

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

CASEY IRELAND

No. 17CR702

Judge Rebecca R. Pallmeyer

**PLEA AGREEMENT**

1. This Plea Agreement between the United States Attorney for the Northern District of Illinois, JOHN R. LAUSCH, JR., and defendant CASEY IRELAND, and his attorney, KENT CARLSON, is made pursuant to Rule 11 of the Federal Rules of Criminal Procedure and is governed in part by Rule 11(c)(1)(A), as more fully set forth below. The parties to this Agreement have agreed upon the following:

**Charges in This Case**

2. The indictment in this case charges defendant with enticement of a minor to engage in criminal sexual activity, in violation of Title 18, United States Code, Section 2422(b) (Counts I, IV); transportation of a minor with intent to engage in criminal sexual activity, in violation of Title 18, United States Code, Section 2423(a) (Counts II, V); transfer of obscene material to a minor, in violation of Title 18, United States Code, Section 1470 (Count III); travel for the purpose of engaging in a sexual act with a minor, in violation of Title 18, United States Code, Section 2423(b) (Count VI); attempted enticement of a minor to engage in criminal sexual activity, in violation of Title 18, United States Code, Section 2422(b) (Count VII); and

possession of child pornography, in violation of Title 18, United States Code, Section 2252A(a)(5)(B) (Count VIII).

3. Defendant has read the charges against him contained in the indictment, and those charges have been fully explained to him by his attorney.

4. Defendant fully understands the nature and elements of the crimes with which he has been charged.

### **Charges to Which Defendant Is Pleading Guilty**

5. By this Plea Agreement, defendant agrees to enter a voluntary plea of guilty to the following counts of the indictment: Count I, which charges defendant with use of a facility of interstate or foreign commerce to knowingly persuade, induce, entice, and coerce Victim 2, who had not attained the age of 18 years, to engage in criminal sexual activity, in violation of Title 18, United States Code, Section 2422(b); and Count VII, which charges defendant with use of a facility of interstate or foreign commerce to knowingly attempt to persuade, induce, entice, and coerce Victim 1, who had not attained the age of 18 years, to engage in criminal sexual activity, in violation of Title 18, United States Code, Section 2422(b). In addition, as further provided below, defendant agrees to the entry of a forfeiture judgment.

### **Factual Basis**

6. Defendant will plead guilty because he is in fact guilty of the charges contained in Counts I and VII of the indictment. In pleading guilty, defendant admits the following facts and that those facts establish his guilt beyond a reasonable doubt

and constitute relevant conduct pursuant to Guideline § 1B1.3, and establish a basis for forfeiture of the property described elsewhere in this Plea Agreement:

a. With respect to Count I of the Indictment:

On or about May 18, 2017, at Antioch, in the Northern District of Illinois, Eastern Division, and elsewhere, defendant CASEY IRELAND did use any facility of interstate and foreign commerce to knowingly persuade, induce, entice, and coerce Victim 2, who had not attained the age of 18 years, to engage in any sexual activity for which any person could be charged with an offense, in violation of Title 18, United States Code, Section 2422(b).

Specifically, in or around early May 2017, IRELAND, who was at the time thirty-four years old, began communicating with Victim 2, a fifteen-year old girl, using a cellular telephone messaging application (“Messaging Application A”). In their initial communication on Messaging Application A, Victim 2 informed IRELAND that Victim 2 was a fifteen year old girl and throughout the course of their subsequent communications, IRELAND was aware that Victim 2 was fifteen years old. IRELAND, using Messaging Application A, asked Victim 2 if she liked older men and sent Victim 2 a picture of an erect penis along with the message, “Think you’d be able to take it . . . . [t]hem lips would do it.” During his communications with Victim 2, IRELAND represented himself to be twenty-five years old for the purpose of inducing Victim 2 to engage in sexual intercourse with him.

