable Grundmeyer was asked if he had any "**formal or informal complaints**" filed with his office against Dep. Andry. He stated he recalled a complaint that was filed against Dep. Andry by a girlfriend, Ms. Anastasia Nedd sometime in October of 2010. Constable stated he recalled the complaint involving Ms. Nedd contacting the Metropolitan Crime Commission and indicating to them that Dep. M. Andry may be involved in illegally taking property from eviction sites which were under the authority of the Constable Office for the 2<sup>nd</sup> City Court. Constable stated he recalled Ms. Nedd alleging she had some property to wit two (2) or more 'color television set' at her residence which Dep. Andry allegedly took from evictions sites. **(Exhibit #3)** Constable Grundmeyer said he would check his office files to see if he has any written documented complaint against Dep. M. Andry that he can share with the OPSO/IAD.

This IAD Agent spoke to 2<sup>nd</sup> City Court Constable E. Grundmeyer on June 16, 2011, at about 9:15 am, via the telephone, relative to information he may have concerning this investigation against Dep. M. Andry. Mr. Grundmeyer stated he had written documentation he would be sending via "FAX" to the OPSO/IAD Office on this date relative to this investigation. Constable Grundmeyer further stated to this IAD Agent that he has "**Terminated,**" Deputy M. Andry's employment with his office effective this same date June 16, 2011, with his last day of work will officially be July 1, 2011. Constable Grundmeyer stated Dep. Andry had been a "**Contract Employee,**" working with the Second City Court's Constable Office for approximately five (5) years and began working with his office shortly after Hurricane Katrina in August of 2005. Constable Grundmeyer said Dep. Mark Andry was basically working via an on-call, on an as needed basis twenty-four (24) hour a day. He said Dep. Andry was paid a set salary of "**Seven Hundred**" (\$700.00) Dollars" each week for his services. **(Exhibit #6)**

**Civil Chief Peter C. Rizzo:** On Wednesday June 15, 2011, IAD Agents Byron J. Woods, Johnny Morreale and Colonel W. Washington, Jr., met with the Civil Division Chief Deputy Peter Rizzo to discuss and information he may have concerning this complaint. Chief Rizzo

stated he never had any conversations with the Complainant Ms. Nedd and the only involvement he can remember with this incident is a message left on his "voice mail" by an unknown male caller indicating he witnessed an incident of alleged "Battery" by a Deputy of the OPSO and his conversation with the alleged victim/complainant Ms. Nedd. **(Exhibit #1)** Chief Rizzo stated he never had any conversations with Deputy Andry relative his being involved with Nedd and he never instructed Dep. Andry to dissolve his relationship with Ms. Nedd or face the possibility of losing his job. Chief Rizzo said there was a meeting with himself and Dep. Andry on a completely different matter where Dep. Andry was "insubordinate" concerning a Sheriff's Office vehicle which was issued to him and which was recalled by Chief Rizzo. Chief Rizzo state he had no knowledge of any complaints of wrongdoings by Dep. Andry as indicated by Ms. Nedd.

**Mr. Claude Reese:** On Monday June 20, 2011, in an unrecorded interview, Mr. Claude Reese, the Assistant Human Resource Director, for the OPSO Civil Division (Loyola Division) was interviewed by the IAD Staff composed of Special Agents B. Woods, J. Morreale and Col. W. Washington concerning Ms. Nedd's complaint against Dep. Andry. In his interview Mr. Reese stated Ms. A. Nedd he never actually filled any type of complaint with him on May 20, 2011, when she came to his office. Ms. Nedd had indicated in her complaint to the IAD that Mr. Reese had some knowledge as to certain misconduct by Dep. Andry, such as the alleged taking of personal property during his work in the Second City Court Constable's Office and that he, Mr. Reese, was possibly involved in that investigation of Dep. Andry. Mr. Reese stated Ms. Nedd's intent on that day was to confirm whether or not Dep. Mark Andry was ordered or instructed by the OPSO Civil Division to break off their relationship or face "termination" by the Sheriff's Office. He said for about one (1) hour Ms. Nedd kept trying to get a confirmation on that subject. Mr., Reese stated he told Ms. Nedd several time he could not speak on that subject and if there was an investigation of some type by the OPSO they could not give her any information on that subject.

