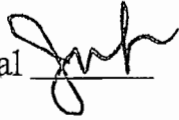


AF Approval



Chief Approval



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:16-cr-343-T-23JSS

GARY PAUL MOORMAN

PLEA AGREEMENT

Pursuant to Fed. R. Crim. P. 11(c)(1)(c), the United States of America, by W. Stephen Muldrow, Acting United States Attorney for the Middle District of Florida, and the defendant, GARY PAUL MOORMAN, and the attorney for the defendant, Stephen Crawford, Esq., mutually agree as follows:

A. Particularized Terms

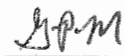
1. Count(s) Pleading To

The defendant shall enter a plea of guilty to Count Two of the Superseding Indictment. Count Two charges the defendant with inducement to travel to engage in criminal sexual activity, in violation of 18 U.S.C. § 2422(a).

2. Maximum Penalties

Count Two carries a maximum sentence of 20 years' imprisonment, a fine of up to \$250,000.00, a term of supervised release of not less than 5 years and up to life, and a special assessment of \$100 per felony

Defendant's Initials



count for individuals. With respect to certain offenses, the Court shall order the defendant to make restitution to any victim of the offense(s), and with respect to other offenses, the Court may order the defendant to make restitution to any victim of the offense(s), or to the community, as set forth below.

Additionally, pursuant to 18 U.S.C. § 3014, the Court shall impose a \$5,000 special assessment on any non-indigent defendant convicted of an offense in violation of certain enumerated statutes involving: (1) peonage, slavery, and trafficking in persons; (2) sexual abuse; (3) sexual exploitation and other abuse of children; (4) transportation for illegal sexual activity; or (5) human smuggling in violation of the Immigration and Nationality Act (exempting any individual involved in the smuggling of an alien who is the alien's spouse, parent, son or daughter).

3. Elements of the Offense(s)

The defendant acknowledges understanding the nature and elements of the offense(s) with which defendant has been charged and to which defendant is pleading guilty. The elements of Count Two, inducement to travel to engage in criminal sexual activity, in violation of 18 U.S.C. § 2422(a), are:

Defendant's Initials SDM

First: the defendant knowingly persuaded, induced, enticed, or coerced an individual to travel in interstate or foreign commerce; and

Second: at the time the travel commenced, the defendant intended that the individual would engage in prostitution.

4. Counts Dismissed

At the time of sentencing, the remaining counts against the defendant, specifically, Counts One and Three through Eight, will be dismissed pursuant to Fed. R. Crim. P. 11(c)(1)(A).

5. No Further Charges

If the Court accepts this plea agreement, the United States Attorney's Office for the Middle District of Florida agrees not to charge defendant with committing any other federal criminal offenses known to the United States Attorney's Office at the time of the execution of this agreement, related to the conduct giving rise to this plea agreement.

6. Incarceration Limitations

Pursuant to Fed. R. Crim. P. 11(c)(1)(C), the parties agree that the appropriate disposition of the case is a sentence as to Count Two of no less than 20 years of imprisonment. The parties understand that this recommendation is not binding on the Court and that, if it is not accepted by

the Court, the United States and/or the defendant will be allowed to withdraw from the plea agreement, and the defendant will be allowed to withdraw his plea of guilty.

7. Mandatory Restitution to Victim of Offense of Conviction

Pursuant to 18 U.S.C. § 3663A(a) and (b), defendant agrees to make full restitution to J.R., J.P., M.E., and D.F, for the full amount of the victims' losses as determined by the Court. Further, pursuant to 18 U.S.C. § 3664(d)(5), the defendant agrees not to oppose bifurcation of the sentencing hearing if the victims' losses are not ascertainable prior to sentencing.

8. Forfeiture of Assets

The defendant agrees to forfeit to the United States immediately and voluntarily any and all assets and property, or portions thereof, subject to forfeiture, pursuant to 18 U.S.C. § 2428, whether in the possession or control of the United States, the defendant or defendant's nominees.