IRELAND and Victim 2 continued their communication on a second cellular telephone messaging application (“Messaging Application B”). Between May 11, 2017 and June 4, 2017, IRELAND and Victim 2 exchanged hundreds of communications on Messaging Application B. In particular, IRELAND used Messaging Application B to entice Victim 2 to engage in sexual intercourse with IRELAND on two separate occasions. For example, on or about May 11, 2017, IRELAND messaged Victim 2 on Messaging Application B asking Victim 2 if he could “pick [her] up before work Saturday to chill.” Victim 2 agreed and, on May 18, 2017, IRELAND and Victim 2 in fact met and engaged in sexual intercourse. Specifically, that morning, Victim 2 sent IRELAND a message on Messaging Application B stating, “Maybe today after school you can numb the pain lol.” IRELAND replied within 20 seconds, “I don’t think that’ll be a problem.” At approximately 1:53 p.m. that day, IRELAND sent Victim 2 a message on Messaging Application B informing her that he was getting off work early. At approximately 2:09 p.m., Victim 2, using Messaging Application B, sent IRELAND the address for her high school in Wisconsin. IRELAND then drove from his home in Antioch, Illinois to Victim 2’s high school in Wisconsin, using Messaging Application B to continuously update Victim 2 on his distance from the school. At around 4:00 p.m., IRELAND arrived at Victim 2’s school in Wisconsin, picked her up, and drove her back to his home in Antioch, Illinois. Once there, IRELAND and Victim 2 engaged in oral and vaginal intercourse.

IRELAND and Victim 2 continued to communicate on Messaging Application B in the following weeks. For example, on May 19, 2017, IRELAND told Victim 2 that she should practice her oral sex skills. On May 26, 2017, IRELAND used Messaging Application B to attempt to organize a time to pick up Victim 2 the next day. Victim 2 agreed, but responded, via Messaging Application B, “But if my moms there she’s gonna ask who I’m going with and where so what do I say”? IRELAND replied, “Idk [I don’t know] a friends.” That night IRELAND, using Messaging Application B, messaged Victim 2 stating, “I need those lips wrapped around this [d]ick.” He then messaged Victim 2 asking, “How many times do you think you can make me cum[?]” On May 28, 2017, at approximately 8:12 a.m., IRELAND sent Victim 2 a picture of an erect penis. Shortly afterwards he sent her a message that said, “Woke up with something for you.”

IRELAND and Victim 2 engaged in sexual intercourse again on June 1, 2017. That day, at approximately 1:43 p.m., IRELAND, using Messaging Application B, sent Victim 2 a message stating, “Wanna come over when I get off.” Victim 2 agreed. At approximately 2:57 p.m., IRELAND used Messaging Application B to tell Victim 2 that he was on his way. IRELAND then drove from his home in Antioch to Victim 2’s high school in Wisconsin where he picked her up and drove her back to his home in Antioch. Once there, IRELAND and Victim 2 engaged in vaginal intercourse.

b. With respect to Count VII of the indictment:

On or about June 7, 2017, at Antioch, in the Northern District of Illinois, Eastern Division, and elsewhere, IRELAND did use any facility of interstate and foreign commerce to knowingly attempt to persuade, induce, entice, and coerce Victim 1, who had not attained the age of 18 years, to engage in any sexual activity for which any person could be charged with an offense, in violation of Title 18, United States Code, Section 2422(b).

Specifically, on the evening of May 30, 2017, IRELAND began communicating with Victim 1, a fifteen-year-old girl, using Messaging Application A. During those communications, IRELAND and Victim 1 made plans for IRELAND to pick up Victim 1 at a park near her house in Wisconsin the next evening. On the evening of May 31, 2017, IRELAND in fact drove from his home in Antioch to the park near Victim 1's home in Wisconsin, picked up Victim 1, and drove her back to his home in Antioch. There, IRELAND and Victim 1 engaged in vaginal intercourse.

After being informed by Victim 1 about her encounter with IRELAND, law enforcement, with Victim 1's mother's consent, took control of Victim 1's account on Messaging Application A and, on June 7, 2017, reestablished communications with IRELAND. After several messages, IRELAND suggested that in order to save battery power, rather than use Messaging Application A, Victim 1 and IRELAND instead communicate via text message. During subsequent text communications, law enforcement, posing as Victim 1, made arrangements with IRELAND for IRELAND

to again pick up Victim 1 that day, June 7, 2017, from the same location in Wisconsin to engage in sexual intercourse. Law enforcement, posing as Victim 1, also informed IRELAND via text that Victim 1 was fifteen years old, and asked if it would be a problem. IRELAND replied via text that it would not, but asked Victim 1, “Just keep us between you and me.” IRELAND—continuing to text with law enforcement, posing as Victim 1—then drove from his home in Antioch to the park near Victim 1’s home in Wisconsin at which time he was arrested. IRELAND’s purpose in traveling from Illinois to Wisconsin was to engage in sexual intercourse with Victim 1, whom he knew to be fifteen-years old.

At the time of his arrest, IRELAND was in possession of an Apple iPhone 6s, Model A1688 cellular telephone, bearing IMEI number 353314071172587, which contained sexually explicit images of Victim 1 and Victim 2, including close-up images of Victim 2’s vagina and partially nude images of Victim 1.

