

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
WINCHESTER

UNITED STATES OF AMERICA)	
)	
v.)	4:12-CR-9
)	JUDGE MATTICE
JACKIE McCONNELL)	

PLEA AGREEMENT

The United States of America, by the United States Attorney for the Eastern District of Tennessee, Assistant U.S. Attorneys Steven S. Neff and M. Kent Anderson, and the defendant, Jackie McConnell, and the defendant’s attorneys, Hugh Moore and Tom Greenholtz, have agreed upon the following pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C):

1. The defendant will plead guilty to the following count(s) in the indictment:

Count One. Conspiracy to violate the Horse Protection Act, in violation of 18 U.S.C. § 371, 15 U.S.C. §§ 1824(1), 1824(2)(B), and 1825(2)(B).

The punishment for this offense is as follows. Imprisonment for a term of up to five (5) years, a \$250,000 fine, supervised release for up to three (3) years, and a \$100 special assessment.

2. In consideration of the defendant’s guilty plea, the United States agrees to move the Court at the time of sentencing to dismiss the remaining counts against the defendant in this indictment.

3. The defendant has read the indictment, discussed the charges and possible defenses with defense counsel, and understands the crime(s) charged. The defendant is pleading guilty because the defendant is in fact guilty. In order to be guilty, the defendant agrees that each of the following elements of the crime(s) must be proved beyond a reasonable doubt:

a. 18 U. S. C. § 371: Conspiracy:

(1) The defendant and one or more other persons conspired or agreed to commit an offense against the United States; and

(2) The defendant knowingly and voluntarily joined the conspiracy; and

(3) A member of the conspiracy committed an overt act in furtherance of the conspiracy.

b. 15 U. S. C. § 1824(1): Horse Protection Act-Transportation of Sored Horse

(1) A member of the conspiracy knowingly shipped, transported, moved, delivered or received any horse which is sore;

(2) With reason to believe that such horse while it is sore may be (a) shown, exhibited, entered for the purpose of being shown or exhibited, or (b) sold, or (c) auctioned or offered for sale.

c. 15 U. S. C. § 1824(2)(B): Horse Protection Act-Exhibition of Sored Horse

(1) A member of the conspiracy knowingly entered for the purpose of showing or exhibiting in any horse show or exhibition;

(2) Any horse which the member of the conspiracy knew was sore.

d. 15 U. S. C. § 1825(A)(2)(B): Horse Protection Act-False Entry Forms

The defendant knowingly:

(1) Makes or causes to be made false entry or statement in any report required under the subchapter, or

(2) Makes or causes to be made any false entry in any account, record or

memorandum required to be established and maintained by any person in any notification or other information required to be submitted by the Secretary under Section 1823, or

(3) Neglects or fails to make or causes to be made full, true and correct entries in such accounts, records, memoranda, notification or other materials, or

(4) Removes any documentary evidence out of the jurisdiction of the U.S., or

(5) Mutilates, alters, or by any other means falsifies any such documentary evidence, or

(6) Refuses to submit any such documentary evidence to the Secretary for inspection or copying.

4. In support of the defendant's guilty plea, the defendant agrees and stipulates to the following facts, which satisfy the offense elements. These are the facts submitted for purposes of the defendant's guilty plea. They do not necessarily constitute all of the facts in the case. Other facts may be relevant to sentencing. Both the defendant and the United States retain the right to present additional facts to the Court to ensure a fair and appropriate sentence in this case.

At all times material to the indictment, the defendant Jackie McConnell was a Tennessee Walking Horse ("Walking Horse") trainer. He was on U.S. Department of Agriculture (USDA) administrative disqualification from showing, exhibiting, or entering horses from 2006 until 2011 due to his illegal practice of "soring" horses he trained and entered into horse shows. The practice involves applying mustard oil, croton oil or other foreign substances to the feet and pasterns of a Walking Horse to make the front feet "sore" so that it will engender the "big lick" gait prized at horse shows. The practice has been carried on for years and was made illegal under the Horse

Protection Act (“HPA”) as referenced below. The HPA also outlaws transportation and showing of sore horses under certain circumstances.

The defendant and his wife own and operate Whitter Stables, 400 Jolly Way, Collierville, TN 38017 (WDTN) where he trains and board Walking Horses for shows. He has been very successful and won several prestigious shows. Jeff Dockery, John Mays, and Joseph Abernathy were also employed or used by Whitter Stables as trainers, grooms, assistants, and farriers.

