



U.S. Department of Justice

William D. Weinreb
Acting United States Attorney
District of Massachusetts

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1 Courthouse Way
Suite 9200
Boston, Massachusetts 02210

July 10, 2017

Cara McNamara
Federal Public Defender Office
District of Massachusetts
51 Sleeper Street 5th Floor
Boston, MA 02210

Re: United States v. James Morales
Criminal No. 16-cr-40001-TSH (D. Mass.)

United States v. James Morales
Criminal No. 17-cr-xxxx (D. Mass.)¹

United States v. James Morales
Criminal No. 17-cr-00005-JJM (D.R.I.)²

Dear Attorney McNamara:

The United States Attorney for the District of Massachusetts ("U.S. Attorney"), and your client, James Morales ("Defendant"), agree as follows with respect to the above-referenced cases:

1. Change of Plea

At the earliest practicable date, Defendant shall plead guilty to all counts in which he is named in the Indictment in criminal case number 16-cr-40001-TSH: Count One – Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g); Count Two – Possession of a Machinegun, in violation of 18 U.S.C. § 922(o); Count Three – Possession, Storage, and Sale of Stolen Firearms, in violation of 18 U.S.C. § 922(j); Count Four – Theft of Government Property, in violation 18 U.S.C. § 641; and Count Five – Conspiracy to Possess, Store, Conceal, and Sell

¹ The docket number for the attempted bank robberies will be added once the attached Information is filed.

² The D.Mass. docket number for the escape will be substituted upon the completion of the Rule 20 transfer.

Stolen Weapons, in violation of 18 U.S.C. § 371. Defendant expressly and unequivocally admits that he committed the crimes charged in Counts One through Three of the Indictment, did so knowingly, and is in fact guilty of those offenses. Defendant further expressly and unequivocally admits that he committed the crimes charged in Counts Four and Five of the Indictment, did so willfully, and is in fact guilty of those offenses.

In addition, at the earliest practicable date, Defendant shall waive indictment and plead guilty to the Information in criminal case number 17-cr-XXXXXX, attached to this Plea Agreement, charging him with: two counts of attempted bank robbery, in violation of 18 U.S.C. § 2113(a). Defendant expressly and unequivocally admits that he committed the crimes charged in Counts One and Two of the Information, did so knowingly and intentionally, and is in fact guilty of those offenses.

In addition, at the earliest practicable date, Defendant shall plead guilty to all counts in which he is named in the Indictment in criminal case number 17-cr-00005-JJM: Count One – Escape, in violation of 18 U.S.C. § 751. Defendant expressly and unequivocally admits that he committed the crime charged in Count One of the Indictment, did so knowingly, and is in fact guilty of that offense.

Defendant agrees to the accuracy of the attached statements of facts with respect to each of the above-referenced offenses.

2. Penalties

Defendant faces the following maximum penalties on each count of the Indictment in criminal case number 16-cr-40001-TSH: Counts One through Four - a maximum term of imprisonment of ten years, a term of supervised release of up to three years, a fine of up to \$250,000, a mandatory special assessment of \$100, and forfeiture to the extent charged in the Indictment; Count Five - a maximum term of imprisonment of five years, a term of supervised release of up to three years, a fine of up to \$250,000, a mandatory special assessment of \$100, and forfeiture to the extent charged in the Indictment.

Defendant faces the following maximum penalties on each of the two counts of the Information in criminal case number 17-cr-XXXXXX: incarceration for 20 years; supervised release for 3 years; a fine of \$250,000; a mandatory special assessment of \$100; restitution; and forfeiture to the extent charged in the Information.

Defendant faces the following maximum penalties on each count of the Indictment in criminal case number 17-cr-00005-JJM: Count One - a maximum term of imprisonment of five years, a term of supervised release of up to three years, a fine of up to \$250,000, and a mandatory special assessment of \$100.

Defendant also recognizes that pleading guilty may have consequences with respect to Defendant's immigration status if Defendant is not a citizen of the United States. Under federal law, a broad range of crimes are removable offenses, including the offenses to which Defendant is

pleading guilty. Indeed, because Defendant is pleading guilty to federal firearm offenses and attempted bank robbery, removal is presumptively mandatory. Removal and other immigration consequences are the subject of a separate proceeding, however, and Defendant understands that no one, including defense counsel and the District Court, can predict to a certainty the effect of these convictions on Defendant's immigration status. Defendant nevertheless affirms his decision to plead guilty regardless of any immigration consequences that this plea may entail, even if the consequence is Defendant's automatic removal from the United States.