Mr. Reese was briefed by the IAD as to the complaint filed against Dep. Andry by Ms. Nedd. He stated he did not have any complaint against Dep. Andry such as that which was submitted to the OPSO/IAD by Ms. Nedd on June 8, 2011. He said there is no investigation by himself or the OPSO Civil Division against Dep. Andry to his knowledge in the matter being investigated by the IAD. Mr. Reese stated Ms. Nedd has contacted him via the telephone on about three (3) occasions since their initial meeting on May 20, 2011, but he does not have any further information to share with her.

**Deputy Mark Andry:** In an audio recorded interview in the IAD Office on June 24, 2011, Deputy M. Andry denied any and all allegations made against him by Ms. Anastasia Nedd in this investigation. Deputy Andry stated

\_\_\_\_\_ Deputy Andry stated h \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Deputy Andry  
indicated \_\_\_\_\_  
\_\_\_\_\_ Deputy Andry stated \_\_\_\_\_  
\_\_\_\_\_

In reference to Ms. Nedd's allegation that Deputy Andry was stealing property from eviction sites under the authority of Dep. Nedd, he stated he has never stolen or taken any property from an eviction location. Deputy Andry stated he was employed with the Second City Court Constable's Office, **"Full Time," on a contract,** since the year 2000. He said he was working under a **"Contract,"** where he did not receive an hourly wage but instead a payment of \$700.00 a week or \$2800.00 a month for his services. He said he would split up his times for working for the two agencies by performing work for one or the other at different times. He said if he worked for the Constable's Office in the morning hours he would handle the OPSO Sheriff's duties in the evenings, and vice versa. He said he never performed duties for two Departments at the same time.

## **Documentary Evidence**

- Exhibit #1: Copy of a "FAX" - Information from alleged Witnesses "Josh," ( 2 Pages)
- Exhibit #2: Copy of an "E-Mail" from Ms. Nedd to Metropolitan Crime Commission
- Exhibit #3: Copy of "FAX" Report from Constable Ennis Grundmeyer's Office
- Exhibit #4: Copy of Louisiana Revised Statute, Title 42 (Dual Office Holding)
- Exhibit #5: Copy of OPSO Personal Data Sheet (Mark Andry)
- Exhibit #6: Employment Contract between Mark Andry and Constable's Office
- Exhibit #7: Protection Order filed by Compt. A., Nedd against Dep. Andry
- Exhibit #8: Protection Order filed by Juana Andry against Dep. Andry
- Exhibit #9: Request for Documents from Constable Grundmeyer's Office

## Conclusion

After reviewing all of the available evidence, information and verbal testimony in this matter there does not appear to be enough grounds to find OPSO Deputy Mark Andry with **“Threats and or Battery”** against Ms. Anastasia Nedd from an incident on June 7, 2011, at \_\_\_\_\_ in (Algiers) N.O., LA. Both of Ms. Nedd’s alleged witnesses to this incident, Mr. Joshua Burton and Ms. Shontell Richardson, could not or did not state they actually witnessed or saw Dep. Andry **“physically”** strike, punch, hit or slap the complainant Ms. A. Nedd. Both alleged witnesses did state there were several harsh words, some of which were obscene, made by both parties, Ms. Nedd and Dep. Andry, during their verbal confrontation. Neither of Ms. Nedd’s witnesses remember hearing Dep. M. Andry threatening to kill or to have Ms. Nedd killed by anyone.

This is a situation where we only have one person’s word against the others. Due to the lack of any substantial or valid evidence in this matter it is not possible to determine who is giving a true and factual account of the alleged incident. This investigation can not neither prove nor disprove the allegations of **“Battery and or Threats”** against Ms. Nedd by Dep. Andry.

On Wednesday June 22, 2011, the IAD Office received a copy of **“Petition For Protection From Abuse,” (Temporary Restraining Order)** filed by Ms. A. Nedd against Dep. Mark Andry in Civil District Court, **Case Number #2010-1615**, on this date June 22, 2011. This information and documents were sent to the OPSO/IAD Office via “FAX” from Loyola Division Chief Deputy Peter Rizzo and also in person by Ms. A. Nedd. There is a Civil Court date of July 14, 2011, set for Dep. Andry to appear in Civil District Court, Room #206, to respond to the charges of **“Physical Abuse and Threats”** filed against him by Ms. A. Nedd in this Petition.

