

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

UNITED STATES OF AMERICA

v.

Case. No. 3:17cr39/MCR

MARK JOSHUA MITCHELL
_____ /

FACTUAL BASIS FOR GUILTY PLEA

The parties agree with the truthfulness of the following factual basis for the defendant's guilty plea. The undersigned parties further agree that not all of the facts known from this investigation are contained in this brief summary.

On or about June 26, 2015, B.M. contacted the Walton County Sheriff's Office ("WCSO") after she realized the residence she was staying at in Santa Rosa Beach had been burglarized. B.M. notified the WCSO that her engagement ring, wedding ring, and a small amount of cash had been stolen during the burglary. On or about July 8, 2015, the defendant shipped the center diamond of B.M.'s engagement ring (a radiant cut diamond with an approximate weight of 1.5 carats) to Missouri. The diamond had a value greater than \$5,000.

On or about June 28, 2015, K.M. contacted the WCSO after she realized the residence she was staying at in Santa Rosa Beach had been burglarized. K.M. notified the WCSO that her three-piece platinum wedding ring set had been stolen during the burglary. On or about July 14, 2015, the defendant shipped K.M.'s three-

piece platinum wedding ring set to Missouri. The ring set had a value greater than \$5,000.

On or about July 23, 2015, J.B. and J.T. contacted the WCSO after they realized the residence they were staying at in Panama City Beach was burglarized. J.B. notified the WCSO that her 7.68 total carat weight platinum engagement ring, with an oval cut 3.0-carat diamond, had been stolen during the burglary. On or about July 24, 2015, the defendant shipped the 3.0-carat diamond from J.B.'s engagement ring to Missouri. The diamond had a value greater than \$5,000.

On or about September 8, 2015, C.J. contacted the WCSO after she realized her residence in Panama City Beach had been burglarized. C.J. notified the WCSO that multiple items of jewelry had been stolen during the burglary including: a Michelle watch; a Mednikow solitaire diamond neckless; a Van Cleef & Arpels pink gold Clover Diamond Ring; a Van Cleef & Arpels pendant; and a Tiffany 30-inch gold diamonds-by-the-yard neckless. On or about September 23, 2015, the defendant shipped C.J.'s Van Cleef & Arpels ring and pendant to Missouri. The ring and pendant had a value greater than \$5,000.

On or about January 12, 2016, R.F. contacted the WCSO after she realized her residence in Panama City Beach had been burglarized. R.F. notified the WCSO that multiple items of jewelry had been stolen during the burglary including: multiple diamond rings, watches, bracelets, and Mexican gold coins. On or about

January 13, 2016, the defendant shipped three diamonds that had been removed from R.F.'s stolen rings to Missouri, that is, a 2.29ct emerald cut diamond, 1.19ct round cut diamond, and a .82 pear cut diamond. The diamonds had a value greater than \$5,000.

On or about June 30, 2016, M.J. and C.J. contacted the WCSO after they realized their residence in Destin had been burglarized. M.J. and C.J. notified the WCSO that multiple items of jewelry had been stolen during the burglary. On or about July 5, 2016, the defendant sent eleven diamonds that had been removed from M.J. and C.J.'s jewelry to Missouri. The diamonds shipped to Missouri had a value greater than \$5,000. Further, on or about July 11, 2016, the defendant transported multiple pieces of M.J. and C.J.'s stolen jewelry to Louisiana, which included a diamond necklace, earrings, rings, a pendant, and a bracelet. The jewelry had a value greater than \$5,000.

The defendant knew each of the items he transported, caused to be transported, and/or shipped to Missouri and Louisiana, had been stolen. Further, each of the items were transported or shipped from the Northern District of Florida to outside the state of Florida.

ELEMENTS OF THE OFFENSES

ECCA OI 88.1, Interstate Transportation of Stolen Property, 18 U.S.C. § 2314

(First Para.)

It is a Federal crime to transport, or to cause to be transported in interstate commerce, property that has been [stolen] [converted] [taken by fraud] and has a value of at least \$5,000.

The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt:

- (1) the Defendant [transported] [transmitted] [transferred] or caused to be [transported] [transmitted] [transferred] in interstate commerce property that was stolen as described in the indictment;
- (2) the property had a value of at least \$5,000; and
- (3) when the Defendant transported the items the Defendant knew that the property had been stolen.

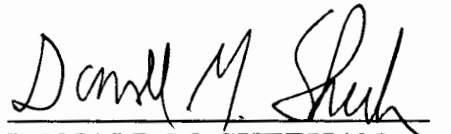
To “steal” property is to wrongfully or dishonestly take property with the intent to deprive someone of the rights and benefits of owning it.

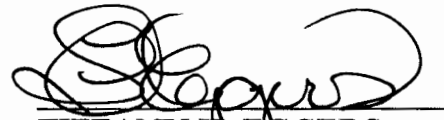
The “value” of something is the greater of either (1) its face, par, or market value, or (2) its cost price, either wholesale or retail.

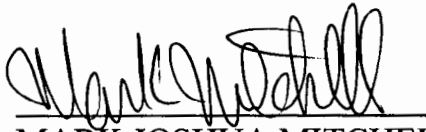
It doesn't matter whether the Defendant stole the property or someone else did, but to find the Defendant guilty, you must find that the Defendant knew it had been stolen.

"Interstate commerce" includes any movement or transportation of goods, wares, merchandise, securities or money from one state into another state, the District of Columbia, and any commonwealth, territory, or possession of the United States.

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MARK JOSHUA MITCHELL
Defendant

6-16-2017
Date

6/22/17
Date