3. Sentencing Guidelines

The sentence to be imposed upon Defendant is within the discretion of the District Court ("Court"), subject to the statutory maximum penalties set forth above and the provisions of the Sentencing Reform Act, and the advisory United States Sentencing Guidelines ("USSG" or "Guidelines"). While the Court may impose a sentence up to and including the statutory maximum term of imprisonment and statutory maximum fine, it must consult and take into account the USSG and the other factors set forth in 18 U.S.C. § 3553(a) in imposing a sentence.

The U.S. Attorney will take the position that Defendant's total offense level under the USSG is calculated as follows with respect to criminal case number 16-cr-40001-TSH:

- in accordance with USSG § 2K2.1(a)(3), Defendant's base offense level is twenty-two because the offenses involved a machine gun and were committed after Defendant had a prior conviction for a "crime of violence";
- in accordance with USSG § 2K2.1(b)(1)(B), Defendant's offense level is increased by four levels because Defendant's offense involved eight to twenty-four firearms;
- in accordance with USSG § 2K2.1(b)(4)(A), Defendant's offense level is increased by two levels because Defendant's offense involved stolen firearms.
- in accordance with USSG § 2K2.1(b)(6)(B), Defendant's offense level is increased by four levels because Defendant possessed the firearms in connection with another felony offense;
- in accordance with USSG § 3C1.1, Defendant's offense level is increased by two levels because Defendant willfully obstructed or impeded the administration of justice;
- in accordance with USSG §§ 3E1.1 and 3C1.1, Defendant should not be afforded any downward adjustment for acceptance of responsibility; and
- in accordance with USSG §§ 3D1.1 and 3D1.2, the offense levels for Counts One through Five are grouped and the Guideline Sentencing Range is determined by the offense level for the offense(s) that result in the highest

offense level, that is, 34, as set forth above.

The U.S. Attorney will take the position that Defendant's total offense level under the USSG is calculated as follows with respect to criminal case number 17-cr-XXXXX:

- in accordance with USSG § 2B3.1(a), Defendant's base offense level is twenty;
- in accordance with USSG § 2B3.1(b)(1), Defendant's offense level is increased by two levels, because the object of the offense was the taking of the property of a financial institution;
- in accordance with USSG § 3D1.4, Defendant's offense level is increased by two levels because, pursuant to USSG §§ 3D1.1 and 3D1.2, the offense levels for Counts One and Two are not grouped.

The U.S. Attorney will take the position that Defendant's combined total offense level under the USSG for the offenses in criminal case number 16-40001-TSH and criminal case number 17-cr-XXXXX is calculated as follows:

- in accordance with USSG §§ 3D1.1 and 3D1.2, the offenses in criminal case number 16-cr-40001-TSH are not grouped with the offenses in criminal case number 17-cr-XXXXX;
- in accordance with USSG § 3D1.4(c), however, the total offense level for the offenses in criminal case number 17-cr-XXXXX must be disregarded because it is 9 or more levels less serious than the offenses in criminal case number 16-cr-40001-TSH;
- thus, the total combined offense level is the offense level for criminal case number 16-cr-40001-TSH as set forth above, that is, 34.

Defendant agrees with respect to the application of the USSG to criminal case number 16-cr-40001-TSH that: (1) Defendant's base offense level is at least twenty in accordance with USSG § 2K2.1(a)(4)(B) because the offense involved a firearm that is described in 26 U.S.C. § 5845(a) and Defendant was a prohibited person at the time Defendant committed the instant offense; (2) in accordance with USSG § 2K2.1(b)(1)(B), Defendant's offense level is increased by four levels because the offense involved eight to twenty-four firearms; (3) in accordance with USSG § 2K2.1(b)(4), Defendant's offense level is increased by two levels because the offense involved stolen firearms; (4) in accordance with USSG § 2K2.1(b)(6)(B), Defendant's offense level is increased by four levels because Defendant possessed the firearms in connection with another felony; (5) in accordance with USSG § 3C1.1, Defendant's offense level is increased by two levels because Defendant willfully obstructed or impeded the administration of justice; and (6) in accordance with USSG §§ 3D1.1 and 3D1.2, the offenses levels for Counts One through Five are grouped and the Guideline Sentencing Range is determined by the highest offense level for the offense(s) that result in the highest offense level.