The defendant agrees and consents to the forfeiture of these assets pursuant to any federal criminal, civil judicial or administrative forfeiture action. The defendant also agrees to waive all constitutional, statutory and procedural challenges (including direct appeal, habeas corpus, or any other means) to any forfeiture carried out in accordance with this Plea Agreement on any grounds, including that the forfeiture described herein

constitutes an excessive fine, was not properly noticed in the charging instrument, addressed by the Court at the time of the guilty plea, announced at sentencing, or incorporated into the judgment.

If the United States seeks the forfeiture of specific assets pursuant to Rule 32.2(b)(4), the defendant agrees that the preliminary order of forfeiture will satisfy the notice requirement and will be final as to the defendant at the time it is entered. In the event the forfeiture is omitted from the judgment, the defendant agrees that the forfeiture order may be incorporated into the written judgment at any time pursuant to Rule 36.

The defendant agrees to take all steps necessary to identify and locate all property subject to forfeiture and to transfer custody of such property to the United States before the defendant's sentencing. To that end, the defendant agrees to make a full and complete disclosure of all assets over which defendant exercises control directly or indirectly, including all assets held by nominees, to execute any documents requested by the United States to obtain from any other parties by lawful means any records of assets owned by the defendant, and to consent to the release of the defendant's tax returns for the previous five years. The defendant further agrees to be interviewed by the government, prior to and after sentencing, regarding such assets and their connection to criminal conduct. The defendant further agrees to be

polygraphed on the issue of assets, if it is deemed necessary by the United States. The defendant agrees that Federal Rule of Criminal Procedure 11 and USSG § 1B1.8 will not protect from forfeiture assets disclosed by the defendant as part of the defendant's cooperation.

The defendant agrees to take all steps necessary to assist the government in obtaining clear title to the forfeitable assets before the defendant's sentencing. In addition to providing full and complete information about forfeitable assets, these steps include, but are not limited to, the surrender of title, the signing of a consent decree of forfeiture, and signing of any other documents necessary to effectuate such transfers.

Forfeiture of the defendant's assets shall not be treated as satisfaction of any fine, restitution, cost of imprisonment, or any other penalty the Court may impose upon the defendant in addition to forfeiture.

The defendant agrees that, in the event the Court determines that the defendant has breached this section of the Plea Agreement, the defendant may be found ineligible for a reduction in the Guidelines calculation for acceptance of responsibility and substantial assistance, and may be eligible for an obstruction of justice enhancement.

The defendant agrees that the forfeiture provisions of this plea agreement are intended to, and will, survive the defendant, notwithstanding

the abatement of any underlying criminal conviction after the execution of this agreement. The forfeitability of any particular property pursuant to this agreement shall be determined as if the defendant had survived, and that determination shall be binding upon defendant's heirs, successors and assigns until the agreed forfeiture, including any agreed money judgment amount, is collected in full.

9. Sex Offender Registration and Notification

The defendant has been advised and understands, that under the Sex Offender Registration and Notification Act, a federal law, the defendant must register and keep the registration current in each of the following jurisdictions: the location of the defendant's residence, the location of the defendant's employment; and, if the defendant is a student, the location of the defendant's school. Registration will require that the defendant provide information that includes name, residence address, and the names and addresses of any places at which the defendant is or will be an employee or a student. The defendant understands that he must update his registrations not later than three business days after any change of name, residence, employment, or student status. The defendant understands that failure to comply with these obligations subjects the defendant to prosecution for failure

to register under federal law, 18 U.S.C. § 2250, which is punishable by a fine or imprisonment, or both.

B. Standard Terms and Conditions

1. Restitution, Special Assessment and Fine

The defendant understands and agrees that the Court, in addition to or in lieu of any other penalty, shall order the defendant to make restitution to any victim of the offense(s), pursuant to 18 U.S.C. § 3663A, for all offenses described in 18 U.S.C. § 3663A(c)(1); and the Court may order the defendant to make restitution to any victim of the offense(s), pursuant to 18 U.S.C. § 3663, including restitution as to all counts charged, whether or not the defendant enters a plea of guilty to such counts, and whether or not such counts are dismissed pursuant to this agreement. The defendant further understands that compliance with any restitution payment plan imposed by the Court in no way precludes the United States from simultaneously pursuing other statutory remedies for collecting restitution (28 U.S.C. § 3003(b)(2)), including, but not limited to, garnishment and execution, pursuant to the Mandatory Victims Restitution Act, in order to ensure that the defendant's restitution obligation is satisfied.

