



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 21, 2021

BY ECF

The Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Noel and Thomas*, 19 Cr. 830 (AT)

Dear Judge Torres:

The Government submits this letter to inform the Court that the parties have entered into deferred prosecution agreements (the "Agreements"), which have been approved by Pretrial Services and are included for the Court's consideration.¹ After a thorough investigation, and based on the facts of this case and the personal circumstances of the defendants, the Government has determined that the interests of justice will best be served by deferring prosecution in this District. The proposed Agreements contemplate an additional six-month term of supervision by Pretrial Services and, in addition to the standard terms of pretrial supervision, the proposed Agreements include the additional salient terms:

- The defendants will cooperate with a pending Department of Justice Office of Inspector General review by providing truthful information related to their employment by the Bureau of Prisons, including about the events and circumstances described in the Indictment; and
- The defendants will complete 100 hours of community service, preferably in an area related to the criminal justice system.

The defendants have consented to the entry of the Agreements and have also admitted that they "willfully and knowingly completed materially false count and round slips regarding required counts and rounds in the Special Housing Unit of the Metropolitan Correctional Center on August 9, 2019 and August 10, 2019."

The Government respectfully requests, with the consent of the defendants, through counsel, that the Court schedule a hearing date for entry of the Agreements. Having conferred with defense counsel, all parties are available to proceed by video conference on Tuesday, May 25, 2021, should

¹ As the deferred prosecution agreements are not final until they are approved by the Court, the Government has not filed them publicly with this letter.

that date be convenient for the Court. If that date is not convenient for the Court, or if the Court wishes to proceed in person, the parties can propose alternative dates.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: /s/
Jessica Lonergan
Nicolas Roos
Assistant United States Attorneys
(212) 637-1038/-2421

Cc: Defense Counsel
Pretrial Services