Defendant reserves the right to argue that Defendant does not have a prior conviction for a "crime of violence" and that Defendant should receive a downward adjustment for his acceptance of responsibility.

Defendant agrees with respect to the application of the USSG to criminal case number 17-cr-XXXXXX that: (1) Defendant's base offense level is 20; and (2) that in accordance with USSG § 2B3.1(b)(1), Defendant's offense level is increased by two levels.

The parties will take the position that Defendant's total offense level under the USSG is calculated as follows with respect to criminal case number 17-cr-00005-JJM:

- in accordance with USSG § 2P1.1, Defendant's total offense level is thirteen; and
- in accordance with USSG § 3C1.1, Application Note 8, and USSG § 3D1.1 and § 3D1.2, the offense in criminal case number 17-cr-00005-JJM is grouped with the offense in criminal case number 16-cr-40001-TSH; and
- the total combined offense level is the offense level for criminal case number 16-cr-40001-TSH as set forth above, that is, 34.

The U.S. Attorney reserves the right to seek an upward departure pursuant to USSG § 4A1.3 should any of Defendant's prior convictions be vacated or Defendant's Criminal History Category otherwise change after Defendant's indictment in this case.

If Defendant contends that there is a basis for departure from, or a sentence outside, the otherwise applicable Guidelines sentencing range based on Defendant's medical, mental, and/or emotional condition, or otherwise intends to rely on any such condition at sentencing, Defendant will, forthwith upon request, execute all releases and other documentation necessary to permit the U.S. Attorney and his experts (including Bureau of Prisons medical personnel) to obtain access to Defendant's medical, psychiatric, and psychotherapeutic records and will also provide to the U.S. Attorney forthwith copies of any such records already in Defendant's possession. In addition, Defendant will authorize Defendant's care providers to discuss Defendant's condition with the U.S. Attorney and his agents (including Bureau of Prisons medical personnel), as well as experts retained by the U.S. Attorney. Defendant also agrees to submit to examinations and interviews with experts retained by and chosen by the U.S. Attorney (including Bureau of Prisons medical personnel).

Based on Defendant's prompt acceptance of personal responsibility for the offenses of conviction in criminal case number 17-cr-XXXXXX, and information known to the U.S. Attorney at this time, the U.S. Attorney agrees to recommend that the Court reduce the offense level in that criminal case by three levels Defendant's adjusted offense level under USSG § 3E1.1.

The U.S. Attorney reserves the right not to recommend a reduction under USSG § 3E1.1 in criminal case number 17-cr-XXXXXX if, at any time between Defendant's execution of this Plea

Agreement and sentencing, Defendant:

- (a) Fails to admit a complete factual basis for the plea;
- (b) Fails to truthfully admit Defendant's conduct in the offense(s) of conviction;
- (c) Falsely denies, or frivolously contests, relevant conduct for which Defendant is accountable under USSG § 1B1.3;
- (d) Fails to provide truthful information about Defendant's financial status;
- (e) Gives false or misleading testimony in any proceeding relating to the criminal conduct charged in this case and any relevant conduct for which Defendant is accountable under USSG § 1B1.3;
- (f) Engages in acts that form a basis for finding that Defendant has obstructed or impeded the administration of justice under USSG § 3C1.1;
- (g) Intentionally fails to appear in Court or violates any condition of release;
- (h) Commits a crime;
- (i) Transfers any asset protected under any provision of this Plea Agreement;
or
- (j) Attempts to withdraw Defendant's guilty plea.

Defendant understands and acknowledges that Defendant may not withdraw his plea of guilty if, for any of the reasons listed above, the U.S. Attorney does not recommend that Defendant receive a reduction in offense level for acceptance of responsibility in criminal case number 17-cr-XXXXX. Defendant also understands and acknowledges that, in addition to declining to recommend an acceptance-of-responsibility adjustment, the U.S. Attorney may seek an upward adjustment pursuant to USSG § 3C1.1 in criminal case number 17-cr-XXXXX if Defendant obstructs justice after the date of this Plea Agreement. The U.S. Attorney will not recommend any acceptance of responsibility adjustment in criminal case number 16-cr-40001-TSH.

Nothing in this Plea Agreement affects the U.S. Attorney's obligation to provide the Court and the U.S. Probation Office with accurate and complete information regarding this case.