Unless anything substantial develops in a Civil or Criminal District Court matter, this portion of Ms. Nedd’s Complaint is Closed.

**Classification: “Not Sustained.”**



## Secondary Investigation

What was learned in this investigation is that OPSO Deputy Mark Andry was personally involved with and intimately associated with Ms. Nedd as a companion (boyfriend and girlfriend). Ms. A. Nedd's "**Criminal History**" which could fit into the category that would put Dep. Andry in violation of OPSO Rules and Regulations, **Rule #502 "Associations."** Deputy Andry was associated with Ms. Nedd for **three and one half (3 ½) years** in a relationship and that he should have known she had a "**Criminal Record,**" [**fourteen (14) arrest**] and he should not have been associating with, dating, living with, or in an intimate relationship with Ms. Nedd for that reason. (**See Exhibit #10**) Ms. Nedd supplied the IAD with a copy of a "**Petition For Protection From Abuse**" **Case Number #664-996**, which was filed against Deputy Mark Andry by his then wife, Ms. Juana Green Andry, in Jefferson Parish 24<sup>th</sup> Judicial District Court, Division "B". This court Petition was dated October 1, 2008. Ms. Nedd's motive was to indicate to this Office that Dep. M. Andry is violent, which she assumed could help prove her allegation of violence against her on June 7, 2011. This document also revealed or indicated that Dep. M. Andry resided at Ms. Nedd's home at 2159 Valentine Court, N.O. LA. 70131, (His girlfriend Anastasia Darden's house) which was listed in a section of the Petition, "**Other Places & Times She/he May Be Found.**"(**Exhibit #8**) Anastasia Darden is Ms. Nedd's other name. This notation or indication could also show that Ms. Nedd and Dep. Andry were involved in a "**personal relationship**" where he lived with her at her home from time to time.

When Deputy Andry was interviewed on June 24, 2011, by the IAD Office he admitted he had been in a personal, "boyfriend/girlfriend" relationship, with Ms. Nedd for about three (3) years. He said he learned of her criminal background at a later date and had been trying for some time to gradually break away from her. But in his IAD interview he said he did not actually break up with until three or four days prior to this alleged incident of alleged threats and battery filed by Ms. Nedd on June 8, 2011. He did say they had several breaks ups in the past three years but because of her vindictive and revengeful nature he kept coming back to keep her from doing things like she has done in this matter such as filing false complaints to cause him problems.

Deputy M. Andry's violation of the above rule relative to "**Associations,**" could also place him in violations of the following OPSO Rules and Regulations to wit: **Rule #301 "Professionalism" (actions that could bringing discredit to the OPSO), Rule #402 "Instructions from and Authoritative Source," (the written instruction of the OPSO Operations Manuel).**

With regards to "**Outside Employment**" **OPSO Rule #517,**" Deputy M. Andry was employed with the Second City Court Constable's Office as a Deputy Constable, for approximately five (5) years and there is no documentation or record that he ever had this employment approved by OPSO Sheriff Gusman. Deputy Andry alleged he was approved to work in that capacity by then Civil Sheriff Paul Valteau but no documentation exist showing he ever contacted Sheriff Gusman to seek permission to continue this job. Sheriff Gusman was asked about this status of Dep. Andry during an informal meeting with Agent B. Woods and Col. W. Washington and the Sheriff indicated he knew nothing of Dep. Andry's being employed with the Second City Court Constable's Office.

On Tuesday June 21, 2011, at about 10:00 a.m. this IAD Agent contacted and spoke with Attorney Craig Forsch of the Law Firm of Usry Weeks and Matthews, who are the Legal Representatives for the Orleans Parish Sheriff's office. The question of alleged "Dual Employment" by Dep. Mark Andry was put to Attorney Forsch for information and an opinion. This was an unrecorded interview with Attorney Forsch and was monitored by IAD Colonel W. Washington. Attorney was given certain details such as Dep. Andry allegedly working for two (2) technically "Law Enforcement Agencies," the OPSO and the Constable's Office in Algiers. Attorney Forsch quoted the Louisiana Revised Statutes, for "Public Officers and Employees" which is under "RS Title 42," in the LA. State Codes. Attorney Forsch explained

[REDACTED]