In March 2011 an undercover operative (UC) from the Humane Society of the United States (“HSUS”) was employed by McConnell and video taped many of his illegal activities. These tapes included the defendant and others in his employ applying foreign substances, later found to be mustard oil and similarly prohibited substances, onto the pasterns and feet of Walking Horses during the period from March-May 2011. The video showed the horses, in obvious pain, which appear to be having trouble standing and being whipped until they did stand. The defendant later transported and showed or caused to be transported and shown some of these Walking Horses in the Eastern District of Tennessee.

Jackie McConnell conspired and agreed with Jeff Dockery, John Mays, Joseph Abernathy, and others to hide the fact that he was banned by the USDA from showing Walking Horses and used surrogates, such as Dockery, to violate the HPA by falsely claiming on entry paperwork that Dockery was the trainer of the horse being entered when in fact, McConnell was the horse’s trainer. He would train a horse, take it to the show and then stay on the grounds but outside the warmup areas, as required due to his disqualified status, and direct others how to show the horse. By transporting a sore horse, directing them how to show a sore horse, and attempting to avoid detection, he was violating the HPA and conspiring with them to accomplish that violation. The

horses were transported in a truck and trailer owned by McConnell but driven by another, with McConnell following close behind in another pickup.

The goal of the HPA is to prevent sore horses from being transported, showed or sold. McConnell was conspiring with the others to violate the HPA. He would sore the horses by applying or causing to be applied banned substances to the feet and pasterns of multiple horses in his barn (there is no medical or training-based reason to be applying any substances to the area where they continually applied them, according to equine veterinarian Dr. Angie Lingl), transport them (from the Western District of Tennessee to Shelbyville in the Eastern District of Tennessee) and then have a surrogate show them in violation of the HPA without being detected. He falsified, or caused to be falsified, the entrance papers to reflect that certain horses were trained by Dockery or others, since he was ineligible to be a trainer. This was done to conceal the true identity of the trainer and to show the sore horse in violation of the HPA with a reduced risk of detection. If the show management had known McConnell was the trainer, the horse could not have been shown at all. Then he would instruct the surrogates to show the horses that he had in fact trained and transported, in violation of the HPA, since the horses had been illegally sored.

Trainers Show. This show occurred March 17-19, 2011 in Shelbyville, Tennessee, within the Eastern District of Tennessee. The defendant showed at least two horses at the show, via surrogates, who had been sored as evidenced by undercover video taken by the UC at the defendant's barn in the days leading up to the show which showed various members of the conspiracy applying banned substances to the horses' feet. These horses were transported, while sored, to be entered into the show in Shelbyville. Co-defendant Jeff Dockery was falsely entered on paperwork as the trainer of the horses entered. According to the undercover operative, after one of the horses won the competition at the Trainers Show, it was McConnell, not Dockery, who received

all of the congratulatory calls from people, demonstrating that Dockery was not the actual trainer as indicated on the paperwork. Moreover, Dockery himself was later interviewed and confessed to the fact that McConnell was the trainer, not him. He said he was listed as the trainer because McConnell had been disqualified from showing for all of his past transgressions. According to Dockery, Joseph Abernathy is a farrier and takes over at the show by ensuring the paperwork with Dockery's name as the trainer is squared away. McConnell made all of the decisions about the horses in their barn. Dockery also contributed nothing in the way of finances to the care and training of the horses. Dockery also admitted to soring the horses and described the chemicals they used. He said McConnell bought all the chemicals to be used on the horses feet and showed Dockery how they should be applied. McConnell occasionally applies it himself.

Fun Show. This show occurred May 26-28, 2011 in Shelbyville, TN (EDTN)

The defendant showed and caused to be shown several sore horses.

1. *Mucho Bueno* (MB). UC video revealed the several activities consistent with soring of this horse: The defendant was shown to be applying substances to the horse's feet. The blue substance he used was later seized and tested and found to contain banned hydrocarbons. The UC video showed the defendant riding the horse, and the horse was struggling to walk. After bringing him back to the barn, co-defendant Joseph Mays "twitched" the horse while McConnell applied the blue substance. On other days, Mays and McConnell applied the blue substance to the horse's feet. MB was later transported to Shelbyville for the show. Once there, Dockery applied Gentle Clean (a soring agent) to the horse's feet. Abernathy palpated MB while he was on the trailer. Jeff Dockery was falsely entered on paperwork as MB's trainer.