4. Sentence Recommendation

The U.S. Attorney agrees to recommend the following sentence before the Court with respect to criminal case numbers 16-cr-40001-TSH and 17-cr-XXXXX:

- (a) incarceration for 168 months. In the case of 16-cr-40001-TSH, that sentence is to be comprised of 120 months incarceration on Counts One through Four, to be served concurrently, and a sentence of 48 months on Count Five to be served consecutively to the sentences imposed on Counts One through Four. In the case of 17-cr-XXXXX, that sentence will be 168 months to be served concurrently with the sentences imposed in 16-cr-40001-TSH;
- (b) a fine within the Guidelines sentencing range as calculated by the Court at sentencing, excluding departures, unless the Court finds that Defendant is not able and, even with the use of a reasonable installment schedule, is not likely to become able to pay a fine;
- (c) 36 months of supervised release;
- (d) a mandatory special assessment of \$700, which Defendant must pay to the Clerk of the Court on or before the date of sentencing (unless Defendant establishes to the Court's satisfaction that Defendant is unable to do so);
- (e) restitution as determined by the Court at sentencing or at a hearing scheduled for that purpose; and
- (f) forfeiture as set forth in Paragraph 8.

Defendant reserves the right to argue for an alternative sentence with respect to criminal case numbers 16-cr-40001-TSH and 17-cr-XXXXX.

The parties agree to recommend the following sentence before the Court with respect to criminal case number 17-cr-00005-JJM:

- (a) incarceration for 12 months, that sentence to be served consecutively to the sentences imposed in criminal case numbers 16-cr-40001-TSH and 17-cr-XXXXX;
- (b) a fine within the Guidelines sentencing range as calculated by the Court at sentencing, excluding departures, unless the Court finds that Defendant is not able and, even with the use of a reasonable installment schedule, is not likely to become able to pay a fine;
- (c) 36 months of supervised release concurrent with the terms of supervised release imposed in criminal case numbers 16-cr-40001-TSH and 17-cr-XXXXX; and
- (d) a mandatory special assessment of \$100, which Defendant must pay to the Clerk of the Court on or before the date of sentencing (unless Defendant

establishes to the Court's satisfaction that Defendant is unable to do so).

Defendant agrees to provide the U.S. Attorney expert reports, motions, memoranda of law and documentation of any kind on which Defendant intends to rely at sentencing not later than 21 days before sentencing. Any basis for sentencing as to which Defendant has not provided the U.S. Attorney all such items at least 21 days before sentencing shall be deemed waived.

5. Waiver of Rights to Appeal and to Bring Future Challenge

- (a) Defendant has conferred with his attorney and understands that he has the right to challenge both his convictions and his sentence (including any orders relating to supervised release, fines, forfeiture, and restitution) on direct appeal. Defendant also understands that, in some circumstances, Defendant may be able to argue in a future proceeding (collateral or otherwise), such as pursuant to a motion under 28 U.S.C. § 2255, 28 U.S.C. § 2241, or 18 U.S.C. § 3582(c), that Defendant's convictions should be set aside or Defendant's sentence (including any orders relating to supervised release, fines, forfeiture, and restitution) set aside or reduced.
- (b) Defendant waives any right to challenge Defendant's convictions on direct appeal or in a future proceeding (collateral or otherwise).
- (c) Defendant agrees not to file a direct appeal or challenge in a future proceeding (collateral or otherwise) any sentence of imprisonment totaling 180 months or less or any orders relating to supervised release, fines, forfeiture, and restitution with respect to criminal case numbers 16-cr-40001-TSH, 17-cr-XXXXXX, and 17-cr-00005-JJM. This provision is binding even if the Court's Guidelines analysis is different from that set forth in this Plea Agreement.
- (d) This Plea Agreement does not affect the rights of the United States as set forth in 18 U.S.C. § 3742(b). Defendant understands and acknowledges that the U.S. Attorney has retained all appeal rights.
- (e) Regardless of the previous sub-paragraphs, Defendant reserves the right to claim that: (i) Defendant's lawyer rendered ineffective assistance of counsel under *Strickland v. Washington*; or (ii) the prosecutor in these cases engaged in misconduct that entitles Defendant to relief from Defendant's convictions or sentence.

6. Other Post-Sentence Events

- (a) If, despite the waiver provision of sub-paragraph 5(c), Defendant appeals or challenges in a future proceeding (collateral or otherwise) Defendant's sentence, the U.S. Attorney reserves the right to argue the correctness of the

sentence imposed by the Court (in addition to arguing that any appeal or future challenge (collateral or otherwise) is waived as a result of the waiver in sub-paragraph 5(c)).