### **Maximum Statutory Penalties**

7. Defendant understands that the charges to which he is pleading guilty carry the following statutory penalties:

a. Count I carries a maximum sentence of life, and a statutory mandatory minimum sentence of 10 years. Count I also carries a maximum fine of \$250,000. Defendant further understands that with respect to Count I the judge also must impose a term of supervised release of at least five years, and up to any number of years, including life.

b. Count VII carries a maximum sentence of life, and a statutory mandatory minimum sentence of 10 years. Count VII also carries a maximum fine of \$250,000. Defendant further understands that with respect to Count VII, the judge also must impose a term of supervised release of at least five years, and up to any number of years, including life.

c. Defendant further understands that the Court must order restitution to the victims of the offense in an amount determined by the Court.

d. Pursuant to Title 18, United States Code, Section 3013, defendant will be assessed \$100 on each count to which he has pled guilty, in addition to any other penalty or restitution imposed.

e. Therefore, under the counts to which defendant is pleading guilty, the total maximum sentence is life, and the minimum sentence is 10 years' imprisonment. In addition, defendant is subject to a total maximum fine of \$500,000, a period of supervised release, and special assessments totaling \$200, in addition to any restitution ordered by the Court.

f. Defendant further understands that, pursuant to Title 18, United States Code, Section 3014, defendant will be assessed an additional \$5,000 per count of conviction if the Court determines that he is a non-indigent person.

### **Sentencing Guidelines Calculations**

8. Defendant understands that in determining a sentence, the Court is obligated to calculate the applicable Sentencing Guidelines range, and to consider



that range, possible departures under the Sentencing Guidelines, and other sentencing factors under 18 U.S.C. § 3553(a), which include: (i) the nature and circumstances of the offense and the history and characteristics of the defendant; (ii) the need for the sentence imposed to reflect the seriousness of the offense, promote respect for the law, and provide just punishment for the offense, afford adequate deterrence to criminal conduct, protect the public from further crimes of the defendant, and provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner; (iii) the kinds of sentences available; (iv) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and (v) the need to provide restitution to any victim of the offense.

9. For purposes of calculating the Sentencing Guidelines, the parties agree on the following points:

a. **Applicable Guidelines.** The Sentencing Guidelines to be considered in this case are those in effect at the time of sentencing. The following statements regarding the calculation of the Sentencing Guidelines are based on the Guidelines Manual currently in effect, namely the November 2018 Guidelines Manual.

b. **Offense Level Calculations.**

**Count One**

i. The base offense level is 28, pursuant to Guideline § 2G1.3(a)(3), because defendant was convicted of violating 18 U.S.C. § 2422(b).

ii. The offense level is increased by 2 levels, pursuant to Guideline § 2G1.3(b)(2), because the offense involved both defendant's misrepresentation of his age as well as the undue influence of a minor to engage in prohibited sexual conduct.

iii. The offense level is increased by 2 levels, pursuant to Guideline § 2G1.3(b)(3)(A), because the offense involved defendant's use of a computer or interactive computer service to persuade, induce, entice, coerce, or facilitate the travel of a minor to engage in prohibited sexual conduct.

iv. The offense level is increased by 2 levels, pursuant to Guideline § 2G1.3(b)(4), because the offense involved the commission of a sex act.

v. Accordingly, the offense level for Count One is 34.

**Count Seven**

i. The base offense level is 28, pursuant to Guideline § 2G1.3(a)(3), because defendant was convicted of violating 18 U.S.C. § 2422(b).

ii. The offense level is increased by 2 levels, pursuant to Guideline § 2G1.3(b)(3)(A), because the offense involved defendant's use of a

computer or interactive computer service to persuade, induce, entice, coerce, or facilitate the travel of a minor to engage in prohibited sexual conduct.

iii. Accordingly, the offense level for Count Seven is 30.