A review of Dep. Mark Andry's OPSO "**Personal Data Sheet**," which he filled out himself, we can observe where he indicated on that sheet that he was employed "full time," with the Second City Court Constable's Office, from the year 2000 to the present and the Orleans Parish Civil Sheriff's Office from 2009 to the present. This Personal Data Sheet was submitted on April 28, 2010, prior to the May 3, 2010, swearing in ceremony where the two Sheriff's Offices became the One Sheriff's Office. (See Exhibit #5) As we have previously been able to verify, via the 2<sup>nd</sup> City Court Constable Ennis Grundmeyer, on June 15, 2011, Deputy Mark Andry is still employed with that office as a Deputy Constable under a Contract, until July 1, 2011, when he is scheduled to be terminated.

It is suggested that Deputy Andry's contract with the Second City Court Constable's Office as a Deputy Constable and his monetary compensation of \$700.00 a week (\$2800.00 a month), his designation on his OPSO "**Personal Data**" (*Employment History Form*) as a "Full Time Employee," In his interview with the IAD on June 24, 2011, Deputy Andry admitted and acknowledged his employment with the Second City Court Constable's Office was indeed a "Full Time Job" to him. Deputy Andry's "Full Time" position with the OPSO pays him \$1915.00 a month which is a difference of \$885.00 from his Constable's job. There is no documentation in Dep. Andry's Personnel File which indicates he ever requested or receive authorization from Sheriff Gusman, to continue working for the Second City Court Constable's Office. It is therefore feasible to suspect that at some point in time during the day, these two jobs could conflict with each other, where he would be working both jobs at the same time. It is possible to believe that working both job at the same time could be considered as "**Payroll Fraud**" for one

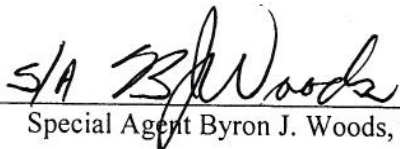
job or the other. Deputy Andry's hours of work with the OPSO, for "Payroll" purposes would either be 8:00 am to 4:00 pm or 9:00 am to 5:00 pm meaning even though he feels he was working for the Constables Office on some days during the hours of 8:00 am and 4:00 pm or 9am to 5pm, he was still being carried on the OPSO payroll as working during those two sets of hours. This Investigation could not find any evidence where Dep. Andry had permission from anyone in the OPSO either verbally or in writing, to split up or divide his work day between two full time jobs on the same day or during the same work week.

*A written request were made to Constable's Grundmeyer's Office seeking copies of any "Trip Sheets" or "Daily" written documentation of Deputies activities but he never responded to this IAD request. Major Martin Blossom the OPSO Loyola Division was asked for any "Daily Trip/Activity Sheet" for "Serving Deputies" or documentation or their activities but he said to his knowledge the Civil Division did not have such documents and they had not been required in the past.*

Based upon the information, documentary and testimonial evidence developed in the second part of this investigation, OPSO Loyola Division Deputy Mark Andry will be scheduled to appear before an "**Administrative Hearing**" of the OPSO "**Disciplinary Review Board**" for Adjudication of possible violations of the Rule and Regulations of the Orleans Parish Sheriff's Office to wit:

1. Rule #201 "Adherence to Law" (State of LA., Title #42 Dual Employment)
2. Rule #301 "Professionalism"
3. Rule #402 "Instructions from and Authoritative Source,"
4. Rule #517," "Outside Employment"
5. Rule #502 "Associations."