2. *Paroled in the Night* (PITN) UC video revealed the following: On various days leading up to the show, co-defendants Dockery and Mays applied banned substances to the horse's pasterns,

and the defendant was observed instructing them on the application of the substances. PITN was later transported to Shelbyville for the show. Dockery was falsely entered on paperwork as PITN's trainer.

3. *Moody Star* (MS) UC video revealed the following: The video shows scars all over the horse's feet, which is indicative of soring (and which the trainers try to cover up using marker, hair regrowth formula, etc). In one instance, the defendant applied what he called "the balm" – a thick yellowish substance, to MS's front pasterns. On video, McConnell said "it stings a little bit, but he (MS) is a big baby." The horse was seen on the video alternately picking up his feet in pain. Later, McConnell rubs castor oil on the back of MS's front pasterns to "peel off skin." MS was later transported to Shelbyville for the show. Dockery was falsely entered on paperwork as MS's trainer.

Tennessee Walking Horse National Celebration. This show occurred August 24-September 3, 2011 in Shelbyville, TN (EDTN). A federal search warrant was executed at the barn location where the defendant prepared the horses he trained before the shows that took place in Shelbyville. Agents took swabs from horses feet, all of which testified positive for banned soring substances. They also seized numerous containers with various substances which were sent to the lab and tested positive for irritants and soring substances.

The defendant showed and caused to be shown several sored horses.

1. *All American Big Shot* (AABS). UC video revealed the following: McConnell watched and instructed as co-defendant Mays applied a blue cream and #2 Go-Jo (a soring substance) to AABS's front pasterns. During training, co-defendant Abernathy palpated AABS's pasterns and signaled to Mays to yank hard on the horse's lead rope attached to a metal brace across the horse's nose whenever he exhibited a pain response to the palpations (which would be the test administered by inspectors at the show). On September 1, leg swabs taken from AABS's pasterns during the

execution of the search warrant tested positive for soring substances: Methylsalicylate and 1 hydrocarbon (which would be a kerosene, gas, or diesel fuel – all are prohibited substances). Mike Umberger and Dockery were falsely entered on paperwork as AABS trainer.

2. *Evil Santana* (ES) UC video revealed the following: Co-defendant Mays applied #4 Go-Jo in a yellow container to ES's front pasterns despite a crack discovered by a vet in the earlier x-ray. During training later, the defendant yanked hard on ES's reins when he reacted in pain to palpations being done on his front left pastern. On September 1, leg swabs taken from ES's pasterns during the execution of the search warrant tested positive for soring substances: DMSO, sulfur, and 1 hydrocarbon. Jeff Dockery was falsely entered on paperwork as ES's trainer.

3. *Mucho Bueno*. On September 1, leg swabs taken from MB's pasterns during the execution of the search warrant tested positive for soring substances: Methylsalicylate, 8-Hydroxyquinoline, and multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as MB's trainer.

4. *Cinderella Cinderella* (CC). On September 1, leg swabs taken from CC's pasterns during the execution of the search warrant tested positive for soring substances: DMSO, sulfur, and multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as CC's trainer.

5. *She's the Talk of the Town* (STT). This horse was ticketed at the show for scar rule, indicating evidence of previous soring activities. On September 1, leg swabs taken from STT's pasterns during the execution of the search warrant tested positive for soring substances: DMSO and Methylsalicylate. Jeff Dockery was falsely entered on paperwork as STT trainer.

6. *Paroled in the Night* (PIN) On September 1, leg swabs taken from PIN's pasterns during the execution of the search warrant tested positive for soring substances: Isopropylpalmitate,

butylate hydroxytoluene, sulfur, isopropylstearate, and multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as PIN's trainer.

7. *Benelli*. On September 1, leg swabs taken from B's pasterns during the execution of the search warrant tested positive for soring substances: DMSO, Methylsalicylate, and multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as Benelli's trainer.

8. *Strong But Sassy* (SBS) On September 1, leg swabs taken from SBS's pasterns during the execution of the search warrant tested positive for soring substances, including multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as SBS's trainer.