On each count to which a plea of guilty is entered, the Court shall impose a special assessment pursuant to 18 U.S.C. § 3013. The special assessment is due on the date of sentencing.

The defendant understands that this agreement imposes no limitation as to fine.

2. Supervised Release

The defendant understands that the offense(s) to which the defendant is pleading provide(s) for imposition of a term of supervised release upon release from imprisonment, and that, if the defendant should violate the conditions of release, the defendant would be subject to a further term of imprisonment.

3. Immigration Consequences of Pleading Guilty

The defendant has been advised and understands that, upon conviction, a defendant who is not a United States citizen may be removed from the United States, denied citizenship, and denied admission to the United States in the future.

4. Sentencing Information

The United States reserves its right and obligation to report to the Court and the United States Probation Office all information concerning the background, character, and conduct of the defendant, to provide relevant

factual information, including the totality of the defendant's criminal activities, if any, not limited to the count(s) to which defendant pleads, to respond to comments made by the defendant or defendant's counsel, and to correct any misstatements or inaccuracies. The United States further reserves its right to make any recommendations it deems appropriate regarding the disposition of this case, subject to any limitations set forth herein, if any.

5. Financial Disclosures

Pursuant to 18 U.S.C. § 3664(d)(3) and Fed. R. Crim. P. 32(d)(2)(A)(ii), the defendant agrees to complete and submit to the United States Attorney's Office within 30 days of execution of this agreement an affidavit reflecting the defendant's financial condition. The defendant promises that his financial statement and disclosures will be complete, accurate and truthful and will include all assets in which he has any interest or over which the defendant exercises control, directly or indirectly, including those held by a spouse, dependent, nominee or other third party. The defendant further agrees to execute any documents requested by the United States needed to obtain from any third parties any records of assets owned by the defendant, directly or through a nominee, and, by the execution of this Plea Agreement, consents to the release of the defendant's tax returns for the previous five years. The defendant similarly agrees and authorizes the United

States Attorney's Office to provide to, and obtain from, the United States Probation Office, the financial affidavit, any of the defendant's federal, state, and local tax returns, bank records and any other financial information concerning the defendant, for the purpose of making any recommendations to the Court and for collecting any assessments, fines, restitution, or forfeiture ordered by the Court. The defendant expressly authorizes the United States Attorney's Office to obtain current credit reports in order to evaluate the defendant's ability to satisfy any financial obligation imposed by the Court.

6. Sentencing Recommendations

It is understood by the parties that the Court is neither a party to nor bound by this agreement. The Court may accept or reject the agreement, or defer a decision until it has had an opportunity to consider the presentence report prepared by the United States Probation Office. The defendant understands and acknowledges that, although the parties are permitted to make recommendations and present arguments to the Court, the sentence will be determined solely by the Court, with the assistance of the United States Probation Office. Defendant further understands and acknowledges that any discussions between defendant or defendant's attorney and the attorney or other agents for the government regarding any recommendations by the government are not binding on the Court and that, should any

recommendations be rejected, defendant will not be permitted to withdraw defendant's plea pursuant to this plea agreement. The government expressly reserves the right to support and defend any decision that the Court may make with regard to the defendant's sentence, whether or not such decision is consistent with the government's recommendations contained herein.

7. Defendant's Waiver of Right to Appeal the Sentence

The defendant agrees that this Court has jurisdiction and authority to impose any sentence up to the statutory maximum and expressly waives the right to appeal defendant's sentence on any ground, including the ground that the Court erred in determining the applicable guidelines range pursuant to the United States Sentencing Guidelines, except (a) the ground that the sentence exceeds the statutory maximum penalty; or (b) the ground that the sentence violates the Eighth Amendment to the Constitution; provided, however, that if the government exercises its right to appeal the sentence imposed, as authorized by 18 U.S.C. § 3742(b), then the defendant is released from his waiver and may appeal the sentence as authorized by 18 U.S.C. § 3742(a).