**Disposition: Sustained**

  
Special Agent Byron J. Woods, IAD

## Addendum


On Monday June 27, 2011, Ms. A. Nedd contacted the OPSO/IAD Office and notified this Agent that she has filed a Complaint with the NOPD Fourth District against OPSO Deputy Mark Andry for **“Violation of a Protective Order,” (Third Party Contact)** which was issued by the Civil Courts on June 22, 2011. Ms. Nedd also filed a complaint against Dep. Andry with the NOPD for **“Simple Assault.”** These two charges are directly related to the same complaint and IAD Investigation for the date of June 8, 2011. As a result of these two NOPD Complaints by Ms. Nedd two (2) **“Warrants”** were issued for Deputy Mark Andry’s **“Arrest”** under NOPD Item Number **F-39356-11**. Deputy M. Andry was summoned to the IAD Office where he was **“Suspended” (See Exhibit #10)**, from duty and **“Arrested”** and **“Booked”** at the OPSO IPC by OPSO Dep. Terrence Calais for the above violations. On this date 06-27-2011, Deputy Andry stated in an audio recorded interview that he did speak to a mutual friend of himself and Ms. Nedd, Ms. Kim Williams on Wednesday June 22, 2011. Deputy Andry stated he spoke to Ms. Williams at about 2:30 pm which was about thirty (30) minutes before he was actually served with the **“Protective Order,”** which according to Civil Courts records indicated he received service via Chief John Baker of the Civil Division at 3:05 pm on June 22, 2011. **(See Attachment #11)** This would indicate Dep. Andry knew nothing of the contents of the Protective Order and it would not have been in effect toward him until after he was served and made aware of contents. Deputy Andry said Ms. Kim Williams stated to him she does not want to be involved in this matter. Earlier this same day, June 27, 2011, when Ms. A. Nedd called the IAD to speak to this Agent, she made the same statement in that Ms. Kim Williams did not wish to be witness or to testify in this matter to either the OPSO/IAD or to the NOPD.

Deputy M. Andry will be brought to a **“Hearing”** of the OPSO “Disciplinary Review Board” as soon as possible to present his defense in this matter and **“Adjudication”** by that Board.

Based upon this new information and the fact that Deputy Mark Andry had the two **“Warrants”** and was **“Arrested,”** on those warrants, he may be in violation of the following OPSO Rules and Regulations to wit:

**1. Rule #201 “Adherence to Law” (State Arrest)**

**2. Rule #202 “Professionalism”**

  
Special Agent Byron J. Woods, IAD

ATTACHMENTS WITHHELD AS  
PERTAINING TO PENDING OR ANTICIPATED CRIMINAL PROCEEDINGS

Orleans Parish Sheriff's Office  
Marlin N. Gusman, Sheriff

Internal Affairs Division

June 27, 2011

Employee Name: Andry, Mark D.  
Assignment: Loyola Division - Serving Deputy  
Emp. #104058  
Home Address: 3311 Blair St.  
City, State & Zip Code: New Orleans, LA. 70131  
Home Telephone #: (504) [REDACTED]

Effective this date, June 27, 2011, at 12:00 p.m., you are "**Suspended.**" from duty in connection with an allegation that you acted in a manner unbecoming of an employee of the Sheriff's Office (OPSO). On Monday June 27, 2011, it was learned there were two (2) "Active/Outstanding Warrants" for your arrest for "Violation of a Protective Order" and "Simple Assault," under NOPD Item Number F-39356-11.

Such misconduct constitutes violation(s) of the Orleans Parish Sheriff Office (OPSO) Rules and Regulations: Rule(s) #201 "Adherence to law (State), and Rule #202 Professionalism."

For payroll purposes, the effective date and time of your "Suspension" is effective Friday June 27, 2011, at 12:00 p.m.

Marlin N. Gusman, Sheriff Orleans Parish

By:

  
Special Agent Byron J. Woods

CC: Personnel  
DM-2



**Office of the Sheriff**  
*Parish of Orleans • State Of Louisiana*

**Marlin N. Gusman**  
*Sheriff*

Date: July 1, 2011

RE: Disciplinary Hearing Results

IAD Control # 095- 11

Dear: Dep. Mark Andry

At a "Disciplinary Hearing," which was held on: June 30, 2011 it was determined you were found to be in violation of the Rules and Regulations of the Orleans Parish Criminal Sheriffs Office to wit Rule:

Art: 201 "Adherence to Law (Title 42 Dual Employment)  
Art :201 "Adherence to Law (State Arrest)  
Art: 301 "Professionalism (count #1)  
Art: 301 "Professionalism (count #2)  
Art :402 " Instructions from an Authoritative Source"  
Art :502 "Associations

It was the decision of the Disciplinary Board or Hearing Officer(s): that as a result of the above indicated violation(s) you are to be accessed a Penalty of: **Remain on Indefinite Suspension until completion of court issues**

If you disagree with the findings of this Disciplinary Hearing, you have the right to appeal the decision directly to the Sheriff by writing and sending a letter to Sheriff Marlin N. Gusman outlining and explaining why you feel the decision is incorrect.