9. *Silver Legacy* (SL) On September 1, leg swabs taken from SL's pasterns during the execution of the search warrant tested positive for soring substances: butylate hydroxytoluene, Methylsalicylate, sulfur, and multiple organic acid esters. Jeff Dockery was falsely entered on paperwork as SL's trainer.

10. *Sweet-N-Loce* (SNL) UC video revealed the following: The defendant instructed co-defendant Dockery on one occasion on the application of a substance onto the pasterns of SNL. On multiple occasions later on, SNL appeared to have had great difficulty rising in her stall due to what appears to be the pain in her feet. Shortly thereafter, on several occasions, co-defendant Mays brushed a bluish cream or #2 Go-Jo onto SNL's front pasterns. During training, the defendant rode SNL who stumbled badly and walked unnaturally after being ridden. On September 1, leg swabs taken from SNL's pasterns during the execution of the search warrant tested positive for soring substances: Methylsalicylate, and multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as SNL's trainer.

11. *I'm Ready* (IR). On September 1, leg swabs taken from IR's pasterns during the execution of the search warrant tested positive for soring substances: DMSO, Methylsalicylate,

butylate hydroxytoluene, and multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as IR's trainer.

12. *Cash Sweep* (CS). UC video revealed the following: In one instance, a barn employee washed CS with water; CS reacted in pain as water hits her left front pastern. Several days later, co-defendant Mays applied Gentle Clean to CS's pasterns. McConnell watched as Mays applied a blue-green substance to CS's pasterns. Shortly thereafter, Mays applied #4 Go-Jo and McConnell applied an orange substance (mustard oil) in a dropper to the front pasterns of CS. On another occasion, CS's owner and McConnell watched as Mays applied a substance called "the butter" to CS's front pasterns. Later that day, McConnell applied #4 Go-Jo and a liquid substance from an eyedropper onto CS's front pasterns. On May 6, CS was transported to Humboldt, TN for a show, and Dockery used a black marker to color in the back of CS's pasterns to hide evidence of soring from the inspectors. CS was palpated by Abernathy, who also uses the black marker. On September 1, leg swabs taken from CS's pasterns during the execution of the search warrant tested positive for soring substances: DMSO, Methylsalicylate, butylate hydroxytoluene, B10, and multiple hydrocarbons. Jeff Dockery was falsely entered on paperwork as CS's trainer.

A simultaneous search at McConnell's barn on September 1, 2011 in Collierville, Tennessee resulted in seized chemicals, including an 8 pound canister labeled mustard oil, lidocaine, wraps, syringes, eyedroppers, other chemical containers.

5. The defendant understands that by pleading guilty the defendant is giving up several rights, including:

- a) the right to plead not guilty;
- b) the right to a speedy and public trial by jury;
- c) the right to assistance of counsel at trial;

d) the right to be presumed innocent and to have the burden of proof placed on the United States to prove the defendant guilty beyond a reasonable doubt;

e) the right to confront and cross-examine witnesses against the defendant;

f) the right to testify on one's own behalf, to present evidence in opposition to the charges and to compel the attendance of witnesses; and

g) the right not to testify and to have that choice not used against the defendant.

6. The defendant and the United States agree that a sentence of probation is the appropriate disposition of this case based on his age, physical health, and lack of criminal history. However, the Court may still impose any lawful fine(s) and any special assessment fees as required by law, and order forfeiture as applicable and restitution as appropriate. In the event the Court declines to impose the agreed sentence, the parties will be free to withdraw from the plea agreement and the defendant will have the right to withdraw his guilty plea.

7. The defendant further agrees to cooperate fully, completely, and truthfully with any and all law enforcement agents and personnel of the United States Attorney's Office. This cooperation includes, but is not limited to, meeting with and being interviewed by such law enforcement agents or personnel of the United States Attorney's Office whenever requested. The U.S. Attorney's Office agrees to provide defendant's counsel with notice of any questioning or court appearances, and to allow counsel to appear, if and as available at the time set by the government. The defendant further agrees not to protect anyone who was truly involved and not to falsely implicate anyone who was not truly involved in the commission of criminal offenses. The defendant further agrees to testify completely and truthfully before a federal grand jury, at any trial, or at any other proceeding if called upon by the United States to do so. Upon request by the United States, the defendant must furnish all documents, objects and other evidence in the defendant's

possession, custody, or control that are relevant to the United States' inquiries. The defendant and defense counsel also knowingly, voluntarily, and intentionally waive the defendant's right (where applicable) to have defense counsel present during the course of cooperation, including questioning or court appearances.

