

The Virgin Islands Consortium

Former Resident Facing 5 Years After Pleading Guilty to Mailing Firearms to St. Thomas From South Carolina

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ST. THOMAS — Steven Baxter, 36, pleaded guilty in District Court before Magistrate Judge Ruth Miller, to mailing firearms to the Virgin Islands, United States Attorney Gretchen C.F. Shappert announced Wednesday.

According to court records, on or around March 30, 2017, Baxter resided in Orangeberg, South Carolina, and used the United States Postal Service (USPS) to mail two packages containing firearms to St. Thomas. A Customs and Border Protection (CBP) canine discovered the first firearm during routine inspection of incoming mail to St. Thomas. Two days later, a United States Postal Inspection officer discovered the second firearm while sorting mail inside the post office.

In 2018, Baxter filed a motion to suppress the firearms. He argued that CBP and the USPS needed to secure a warrant prior to searching his incoming mail. Then District Court Judge, Curtis V. Gomez agreed with Baxter and suppressed the firearms. In his ruling, Gomez found that the government could not search first class mail coming into the Virgin Islands from the mainland United States without first obtaining a warrant.

The government appealed Gomez's decision and, on February 21, 2020, the Third Circuit Court of Appeals reversed Judge Gomez when it concluded there was no search warrant requirement for incoming mail. As a result of that ruling, Baxter sought a Writ of Certiorari to the United States Supreme Court. On January 25, 2021, the Supreme Court denied Baxter's request for Certiorari.

As a result of his guilty plea, Baxter faces a maximum sentence of 60 months in prison and a maximum fine of \$250,000.

This case was investigated by Homeland Security Investigations, and the United States Postal Inspection Service. It is being prosecuted by Assistant United States Attorney Everard E. Potter.