

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

UNITED STATES OF AMERICA : CRIMINAL NUMBER: 4:09cr8 (CDL)
 :
 v. :
 :
 HENRY LEE HOLLOWAY :
 :
 _____ :

INFORMATION

THE UNITED STATES CHARGES:

COUNT ONE

1. That from in or about May 2003 to in or about April 2005, in the Columbus Division of the Middle District of Georgia and elsewhere,

HENRY LEE HOLLOWAY,

defendant herein, did conspire with others known and unknown to the United States to commit offenses against the United States, and thereafter one or more of such persons did an act to effect the object of the conspiracy, to wit the defendant did agree with Gi-Hwan Jeong and others known and unknown to the United States to defraud the United States and an agency thereof, to commit bribery under 18 U.S.C. § 201, and honest services wire fraud under 18 U.S.C. §§ 1343 and 1346, in connection with the defendant's employment by the Army Air Force Exchange Service, including as a manner and means the use of foreign and interstate wire transmissions and the concealment of the conspiracy and of its proceeds, and thereafter the defendant did accept money and other things of value as bribery from Gi-Hwan Jeong, and did use proceeds of the bribery to purchase a house in Hamilton, Georgia, all in violation of 18 U.S.C. § 371.

COUNT TWO

2. That on or about February 21, 2005, in the Eastern District of Pennsylvania and elsewhere,

HENRY LEE HOLLOWAY,

defendant herein, did willfully make and subscribe a return, statement, and document, which contained and was verified by a written declaration that it was made under penalties of perjury, and which he did not believe to be true and correct as to every material matter, to wit an United States Internal Revenue Service Form 1040 Individual Income Tax Return for calendar year 2004, which defendant knew was false as to the material matter of his other income at Line 21, of which defendant reported none, while, in truth and in fact, as defendant well knew, he received unreported income from bribery in calendar year 2004, all in violation of 26 U.S.C. § 7206(1).

FORFEITURE

3. The allegations contained in Count One of this Information are hereby realleged and incorporated by reference.

4. Pursuant to 18 U.S.C. § 981(a)(1)(C), 21 U.S.C. § 853, and 28 U.S.C. § 2461, and in accord with the procedures set forth in Fed. R. Crim. P. 32.2, upon conviction of the defendant for the offense charged in Count One of this Information, the defendant shall forfeit to the United States any property, real or personal, which constitutes proceeds traceable to the conspiracy in violation of 18 U.S.C. § 371 to commit bribery, 18 U.S.C. § 201, and honest services wire fraud, 18 U.S.C. §§ 1343 & 1346, specified unlawful activities as defined in 18 U. S.C. § 1956(c)(7).

5. *Substitute Assets Provision.* If any of the above-described forfeitable property, as

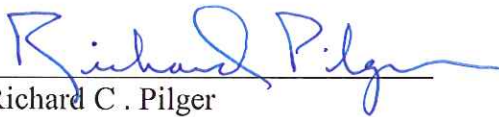
a result of any act or omission of the defendant:

- (i) cannot be located upon the exercise of due diligence;
- (ii) has been transferred or sold to, or deposited with, a third party;
- (iii) has been placed beyond the jurisdiction of the court;
- (iv) has been substantially diminished in value; or
- (v) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C. § 2461(c) to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

WILLIAM M. WELCH II
CHIEF, PUBLIC INTEGRITY SECTION

Presented by:


Richard C. Pilger
Senior Trial Attorney
Public Integrity Section
Criminal Division
United States Department of Justice
10th & Constitution Avenue, NW
Washington, D.C. 20530
(202) 514-1412
(202) 514-3003 (f)
richard.pilger@usdoj.gov