8. To ensure the defendant's truthful cooperation, the United States agrees, except as provided below, not to use any self-incriminating information provided by the defendant pursuant to this written plea agreement against the defendant. However, nothing in this plea agreement shall restrict the use of any information (1) known to the United States prior to entering into this written plea agreement, (2) obtained from any other source, or (3) concerning the defendant's prior criminal record. Should any of the following occur (1) the defendant provides false or misleading information during the course of the defendant's cooperation, (2) the defendant moves to withdraw the defendant's guilty plea, or (3) the defendant breaches any other of the terms of this plea agreement, then the United States may make use of any information provided by the defendant to law enforcement authorities at any time (including any information provided during formal or informal proffer sessions prior to signing this plea agreement, and any information provided after signing this plea agreement) for any purpose in any subsequent proceeding, including grand jury, trial, and sentencing phases of this case or in any other prosecutions or proceedings against the defendant or others. Moreover, if the United States determines at any time (before or after sentencing) that the defendant has failed to cooperate fully, completely, and truthfully, or otherwise violated any of the terms of this plea agreement, it will be free to withdraw any favorable sentencing motion filed by the United States, including motions filed under U.S.S.G. § 5K1.1 and/or 18 U.S.C. § 3553.

9. At the time of sentencing, the United States may bring to the Court's attention the nature, extent, and value of the defendant's cooperation so that it may be considered in determining a fair and appropriate sentence under the facts of the case.

10. Given the defendant's agreement to plead guilty, the United States will not oppose a two-level reduction for acceptance of responsibility under the provisions of Section 3E1.1(a) of the Sentencing Guidelines. Further, if the defendant's offense level is 16 or greater, and the defendant is awarded the two-level reduction pursuant to Section 3E1.1(a), the United States agrees to move, at or before the time of sentencing, the Court to decrease the offense level by one additional level pursuant to Section 3E1.1(b) of the Sentencing Guidelines. Should the defendant engage in any conduct or make any statements that are inconsistent with accepting responsibility for the defendant's offense(s), including violations of conditions of release or the commission of additional offenses prior to sentencing, the United States will be free not to make such motion or to withdraw such motion if already made, and will be free to recommend to the Court that the defendant not receive any offense level reduction for acceptance of responsibility under Section 3E1.1 of the Sentencing Guidelines.

11. The defendant agrees to pay the special assessment in this case prior to sentencing.

12. Unless otherwise limited by an agreed preliminary order of forfeiture, the defendant agrees to forfeit to the United States immediately and voluntarily the following property which was used in violation of Title 15, United States Code, Section 1824, that is: a 40-foot Horse Trailer, hereafter the "Property."

The parties stipulate and agree that the Property was used in the defendant's violation of Title 15, United States Code, Section 1824, and is therefore subject to forfeiture pursuant to Title 15, United States Code, Section 1825(e)(2) and Title 28, United States Code, Section 2461(c). The

defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument.

The defendant further agrees to assist the United States fully in the identification, recovery, and return to the United States of any other assets or portions thereof subject to forfeiture. The defendant further agrees to make a full and complete disclosure of all assets over which the defendant exercises control and those which are held or controlled by a nominee. The defendant agrees to forfeit all interests in the Property as described above and to take whatever steps are necessary to pass clear title to the United States. These steps include, but are not limited to, the surrender of title, the signing of a consent decree of forfeiture, and the signing of any other documents necessary to effectuate such transfers. The defendant agrees not to object to any civil or criminal forfeiture brought against the Property. The defendant agrees to take all such steps to locate the Property and to pass title to the United States before the defendant's sentencing.

13. The defendant agrees that the court shall order restitution, pursuant to any applicable provision of law, for any loss caused to: (1) the victim(s) of any offense charged in this case (including dismissed counts); and (2) the victim(s) of any criminal activity that was part of the same course of conduct or common scheme or plan as the defendant's charged offense(s). The United States is not aware of any restitution at this time, but the parties agree that the Court retains the ability by law to impose restitution should information come to light prior to sentencing that would require it.