**Grouping**

iv. Pursuant to Guideline § 3D1.2, Counts One and Seven are not grouped together and form two separate units. Count One has the highest offense level at 34 and is assigned one unit. Count Seven has an offense level of 30, which is 4 levels less serious than Count One and is assigned one unit pursuant to Guideline § 3D1.4(a). Therefore, pursuant to Guideline § 3D1.4, the offense level of 34 (for Count One) is increased by 2 levels and the combined offense level is 36.

v. Defendant has clearly demonstrated a recognition and affirmative acceptance of personal responsibility for his criminal conduct. If the government does not receive additional evidence in conflict with this provision, and if defendant continues to accept responsibility for his actions within the meaning of Guideline § 3E1.1(a), including by furnishing the United States Attorney's Office and the Probation Office with all requested financial information relevant to his ability to satisfy any fine or restitution that may be imposed in this case, a two-level reduction in the offense level is appropriate.

vi. In accord with Guideline § 3E1.1(b), defendant has timely notified the government of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the Court to allocate its

resources efficiently. Therefore, as provided by Guideline § 3E1.1(b), if the Court determines the offense level to be 16 or greater prior to determining that defendant is entitled to a two-level reduction for acceptance of responsibility, the government will move for an additional one-level reduction in the offense level.

c. **Criminal History Category.** With regard to determining defendant's criminal history points and criminal history category, based on the facts now known to the government, defendant's criminal history points equal zero and defendant's criminal history category is I.

d. **Anticipated Advisory Sentencing Guidelines Range.** Therefore, based on the facts now known to the government, the anticipated offense level is 33, which, when combined with the anticipated criminal history category of I, results in an anticipated advisory sentencing guidelines range of 135 to 168 months' imprisonment, in addition to any supervised release, fine, and restitution the Court may impose. Defendant also acknowledges that he is subject to a statutory minimum sentence of 10 years' imprisonment.

e. Defendant and his attorney and the government acknowledge that the above guidelines calculations are preliminary in nature, and are non-binding predictions upon which neither party is entitled to rely. Defendant understands that further review of the facts or applicable legal principles may lead the government to conclude that different or additional guidelines provisions apply in this case. Defendant understands that the Probation Office will conduct its own investigation

and that the Court ultimately determines the facts and law relevant to sentencing, and that the Court's determinations govern the final guideline calculation. Accordingly, the validity of this Agreement is not contingent upon the probation officer's or the Court's concurrence with the above calculations, and defendant shall not have a right to withdraw his plea on the basis of the Court's rejection of these calculations.

10. Both parties expressly acknowledge that this Agreement is not governed by Fed. R. Crim. P. 11(c)(1)(B), and that errors in applying or interpreting any of the sentencing guidelines may be corrected by either party prior to sentencing. The parties may correct these errors either by stipulation or by a statement to the Probation Office or the Court, setting forth the disagreement regarding the applicable provisions of the guidelines. The validity of this Agreement will not be affected by such corrections, and defendant shall not have a right to withdraw his plea, nor the government the right to vacate this Agreement, on the basis of such corrections.

#### **Agreements Relating to Sentencing**

11. Each party is free to recommend whatever sentence it deems appropriate.

12. It is understood by the parties that the sentencing judge is neither a party to nor bound by this Agreement and may impose a sentence up to the maximum penalties as set forth above. Defendant further acknowledges that if the Court does

not accept the sentencing recommendation of the parties, defendant will have no right to withdraw his guilty plea.

13. Regarding restitution, defendant acknowledges that pursuant to Title 18, United States Code, Section 3663A, the Court must order defendant to make full restitution to victims in an amount to be determined by the Court at sentencing, which amount shall reflect credit for any funds repaid prior to sentencing.

14. Restitution shall be due immediately, and paid pursuant to a schedule to be set by the Court at sentencing. Defendant acknowledges that pursuant to Title 18, United States Code, Section 3664(k), he is required to notify the Court and the United States Attorney's Office of any material change in economic circumstances that might affect his ability to pay restitution.

15. Defendant agrees to pay the special assessment of \$200 at the time of sentencing with a cashier's check or money order payable to the Clerk of the U.S. District Court. If the Court finds that the defendant is a non-indigent person, defendant further agrees to pay the \$10,000 special assessment, assessed pursuant to Title 18, United States Code, Section 3014, after he has satisfied all outstanding court-ordered fines, orders of restitution, and any other obligation related to victim-compensation ordered by the Court and arising from the convictions.

16. Defendant agrees that the United States may enforce collection of any fine or restitution imposed in this case pursuant to Title 18, United States Code,

Sections 3572, 3613, and 3664(m), notwithstanding any payment schedule set by the Court.

17. After sentence has been imposed on the counts to which defendant pleads guilty as agreed herein, the government will move to dismiss the remaining counts of the indictment as to defendant.

### **Forfeiture**

18. Defendant understands that by pleading guilty, he will subject to forfeiture to the United States all right, title, and interest that he has in any property involved in the offense.

