

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
LONDON

Eastern District of Kentucky
FILED
JUL 15 2022
AT LONDON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT
PLAINTIFF

CRIMINAL ACTION NO. 6:22-CR-12-CHB

UNITED STATES OF AMERICA

V. BINDING PLEA AGREEMENT

JEREMY MICHAEL LYNCH

DEFENDANT

* * * * *

1. Pursuant to Federal Rule of Criminal Procedure 11(c), the Defendant will enter a guilty plea to Indictment, which charges a violation of 21 U.S.C. § 841(a)(1), possession with the intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance. Pursuant to Rule 11(c)(1)(A), the United States will not bring additional charges against the Defendant based upon evidence in its possession at the time of the execution of this Agreement and arising out of the Defendant's conduct within the Eastern District of Kentucky, unless the Defendant breaches this Agreement. Pursuant to Rule 11(c)(1)(C), the United States and the Defendant agree to a specific sentence. Pursuant to Rule 11(c)(4), if the Court accepts this plea agreement, the agreed disposition will be included in the judgment.

2. The essential elements of the Superseding Indictment are:

- (a) The Defendant knowingly and intentionally possessed a mixture or substance containing a detectable amount of methamphetamine, a

Schedule II controlled substance;

- (b) The Defendant had the intent to distribute such substance;
- (c) The offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine; and
- (d) At the time the Defendant committed the offense charged he had a final conviction for a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense as stated in the Superseding Indictment.

3. The United States could prove the following facts that establish the essential elements of the Indictment beyond a reasonable doubt, and the Defendant admits these facts:

- (a) On February 25, 2019, in Wayne County, in the Eastern District of Kentucky, law enforcement searched a hotel room where the Defendant was present. During the search, law enforcement found approximately one pound of a substance containing methamphetamine (“methamphetamine”), which belonged to the Defendant. Law enforcement subsequently search a vehicle being used by the Defendant and located another approximately one pound of the Defendant’s methamphetamine. In total, the Defendant had in his possession over 500 grams of methamphetamine and he intended to distribute it to others in the Wayne County area.
- (b) Before February 25, 2019, the Defendant had a final conviction for a serious drug felony, namely, a conviction under Kentucky Revised Statute § 218A.1432 (manufacturing methamphetamine in Jefferson Circuit Court, Case Number 12-CR-001742-005). For this offense, the Defendant served a term of imprisonment of more than 12 months and his release was within 15 years of the commencement of the instant offense.

4. The statutory punishment for the offense is imprisonment for not less than 15 years and not more than life, a fine of not more than \$20,000,000, and a term of

supervised release of at least 10 years. The Defendant has one prior serious drug felony conviction as set forth in the notice filed by the United States pursuant to 21 U.S.C. § 851, and therefore the Defendant is subject to the above enhanced statutory punishment. A mandatory special assessment of \$100 applies, and the Defendant will pay this assessment to the U.S. District Court Clerk as directed by the Court.

5. The United States and the Defendant agree to the following specific sentence, which binds the Court upon acceptance of this plea agreement.

- (a) The Defendant's sentence of imprisonment shall be 180 months.
- (b) The Defendant's term of supervised release shall be 10 years.
- (c) Pursuant to U.S.S.G. §§ 5G1.3 & 5K2.23, the sentence in the instant offense shall be served consecutively to, and not be adjusted downward to account for, any currently undischarged or prior discharged terms of imprisonment.

6. No agreement exists regarding the Defendant's criminal history category pursuant to U.S.S.G. Chapter 4.

7. The Defendant will not file a motion for a decrease in the offense level based on a mitigating role pursuant to U.S.S.G. § 3B1.2 or a departure motion pursuant to U.S.S.G. Chapter 5, Parts H or K.

8. The Defendant waives the right to appeal the guilty plea, conviction, and sentence. Except for claims of ineffective assistance of counsel, the Defendant also waives the right to attack collaterally the guilty plea, conviction, and sentence.

9. If the Defendant violates any part of this Agreement, the United States may void this Agreement and seek an Indictment for any violations of federal laws, and the

Defendant waives any right to challenge the initiation of additional federal charges.

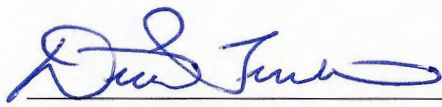
10. This document and the supplement contain the complete and only Plea Agreement between the United States Attorney for the Eastern District of Kentucky and the Defendant. The United States has not made any other promises to the Defendant.

11. This Agreement does not bind the United States Attorney's Offices in other districts, or any other federal, state, or local prosecuting authorities.

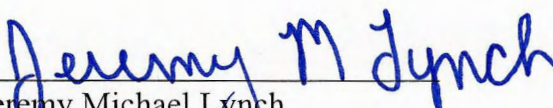
12. The Defendant and the Defendant's attorney acknowledge that the Defendant understands this Agreement, that the Defendant's attorney has fully explained this Agreement to the Defendant, and that the Defendant's entry into this Agreement is voluntary.

CARLTON S. SHIER, IV
UNITED STATES ATTORNEY

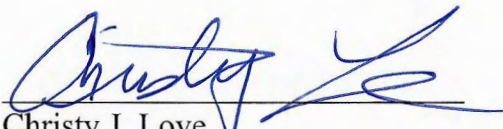
Date: 7/15/22

By: 
Andrew H. Trimble
Assistant United States Attorney

Date: 7-6-22


Jeremy Michael Lynch
Defendant

Date: 7-6-22


Christy J. Love
Attorney for Defendant