14. Financial Obligations. The defendant agrees to pay all fines and restitution imposed by the Court to the Clerk of Court. The defendant also agrees that the full fine and/or restitution amount(s) shall be considered due and payable immediately. If the defendant cannot pay the full amount immediately and is placed in custody or under the supervision of the Probation Office at any

time, the defendant agrees that the Bureau of Prisons and the Probation Office will have the authority to establish payment schedules to ensure payment of the fine and/or restitution. The defendant further agrees to cooperate fully in efforts to collect any financial obligation imposed by the Court by set-off of federal payments, execution on non-exempt property, and any other means the United States deems appropriate. The defendant and counsel also agree that the defendant may be contacted post-judgment regarding the collection of any financial obligation imposed by the Court without notifying the defendant's counsel and outside the presence of the defendant's counsel. In order to facilitate the collection of financial obligations to be imposed with this prosecution, the defendant agrees to disclose fully all assets in which the defendant has any interest or over which the defendant exercises control, directly or indirectly, including those held by a spouse, nominee, or other third party. In furtherance of this agreement, the defendant additionally agrees to the following specific terms and conditions:

a) If so requested by the United States, the defendant will promptly submit a completed financial statement to the U.S. Attorney's Office, in a form it provides and as it directs. The defendant promises that such financial statement and disclosures will be complete, accurate, and truthful.

b) The defendant expressly authorizes the U.S. Attorney's Office to obtain a credit report on the defendant in order to evaluate the defendant's ability to satisfy any financial obligation imposed by the Court.

c) If so requested by the United States, the defendant will promptly execute authorizations on forms provided by the U.S. Attorney's office to permit the U.S. Attorney's Office to obtain financial and tax records of the defendant.

15. (a) In consideration of the concessions made by the United States in this

agreement and as a further demonstration of the defendant's acceptance of responsibility for the offense(s) committed, the defendant agrees not to file a direct appeal of the defendant's conviction(s) or sentence except the defendant retains the right to appeal a sentence imposed above the sentencing guideline range or any applicable mandatory minimum sentence (whichever is greater) determined by the district court.

(b) In addition, the defendant knowingly and voluntarily waives the right to file any motions or pleadings pursuant to 28 U.S.C. § 2255 or to collaterally attack the defendant's conviction(s) and/or resulting sentence. The parties agree that the defendant retains the right to raise, by way of collateral review under § 2255, claims of ineffective assistance of counsel or prosecutorial misconduct not known to the defendant by the time of the entry of judgment.

16. This agreement becomes effective once it is signed by the parties and is not contingent on the defendant's entry of a guilty plea. If the United States violates the terms of this agreement, the defendant will have the right to withdraw from this agreement. In the event the Court declines to impose the agreed sentence, the parties have the right to withdraw from this plea agreement. If the defendant violates the terms of this agreement in any way (including but not limited to failing to enter guilty plea(s) as agreed herein, moving to withdraw guilty plea(s) after entry, or by violating any court order or any local, state or federal law pending the resolution of this case), then the United States will have the right to void any or all parts of the agreement and may also enforce whatever parts of the agreement it chooses. In addition, the United States may prosecute the defendant for any and all federal crimes that the defendant committed related to this case, including any charges that were dismissed and any other charges which the United States agreed not to pursue. The defendant expressly waives any statute of limitations defense and any constitutional or statutory speedy trial or double jeopardy defense to such a prosecution. The

defendant also understands that a violation of this plea agreement by the defendant does not entitle the defendant to withdraw the defendant's guilty plea(s) in this case.

17. This plea agreement constitutes the full and complete agreement and understanding between the parties concerning the defendant's guilty plea to the above-referenced charge(s), and there are no other agreements, promises, undertakings, or understandings between the defendant and the United States. The parties understand and agree that the terms of this plea agreement can be modified only in writing signed by all of the parties and that any and all other promises, representations, and statements whether made before, contemporaneous with, or after this agreement, are null and void.

WILLIAM C. KILLIAN
UNITED STATES ATTORNEY

22 May 2012
Date

By: Steven S. Neff
Steven S. Neff
Assistant United States Attorney

5-22-12
Date

By: M. Kent Anderson
M. Kent Anderson
Assistant United States Attorney

Date

Jackie McConnell
Jackie McConnell
Defendant

Date

Hugh Moore / Tom Greenforce
Hugh Moore / Tom Greenforce
Attorney for the Defendant