8. Middle District of Florida Agreement

It is further understood that this agreement is limited to the Office of the United States Attorney for the Middle District of Florida and

cannot bind other federal, state, or local prosecuting authorities, although this office will bring defendant's cooperation, if any, to the attention of other prosecuting officers or others, if requested.

9. Filing of Agreement

This agreement shall be presented to the Court, in open court or in camera, in whole or in part, upon a showing of good cause, and filed in this cause, at the time of defendant's entry of a plea of guilty pursuant hereto.

10. Voluntariness

The defendant acknowledges that defendant is entering into this agreement and is pleading guilty freely and voluntarily without reliance upon any discussions between the attorney for the government and the defendant and defendant's attorney and without promise of benefit of any kind (other than the concessions contained herein), and without threats, force, intimidation, or coercion of any kind. The defendant further acknowledges defendant's understanding of the nature of the offense or offenses to which defendant is pleading guilty and the elements thereof, including the penalties provided by law, and defendant's complete satisfaction with the representation and advice received from defendant's undersigned counsel (if any). The defendant also understands that defendant has the right to plead not guilty or to persist in that plea if it has already been made, and that defendant has the

right to be tried by a jury with the assistance of counsel, the right to confront and cross-examine the witnesses against defendant, the right against compulsory self-incrimination, and the right to compulsory process for the attendance of witnesses to testify in defendant's defense; but, by pleading guilty, defendant waives or gives up those rights and there will be no trial. The defendant further understands that if defendant pleads guilty, the Court may ask defendant questions about the offense or offenses to which defendant pleaded, and if defendant answers those questions under oath, on the record, and in the presence of counsel (if any), defendant's answers may later be used against defendant in a prosecution for perjury or false statement. The defendant also understands that defendant will be adjudicated guilty of the offenses to which defendant has pleaded and, if any of such offenses are felonies, may thereby be deprived of certain rights, such as the right to vote, to hold public office, to serve on a jury, or to have possession of firearms.

11. Factual Basis

The defendant is pleading guilty because defendant is in fact guilty. The defendant certifies that defendant does hereby admit that the facts set forth below are true, and were this case to go to trial, the United States would be able to prove those specific facts and others beyond a reasonable doubt.

FACTS

J.R. met the defendant, GARY PAUL MOORMAN, in or around July 2012 in Cincinnati, Ohio. As described in greater detail below, MOORMAN first gained J.R.'s trust through flattery, which led to a romantic relationship. Once romantically involved, MOORMAN began pressuring J.R. to prostitute herself. Subsequently, MOORMAN persuaded, induced, and enticed J.R. to travel with him to Florida and elsewhere for the purposes of engaging in prostitution.

At their initial meeting, MOORMAN pulled up to J.R., complimented her on her looks, and told J.R. that he would take care of her. MOORMAN then flashed some money, commenting that money was no problem for him. These displays impressed J.R., who had grown up poor, dropping out of school to work at a fast-food restaurant to support herself and her family.

At first, MOORMAN and J.R. only socialized, using marijuana and drinking alcohol together. The relationship, however, quickly became romantic, and MOORMAN led J.R. to believe that he was her boyfriend.

Within approximately one week of establishing the relationship, MOORMAN took J.R. to stay at his friend's apartment in Cincinnati, Ohio. MOORMAN's friend, who went by "Charles," hosted two other women, who

were using drugs and engaging in prostitution. Charles pressured J.R. to prostitute herself too, demanding that she “pull her weight.” J.R. refused to participate.

During this period, MOORMAN began physically abusing J.R. He also provided J.R. alcohol, marijuana, and other narcotics. MOORMAN, importantly, also pressured J.R. to engage in prostitution. Under the influence of multiple substances, J.R. gave in to MOORMAN’s pressure and engaged in prostitution. Afterwards, MOORMAN demanded and took the entire payment for the prostitution “date.”