19. Defendant agrees to forfeiture of the following specific property to the United States: an Apple iPhone 6s, Model A1688 cellular telephone, bearing IMEI number 353314071172587. In doing so, defendant admits that the property described above was involved in the offense, as alleged in the indictment. Defendant consents to the immediate entry of a preliminary order of forfeiture as to this specific property, thereby extinguishing any right, title, or interest defendant has in it. If any of the specific property is not yet in the custody of the United States, defendant agrees to seizure of that property so that it may be disposed of according to law.

20. Defendant understands that forfeiture shall not be treated as satisfaction of any fine, restitution, cost of imprisonment, or any other penalty the Court may impose upon defendant in addition to the forfeiture judgment.

21. Defendant agrees to waive all constitutional, statutory, and equitable challenges in any manner, including but not limited to direct appeal or a motion brought under Title 28, United States Code, Section 2255, to any forfeiture carried out in accordance with this agreement on any grounds, including that the forfeiture constitutes an excessive fine or punishment. The waiver in this paragraph does not apply to a claim of involuntariness or ineffective assistance of counsel.

### **Acknowledgments and Waivers Regarding Plea of Guilty**

#### **Nature of Agreement**

22. This Agreement is entirely voluntary and represents the entire agreement between the United States Attorney and defendant regarding defendant's criminal liability in case 17 CR 702.

23. This Agreement concerns criminal liability only. Except as expressly set forth in this Agreement, nothing herein shall constitute a limitation, waiver, or release by the United States or any of its agencies of any administrative or judicial civil claim, demand, or cause of action it may have against defendant or any other person or entity. The obligations of this Agreement are limited to the United States Attorney's Office for the Northern District of Illinois and cannot bind any other federal, state, or local prosecuting, administrative, or regulatory authorities, except as expressly set forth in this Agreement.



## Waiver of Rights

24. Defendant understands that by pleading guilty he surrenders certain rights, including the following:

a. **Trial rights.** Defendant has the right to persist in a plea of not guilty to the charges against him, and if he does, he would have the right to a public and speedy trial.

i. The trial could be either a jury trial or a trial by the judge sitting without a jury. However, in order that the trial be conducted by the judge sitting without a jury, defendant, the government, and the judge all must agree that the trial be conducted by the judge without a jury.

ii. If the trial is a jury trial, the jury would be composed of twelve citizens from the district, selected at random. Defendant and his attorney would participate in choosing the jury by requesting that the Court remove prospective jurors for cause where actual bias or other disqualification is shown, or by removing prospective jurors without cause by exercising peremptory challenges.

iii. If the trial is a jury trial, the jury would be instructed that defendant is presumed innocent, that the government has the burden of proving defendant guilty beyond a reasonable doubt, and that the jury could not convict him unless, after hearing all the evidence, it was persuaded of his guilt beyond a reasonable doubt and that it was to consider each count of the indictment separately.

The jury would have to agree unanimously as to each count before it could return a verdict of guilty or not guilty as to that count.

iv. If the trial is held by the judge without a jury, the judge would find the facts and determine, after hearing all the evidence, and considering each count separately, whether or not the judge was persuaded that the government had established defendant's guilt beyond a reasonable doubt.

v. At a trial, whether by a jury or a judge, the government would be required to present its witnesses and other evidence against defendant. Defendant would be able to confront those government witnesses and his attorney would be able to cross-examine them.

vi. At a trial, defendant could present witnesses and other evidence in his own behalf. If the witnesses for defendant would not appear voluntarily, he could require their attendance through the subpoena power of the Court. A defendant is not required to present any evidence.

vii. At a trial, defendant would have a privilege against self-incrimination so that he could decline to testify, and no inference of guilt could be drawn from his refusal to testify. If defendant desired to do so, he could testify in his own behalf.

viii. With respect to forfeiture, defendant understands that if the case were tried before a jury, he would have a right to retain the jury to determine

whether the government had established the requisite nexus between defendant's offense and any specific property alleged to be subject to forfeiture.

b. **Appellate rights.** Defendant further understands he is waiving all appellate issues that might have been available if he had exercised his right to trial, and may only appeal the validity of this plea of guilty and the sentence imposed. Defendant understands that any appeal must be filed within 14 calendar days of the entry of the judgment of conviction.

25. Defendant understands that by pleading guilty he is waiving all the rights set forth in the prior paragraphs, with the exception of the appellate rights specifically preserved above. Defendant's attorney has explained those rights to him, and the consequences of his waiver of those rights.