Sincerely,

On: \_\_\_\_\_

Sheriff Marlin N. Gusman

By/ Special Agent Byron J. Woods

I: \_\_\_\_\_

Received a copy of this letter



Office of the Criminal Sheriff  
Parish Of Orleans • State Of Louisiana

Marlin N. Gusman  
Sheriff

I, MARK ANDRY was notified on THURS, JUNE 30, 2011

A "Disciplinary Hearing," which is to be held on my behalf by the OPCSO. I wish to  
"Waiver," the five (5) day waiting period, and have my Hearing on this date: 6/30/11.

Signature: Mark Andry  
Print Name: MARK ANDRY



# ORLEANS PARISH CRIMINAL SHERIFF'S OFFICE

## DISCIPLINARY HEARING DISPOSITION

SHERIFF   
  DIVISION COMMANDER   
  WARDEN'S/SHERIFF'S COMMITTEE  
 CHIEF

DATE: 6/30/11  
 I.A.D. CONTROL #: 095-11

TO: MARLIN N. GUSMAN, SHERIFF

FROM: Major Carlos Louque

On 6/30/11, a Disciplinary Hearing was held on the above referenced I.A.D. case. As the Hearing Officer, I reviewed the charge(s) against Deputy Mark Andry /Loyola Division.

After Consideration of the evidence presented, it is in my opinion that the charge(s) should be classified as follows:

Check (✓)  if additional sustained violation(s) (ASV).

	RULE NUMBER & NAME	ASV	DISPOSITION
1.	201 - Adherence to Law (Title 42 Dual Employment)	<input type="checkbox"/>	SUSTAINED
2.	201 - Adherence to Law (State Arrest)	<input type="checkbox"/>	SUSTAINED
3.	301 - Professionalism (count #1)	<input type="checkbox"/>	SUSTAINED
4.	301 - Professionalism (count #2)	<input type="checkbox"/>	SUSTAINED
5.	402 - Instructions from an authoritative source	<input type="checkbox"/>	SUSTAINED
6.	502 - Associations	<input type="checkbox"/>	SUSTAINED

As a result, it is my/our recommendation that Deputy Andry should:

(Check (✓) One):     not be disciplined     to be disciplined    as follows:

	RULE NUMBER & NAME	DISPOSITION
1.	201 - Adherence to Law ( Title 42 - Dual Employment)	STAY ON SUSPENSION
2.	201 - Adherence to law (State Arrest)	LEGAL COURT CASE
3.	301 - Professionalism (count #1)	IS COMPLETE, THEN
4.	301 - Professionalism (count #2)	RETURN TO THE BOARD
5.	402 - Instructions from an authoritative Source	
6.	502 - Associations	

COMMENTS (optional): *Must bring any court papers to I.A.D.*

# ORLEANS PARISH CRIMINAL SHERIFF'S OFFICE

## DISCIPLINARY HEARING DISPOSITION

SHERIFF   
  DIVISION COMMANDER   
  WARDEN'S/SHERIFF'S COMMITTEE  
 CHIEF

DATE: 6/30/11  
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TO: MARLIN N. GUSMAN, SHERIFF

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After Consideration of the evidence presented, it is in my opinion that the charge(s) should be classified as follows:

Check (√)  if additional sustained violation(s) (ASV).

#	RULE NUMBER & NAME	ASV	DISPOSITION
1.	517 - Outside Employment	<input type="checkbox"/>	<i>Sustained</i>
2.		<input type="checkbox"/>	
3.		<input type="checkbox"/>	
4.		<input type="checkbox"/>	
5.		<input type="checkbox"/>	
6.		<input type="checkbox"/>	

As a result, it is my/our recommendation that Deputy Andry should:

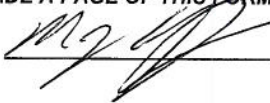
(Check (√) One):     *not be disciplined*     *to be disciplined*    as follows:

#	RULE NUMBER & NAME	DISPOSITION
1.	517 - Outside Employment	<i>Remain on Suspension</i>
2.		<i>Full Court Case is</i>
3.		<i>Complete</i>
4.		
5.		
6.		