J.R. became extremely upset and began crying after the prostitution “date.” J.R. did not want to engage in prostitution ever again, and she told MOORMAN the same. MOORMAN, infuriated, punched J.R. in the face. He then put his hands around J.R., lifted her off the ground, and then dropped her. J.R. became terrified of MOORMAN. Afterwards, MOORMAN apologized, asking for J.R.’s forgiveness. J.R., still extremely upset, threatened to leave MOORMAN, but she felt there was nowhere else to go. Consequently, J.R. stayed with MOORMAN; the abuse and the prostitution “dates” with “Johns” continued.

Later in their relationship, MOORMAN met an individual who began hanging out with them (hereinafter Cooperating Witness).

MOORMAN did not have a driver's license, so he asked Cooperating Witness to drive them around—including to J.R.'s "out-calls," meaning a prostitution "date" at a client's desired location. MOORMAN compensated Cooperating Witness with money, alcohol, and drugs.

In or about late July 2012, MOORMAN persuaded and induced J.R. to travel with him from Ohio to Florida, which required travelling in interstate commerce. Cooperating Witness agreed to drive everyone to Florida after MOORMAN gave him the false impression that the trip was a "vacation." But it was no vacation. Rather, MOORMAN planned for J.R. to engage in prostitution in Florida. In Florida, MOORMAN checked the group into a hotel in Clearwater Beach, Florida, which is within the Middle District of Florida. Shortly after their arrival, MOORMAN told J.R. that they needed money and that she needed to continue her prostitution "dates."

To that end, MOORMAN took provocative photos of J.R., which he posted online in advertisements on Backpage.com. MOORMAN also continued supplying J.R. with drugs and alcohol to numb her for these prostitution "dates."

MOORMAN also continued physically abusing J.R. Cooperating Witness observed some of this physical abuse, including an incident where MOORMAN choked J.R. for losing one of her "dates" with a

“John.” Ultimately, Cooperating Witness left MOORMAN and J.R. in Florida, returning to Ohio after approximately five days. MOORMAN blamed J.R. for Cooperating Witness’s departure. According to J.R., MOORMAN punched her in the face, cutting her lip and chipping her tooth.

Subsequent to his departure, Cooperating Witness contacted a human-trafficking hotline hosted by the “Polaris Project,” an organization fighting to eradicate human trafficking. Cooperating Witness’s report independently corroborated certain of the acts of abuse and prostitution described above.

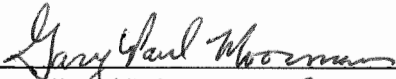
12. Entire Agreement

This plea agreement constitutes the entire agreement between the government and the defendant with respect to the aforementioned guilty plea and no other promises, agreements, or representations exist or have been made to the defendant or defendant's attorney with regard to such guilty plea.


13. Certification

The defendant and defendant's counsel certify that this plea agreement has been read in its entirety by (or has been read to) the defendant and that defendant fully understands its terms.

DATED this 20th day of July 2017.

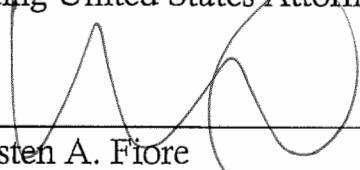


Gary Paul Moorman
Defendant

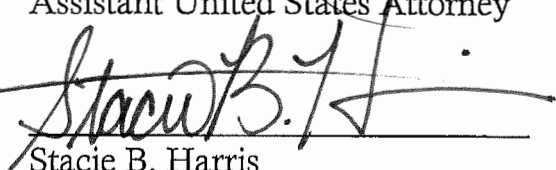


Stephen Crawford, Esq.
Attorney for Defendant

W. STEPHEN MULDROW
Acting United States Attorney



Kristen A. Fiore
Assistant United States Attorney



Stacie B. Harris
Assistant United States Attorney
Chief, Major Crimes Section