



NEWS RELEASE

Office of the
United States Attorney
for the
District of Nebraska
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July 22, 2009

United States Attorney Joe Stecher and the United States Marshals Service and the Saline County Sheriff's Department announce the following information for the attention of the media:

Event Triggering this Release: On July 22, 2009, Nicole Wagy of Lincoln was sentenced to approximately six months, time served, for harboring a fugitive. In December of 2007, a federal warrant was issued for Miai Lewis, who at that time was Wagy's boyfriend after Lewis failed to appear for sentencing on a supervised release violation. On January 14, 2008, United States Marshals Fugitive Task Force officers contacted Wagy, and she claimed she did not know Lewis's whereabouts. Wagy was told that Lewis had a federal warrant for his arrest and was warned that helping Lewis evade arrest could result in Wagy being charged with harboring a fugitive. In February of 2008, a Deputy United States Marshal received information indicating that Wagy had rented a trailer intending to move herself and Lewis out of Lincoln. On February 19, 2008, Kansas City United States Marshals Fugitive Task Force officers went to a motel in Kansas City, Missouri, where Lewis was believed to be staying. Wagy's car and the trailer she had rented in Lincoln were parked in the motel parking lot. The motel owner identified Lewis as the person who had rented a room. Wagy and Lewis were contacted in the motel room, and Lewis was arrested. In May of 2008, while Lewis was incarcerated in the Saline County Jail, he made several calls to Wagy which were recorded by the Saline County Jail. During these calls, Wagy said she had tried to protect Lewis. She also said the Marshals had told her she could be charged with harboring a fugitive if she helped Lewis hide from law enforcement. Wagy will now serve three years on supervised release. She was ordered to pay a \$100 special assessment.

Name of Defendant: Nicole Wagy

AKA:

Age: 27

City of residence: Lincoln

Crime(s) Charged and Potential Penalty (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Harboring a fugitive in violation of Title 18, United

States Code, Section 1071. The possible penalty is up to five years in prison and a fine of up to \$250,000. Following any prison term, there would be a term of supervised release of up to three years. There is also a \$100 special assessment.

Specific Location of Alleged Crime: Lincoln and Kansas City, Missouri

Location of Arrest: Lincoln

Alleged Dollar Loss/Type and Quantity of Drug: None

Others Charged in Same Scheme: Miai Lewis was sentenced in March of 2008 to five years in prison for violating the terms of his supervised release order.

Relevant Dates:

Date of Alleged Crime: On or between January 14, 2008, and February 19, 2008

Federal Arrest Date: November 14, 2008

Date Complaint Issued:

Indictment Returned Date: April 24, 2008

Initial Appearance Date: November 5, 2008

Plea or Trial and Date(s): Wagy pled guilty on May 24, 2009

Sentencing Date: July 22, 2009

Next Court Hearing Type and Date: none

Assigned Magistrate Judge: The Honorable David L. Piester

Held without Bond, or Released from Custody: Held in custody from November 14, 2008 to March 2, 2009. She was on pretrial release from March 2, 2009, until May 21, 2009. She was held in custody from May 21, 2009, until July 22, 2009. She will be released on July 22, 2009, to begin her three-year term of supervised release.

In Continuous Custody Since:

Assigned District Court Judge: The Honorable Richard G. Kopf

Initials of Assigned AUSA/Preparer of THIS Release: SEF