

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

UNITED STATES OF AMERICA

Case No: 4:18cr76-RH/CAS-1

v.

JANICE PAIGE CARTER-SMITH

PLEA AGREEMENT

1. PARTIES TO AGREEMENT

This agreement is entered into by and between JANICE PAIGE CARTER-SMITH as Defendant, Stephen G. Webster, as attorney for Defendant, the United States Attorney's Office for the Northern District of Florida, and the Public Integrity Section of the United States Department of Justice. This agreement specifically excludes and does not bind any other state or federal agency, including other United States Attorneys and the Internal Revenue Service, from asserting any civil, criminal, or administrative claim against Defendant.

2. TERMS

The parties agree to the following terms:

FILED IN OPEN COURT ON

8/6/19

**United States District Court
Northern District of Florida**

a. Defendant will plead guilty to Counts Twenty (Honest Services Wire Fraud), Twenty-Three (Honest Services Mail Fraud), and Forty-One (Conspiracy to Defraud the United States) of the Superseding Indictment, and the government will move to dismiss the remaining counts at sentencing as to Defendant.

b. As to Counts Twenty and Twenty-Three, Defendant faces maximum terms of twenty years' imprisonment, three years of supervised release, \$250,000 fines, and \$100 special monetary assessments as to each count. As to Count Forty-One, Defendant faces a maximum term of five years' imprisonment, three years of supervised release, a \$250,000 fine, and a \$100 special monetary assessment. Defendant agrees to pay the special monetary assessments on or before the date of sentencing. If Defendant is unable to pay the special assessments prior to sentencing due to indigence, Defendant agrees to participate in the Inmate Financial Responsibility Program. The maximum sentence to which Defendant is subject includes the forfeiture of all forfeitable assets.

c. By voluntarily pleading guilty to these charges in the Superseding Indictment, Defendant, as to the counts pled herein, knowingly waives and gives up constitutional rights which attend a defendant on trial in

a criminal case. These constitutional rights include: the right to plead not guilty; the right to have a jury determine guilt on the evidence presented; the right to be represented by counsel—and if necessary to have the court appoint counsel—at trial and at every other stage of the proceeding; the right to compel the government to prove guilt beyond a reasonable doubt; the right to confront and cross-examine witnesses; the right not to be compelled to incriminate oneself; the right to testify; the right to present evidence; and the right to compel the attendance of witnesses.

d. Defendant is pleading guilty because Defendant is in fact guilty of the charges alleged in Counts Twenty, Twenty-Three, and Forty-One of the Superseding Indictment. In pleading guilty, Defendant acknowledges that were this case to go to trial, the government would present evidence to support the charges beyond a reasonable doubt.

e. Defendant agrees that the Statement of Facts agreed to this same date fairly and accurately describes the Defendant's actions and involvement in the offenses to which the Defendant is pleading guilty. The Defendant knowingly, voluntarily, and truthfully admits the facts set forth in the Statement of Facts.

f. Upon the District Court's adjudication of guilt of Defendant for the charged crime, the United States Attorney for the Northern District of Florida and the Public Integrity Section of the United States Department of Justice will not file any further criminal charges against Defendant arising out of the same transactions or occurrences to which Defendant has pled. Defendant agrees that substantial evidence exists to support the charges.

g. Nothing in this agreement shall protect Defendant in any way from prosecution for any offense committed after the date of this agreement.

h. If Defendant is not a citizen of the United States, Defendant understands that this conviction may adversely affect Defendant's immigration status, and Defendant may be removed from the United States, denied citizenship in the United States, and denied admission to the United States in the future.

i. The parties agree that the sentence to be imposed is left solely to the discretion of the District Court, which is required to consult the United States Sentencing Guidelines and take them into account when sentencing Defendant. The parties further understand and agree that the District Court's discretion in imposing sentence is limited only by the statutory maximum

sentence and any mandatory minimum sentence prescribed by statute for the offenses.

j. Both parties reserve the right to advise the District Court and other authorities of their versions of the circumstances surrounding the offenses committed by Defendant. The government further reserves the right to correct any misstatements by Defendant or Defendant's attorney and to present evidence and make arguments pertaining to the application of the sentencing guidelines and the considerations set forth in Title 18, United States Code, Section 3553(a), including sentencing recommendations, and whether departures or variances upward or downward are appropriate.

3. SENTENCING

a. Defendant understands that any prediction of the sentence that may be imposed is not a guarantee or binding promise. Due to the variety and complexity of issues that may arise at sentencing, the sentence may not be subject to accurate prediction.

b. The parties understand and agree that either party may offer additional evidence relevant to sentencing issues. However, the Court is not limited to consideration of the facts and events provided by the parties.

Adverse rulings or a sentence greater than anticipated shall not be grounds for withdrawal of Defendant's plea.

- c. The parties reserve the right to appeal any sentence imposed.

4. VICTIM RESTITUTION

Defendant agrees to make full restitution to the victims as determined by the Court. Defendant agrees that the amount of restitution may include losses resulting from related conduct for which Defendant was not convicted, if the loss flowed directly from the relevant conduct of which Defendant was a part.

5. FORFEITURE

Defendant agrees to forfeit all interests in any property which constitutes or is derived from proceeds and/or any and all facilitating property of the crimes to which the defendant is pleading guilty.

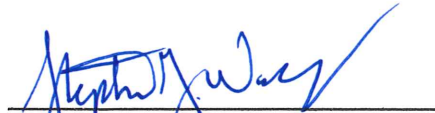
The defendant further agrees to a forfeiture money judgment in an amount to be determined by the Court. The net proceeds realized by the government from the forfeiture of any specific assets forfeited will be credited towards satisfaction of the money judgment entered against defendant.

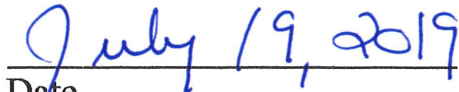
6. CONCLUSION

In every case in the Northern District of Florida in which the parties enter a Plea Agreement, the Court requires the parties to enter a sealed Supplement to Plea Agreement indicating whether or not Defendant agrees to cooperate with the United States. The parties agree to the Supplement to the Plea Agreement entered in this case.

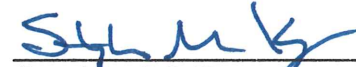
Defendant enters this agreement knowingly, voluntarily, and upon advice of counsel.


Janice Paige Carter-Smith
Defendant

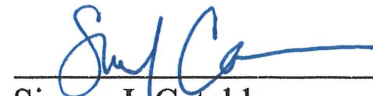

Stephen G. Webster
Attorney For Defendant



Date

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Date