COMMENTS (optional):

**\*IF AN ADDITIONAL SUSTAINED VIOLATION(S) IS RECOMMENDED, AN INTEROFFICE CORRESPONDENCE ARTICULATING HOW THE ADDITIONAL VIOLATION(S) WAS DETERMINED SHALL BE ATTACHED, AND MADE A PAGE OF THIS FORM.**

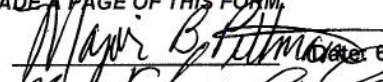

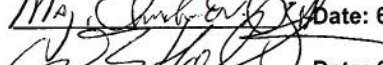
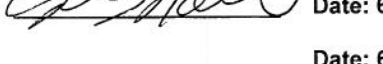
Signature of Hearing Officer(s):



Date: 6/30/11

**\*IF AN ADDITIONAL SUSTAINED VIOLATION(S) IS RECOMMENDED, AN INTEROFFICE CORRESPONDENCE ARTICULATING HOW THE ADDITIONAL VIOLATION(S) WAS DEREMINED SHALL BE ATTACHED, AND MADE A PAGE OF THIS FORM.**

Signature of Hearing Officer(s):

 Date: 6/30/11  
 Date: 6/30/11  
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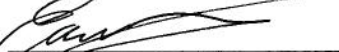
CONCUR/DO NOT CONCUR

\_\_\_\_\_  
Signature of Division Commander

Date:

COMMENTS:

CONCUR/DO NOT CONCUR

  
\_\_\_\_\_  
Martin N. Gusman, Sheriff

Date:

COMMENTS:

**INSTRUCTIONS:** The Hearing Officer shall be responsible for forwarding to I.A.D., via appropriate chain of command, both the *original* Hearing Notification Form and the *original* Hearing Disposition Form, along with the entire investigative report.

THIS FORM SHALL BE ISSUED TO AND SIGNED FOR BY THE ACCUSED EMPLOYEE AT LEAST FIVE (5) CALENDAR DAYS PRIOR TO THE DATE OF THE HEARING.

ORIGINAL: I.A.D. Investigative Report file

# ORLEANS PARISH CRIMINAL SHERIFF'S OFFICE

## DISCIPLINARY HEARING NOTIFICATION

SHERIFF    DIVISION COMMANDER    WARDEN'S/SHERIFF'S COMMITTEE  
 CHIEF

DATE: 6/30/11  
I.A.D. CONTROL #: 095-11

TO: Deputy Mark Andry/  /Loyola Division

FROM: Major Carlos Louque

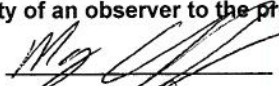
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An investigation conducted by Agt B. Woods has revealed that on or about Tuesday June 7, 2011 you allegedly: were accused of Threats and Battery of a female civilian with an arrest record (14-Arrests ) who identified herself as your girlfriend of 31/2 years. An investigation was conducted and it was learned that the accusations were not sustained, but based on other information, documentation and testimonial evidence developed in this case you were alledged to have been working a second job without permission from the OPSO Sheriff Marlin N. Gusman and are in violation of OPSO rules and regulations relative to Dual Employment, along with other rules and regulations such as Associations, Instructions from an authoritative source and Professionalism. On Monday June 27, 2011 a Warrant for your arrest was for violation of a "Protective Order" that was issued on June 22, 2011. It was alledged that you violated the protective order and was arrested and suspended from the OPSO.

Such conduct is a violation of:

Rule #, Para. # (number of regulation/order/law)	Rule Name
201 - Adherence to Law (Title # 42 Dual Employment)	Moral Conduct
201 - Adherence to Law (State Arrest)	Moral Conduct
301 - Professionalism (count #1)	Professional Conduct
301 - Professionalism (count #2)	Professional Conduct
402 - Instructions from an authoritative source	Performance of Duty
502 - Associations	Restricted Activities
517 - Outside Employment	Restricted Activities

You are hereby instructed to appear in the uniform of the day, or coat and tie or appropriate dress for female employees, UNARMED, on Thursday, June 30, 2011 at the Internal Affairs Division Office, for a Disciplinary Hearing before Major Jerrod Spinney. At that time you will be afforded an opportunity to present any mitigating circumstance, justification, or explanation you may have to offer. You may also have legal counsel or other representative, or both, present at the Disciplinary Hearing in the capacity of an observer to the proceedings.

Signature of the Hearing Officer:  Date: 6/30/11

Signature of Employee:  Date: 6/30/11