- (b) If, despite the waiver provision of sub-paragraph 5(c), Defendant seeks re-sentencing, Defendant agrees not to seek to be re-sentenced with the benefit of any change to the Criminal History Category that the Court calculated at the time of Defendant's original sentencing, except to the extent that Defendant has been found actually factually innocent of a prior crime.
- (c) In the event of a re-sentencing following an appeal from or future challenge (collateral or otherwise) to Defendant's sentence, the U.S. Attorney reserves the right to seek a departure from and a sentence outside the USSG if, and to the extent, necessary to reinstate the sentence the U.S. Attorney advocated at Defendant's initial sentencing pursuant to this Plea Agreement.

7. Court Not Bound by Plea Agreement

The parties' sentencing recommendations and their respective calculations under the USSG are not binding upon the U.S. Probation Office or the Court. Within the maximum sentence Defendant faces under the applicable law, the sentence to be imposed is within the sole discretion of the Court. Defendant's plea will be tendered pursuant to Fed. R. Crim. P. 11(c)(1)(B). Defendant may not withdraw his plea of guilty regardless of what sentence is imposed, or because the U.S. Probation Office or the Court declines to follow the parties' USSG calculations or recommendations. Should the Court decline to follow the U.S. Attorney's USSG calculations or recommendations, the U.S. Attorney reserves the right to defend the Court's calculations and sentence in any direct appeal or future challenge (collateral or otherwise).

8. Forfeiture

Defendant understands that the Court will, upon acceptance of Defendant's guilty plea, enter an order of forfeiture as part of Defendant's sentence, and that the order of forfeiture may include assets directly traceable to Defendant's offenses, assets used to facilitate Defendant's offenses, substitute assets and/or a money judgment equal to the value of the property derived from, or otherwise involved in, the offenses.

The assets to be forfeited specifically include, without limitation, the following:

- a. six Colt M-4 Carbines, bearing serial numbers W229490, W256587, W256641, W256496, W256589 and W256646; and
- b. ten M-11 nine-millimeter Sig Sauer handguns, bearing serial numbers B139927, B149242, B171022, B171084, B141140, B171021, B171083, B171085, B171087, and B171089; and

c. any items seized from the Defendant upon his arrest on January 5, 2017.

Defendant admits that these assets are subject to forfeiture on the grounds that they constitute, or are derived from, proceeds traceable to the Defendant's offenses, or they were used to facilitate Defendant's offense and/or they were involved in Defendant's offenses. Defendant agrees to consent to the entry of orders of forfeiture for such property and waives the requirements of Federal Rules of Criminal Procedure 11(b)(1)(J), 32.2, and 43(a) regarding notice of the forfeiture in the charging instrument, advice regarding the forfeiture at the change-of-plea hearing, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment. Defendant understands and agrees that forfeiture shall not satisfy or affect any fine, lien, penalty, restitution, cost of imprisonment, tax liability or any other debt owed to the United States.

Defendant agrees to assist fully in the forfeiture of the foregoing assets. Defendant agrees to promptly take all steps necessary to pass clear title to the forfeited assets to the United States, including but not limited to executing any and all documents necessary to transfer such title, assisting in bringing any assets located outside of the United States within the jurisdiction of the United States, and taking whatever steps are necessary to ensure that assets subject to forfeiture are not sold, disbursed, wasted, hidden or otherwise made unavailable for forfeiture. Defendant further agrees (a) not to assist any third party in asserting a claim to the forfeited assets in an ancillary proceeding, and (b) to testify truthfully in any such proceeding.

Defendant also agrees to waive all constitutional, legal, and equitable challenges (including direct appeal, habeas corpus, or any other means) to any forfeiture carried out in accordance with this Plea Agreement. Defendant agrees not to challenge or seek review of any civil or administrative forfeiture of any property subject to forfeiture under this Plea Agreement, and will not assist any third party with regard to such challenge or review.

Defendant hereby waives and releases any claims Defendant may have to any vehicles, currency, or other personal property seized by the United States, or seized by any state or local law enforcement agency and turned over to the United States, during the investigation and prosecution of criminal case numbers 16-cr-40001-TSH and 17-cr-XXXXX, and consents to the forfeiture of all such assets.

9. Civil Liability

By entering into this Plea Agreement, the U.S. Attorney does not compromise any civil liability, including but not limited to any tax liability, Defendant may have incurred or may incur as a result of Defendant's conduct and plea of guilty to the charges specified in Paragraph 1 of this Plea Agreement.