**Presentence Investigation Report/Post-Sentence Supervision**

26. Defendant understands that the United States Attorney's Office in its submission to the Probation Office as part of the Pre-Sentence Report and at sentencing shall fully apprise the District Court and the Probation Office of the nature, scope, and extent of defendant's conduct regarding the charges against him, and related matters. The government will make known all matters in aggravation and mitigation relevant to sentencing.

27. Defendant agrees to truthfully and completely execute a Financial Statement (with supporting documentation) prior to sentencing, to be provided to and shared among the Court, the Probation Office, and the United States Attorney's

Office regarding all details of his financial circumstances, including his recent income tax returns as specified by the probation officer. Defendant understands that providing false or incomplete information, or refusing to provide this information, may be used as a basis for denial of a reduction for acceptance of responsibility pursuant to Guideline § 3E1.1 and enhancement of his sentence for obstruction of justice under Guideline § 3C1.1, and may be prosecuted as a violation of Title 18, United States Code, Section 1001 or as a contempt of the Court.

28. For the purpose of monitoring defendant's compliance with his obligations to pay a fine and restitution during any term of supervised release or probation to which defendant is sentenced, defendant further consents to the disclosure by the IRS to the Probation Office and the United States Attorney's Office of defendant's individual income tax returns (together with extensions, correspondence, and other tax information) filed subsequent to defendant's sentencing, to and including the final year of any period of supervised release or probation to which defendant is sentenced. Defendant also agrees that a certified copy of this Agreement shall be sufficient evidence of defendant's request to the IRS to disclose the returns and return information, as provided for in Title 26, United States Code, Section 6103(b).

29. Defendant understands that pursuant to Title 18, United States Code, Sections 3583(d) and 4042(c), the Court must order as an explicit condition of supervised release that defendant register as a sex offender in compliance with the

requirements of the Sex Offender Registration and Notification Act. Defendant also understands that he will be subject to federal and state sex offender registration requirements independent of supervised release, that those requirements may apply throughout his life, and that he may be subject to state and federal prosecution for failing to comply with applicable sex offender registration laws. Defendant understands that no one, including his attorney or the Court, can predict to a certainty the effect of his conviction on his duties to comply with current or future sex offender registration laws. Defendant nevertheless affirms that he wants to plead guilty regardless of any sex offender registration consequences that his guilty plea may entail.

30. Defendant agrees to participate in psychological counseling and sex offender treatment as directed by the Probation Office as a condition of any sentence of probation or supervised release imposed.

#### **Other Terms**

31. Defendant agrees to cooperate with the United States Attorney's Office in collecting any unpaid fine and restitution for which defendant is liable, including providing financial statements and supporting records as requested by the United States Attorney's Office.

32. Defendant understands that, if convicted, 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.

## Conclusion

33. Defendant understands that this Agreement will be filed with the Court, will become a matter of public record, and may be disclosed to any person.

34. Defendant understands that his compliance with each part of this Agreement extends throughout the period of his sentence, and failure to abide by any term of the Agreement is a violation of the Agreement. Defendant further understands that in the event he violates this Agreement, the government, at its option, may move to vacate the Agreement, rendering it null and void, and thereafter prosecute defendant not subject to any of the limits set forth in this Agreement, or may move to resentence defendant or require defendant's specific performance of this Agreement. Defendant understands and agrees that in the event that the Court permits defendant to withdraw from this Agreement, or defendant breaches any of its terms and the government elects to void the Agreement and prosecute defendant, any prosecutions that are not time-barred by the applicable statute of limitations on the date of the signing of this Agreement may be commenced against defendant in accordance with this paragraph, notwithstanding the expiration of the statute of limitations between the signing of this Agreement and the commencement of such prosecutions.

35. Should the judge refuse to accept defendant's plea of guilty, this Agreement shall become null and void and neither party will be bound to it.

36. Defendant and his attorney acknowledge that no threats, promises, or representations have been made, nor agreements reached, other than those set forth in this Agreement, to cause defendant to plead guilty.

37. Defendant acknowledges that he has read this Agreement and carefully reviewed each provision with his attorney. Defendant further acknowledges that he understands and voluntarily accepts each and every term and condition of this Agreement.

AGREED THIS DATE: \_\_\_\_\_

\_\_\_\_\_  
JOHN R. LAUSCH, JR.  
United States Attorney

\_\_\_\_\_  
CASEY IRELAND  
Defendant

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ANDREW J. DIXON  
Assistant U.S. Attorney

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KENT CARLSON  
Attorney for Defendant