10. Rejection of Plea by Court

Should Defendant's guilty plea not be accepted by the Court for whatever reason, or later be withdrawn on Defendant's motion, this Plea Agreement shall be null and void at the option of the U.S. Attorney.

11. Breach of Plea Agreement

If the U.S. Attorney determines that Defendant has failed to comply with any provision of this Plea Agreement, has violated any condition of Defendant's pretrial release, or has committed any crime following Defendant's execution of this Plea Agreement, the U.S. Attorney may, at his sole option, be released from his commitments under this Plea Agreement in their entirety by notifying Defendant, through counsel or otherwise, in writing. The U.S. Attorney may also pursue all remedies available to him under the law, regardless whether he elects to be released from his commitments under this Plea Agreement. Further, the U.S. Attorney may pursue any and all charges that have been, or are to be, dismissed pursuant to this Plea Agreement. Defendant recognizes that his breach of any obligation under this Plea Agreement shall not give rise to grounds for withdrawal of Defendant's guilty plea, but will give the U.S. Attorney the right to use against Defendant before any grand jury, at any trial or hearing, or for sentencing purposes, any statements made by Defendant and any information, materials, documents or objects provided by Defendant to the government, without any limitation, regardless of any prior agreements or understandings, written or oral, to the contrary. In this regard, Defendant hereby waives any defense to any charges that Defendant might otherwise have based upon any statute of limitations, the constitutional protection against pre-indictment delay, or the Speedy Trial Act.

12. Who Is Bound By Plea Agreement

This Plea Agreement is limited to the U.S. Attorney for the District of Massachusetts and cannot and does not bind the Attorney General of the United States or any other federal, state or local prosecutive authorities.

13. Complete Plea Agreement

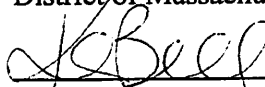
This Plea Agreement can be modified or supplemented only in a written memorandum signed by the parties or on the record in court.

If this letter accurately reflects the agreement between the U.S. Attorney and Defendant, please have Defendant sign the Acknowledgment of Plea Agreement below. Please also sign below as Witness. Return originals of this letter to Assistant U.S. Attorney Mark J. Grady.

Very truly yours,

WILLIAM D. WEINREB
Acting United States Attorney
District of Massachusetts

By:




Karin M. Bell
Chief, Worcester Branch Office



Mark J. Grady
Assistant U.S. Attorney

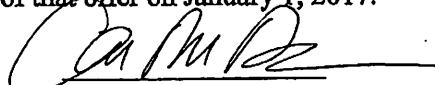
ACKNOWLEDGMENT OF PLEA AGREEMENT

I have read this letter in its entirety and discussed it with my attorneys. I hereby acknowledge that: (a) it accurately sets forth my plea agreement with the United States Attorney's Office for the District of Massachusetts; (b) there are no unwritten agreements between myself and the United States Attorney's Office; and (c) no official of the United States has made any unwritten promises or representations to me, in connection with my change of plea. On December 29, 2016, I received an offer by letter in criminal case number 16-cr-40001-TSH dated December 20, 2016, which was withdrawn by written communication of the United States Attorney's Office on January 1, 2017. I understand the crimes to which I have agreed to plead guilty in criminal case numbers 16-cr-40001-TSH, 17-cr-XXXXXX, and 17-cr-00005-JJM, the maximum penalties for those offenses and the Sentencing Guideline penalties potentially applicable to them. I am satisfied with the legal representation provided to me by my attorneys. We have had sufficient time to meet and discuss my case. We have discussed the charges against me, possible defenses I might have, the terms of this Plea Agreement and whether I should go to trial. I am entering into this Plea Agreement freely, voluntarily, and knowingly because I am guilty of the offenses to which I am pleading guilty, and I believe this Plea Agreement is in my best interest.


James Morales
Defendant

Date: 9.15.17

I certify that James Morales has read this Plea Agreement and that we have discussed its meaning. I believe he understands the Plea Agreement and is entering into the Plea Agreement freely, voluntarily, and knowingly. I also certify that, in addition to this offer, the U.S. Attorney extended an offer in criminal case number 16-cr-40001-TSH dated December 20, 2016, and that I received written notification of the withdrawal of that offer on January 1, 2017.


Cara McNamara
Attorney for Defendant