

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
LEXINGTON**

Eastern District of Kentucky
FILED
DEC 09 2022
AT LEXINGTON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

CRIMINAL ACTION NO. 22-CR-00099-DCR

UNITED STATES OF AMERICA

PLAINTIFF

V.

PLEA AGREEMENT

JAMIE M. CRAWFORD

DEFENDANT

* * * * *

1. Pursuant to Federal Rule of Criminal Procedure 11(c), the Defendant will enter guilty pleas to Counts 1, 2, and 3 of the Indictment. Count 1 charges a violation of 21 U.S.C. § 846, conspiracy to distribute 40 grams or more of a mixture or substance containing a detectable amount of fentanyl. Count 2 charges a violation of 21 U.S.C. § 841(a)(1), possession with the intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of fentanyl. Count 3 charges a violation of 18 U.S.C. § 924(c)(1)(A), possession of a firearm in furtherance of a drug trafficking crime.

2. The essential elements of Count 1 are as follows:

- (a) That two or more persons formed, reached, or entered into an agreement or understanding to knowingly and intentionally distribute a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance;
- (b) That at some time during the existence or life of the agreement or understanding, the defendant knew the essential objective of the agreement or understanding;

- (c) That the defendant knowingly and voluntarily joined the agreement or understanding; and
- (d) That the overall scope of the agreement or understanding involved an amount greater than 40 grams of a mixture or substance containing a detectable amount of fentanyl.

3. The essential elements of Count 2 are as follows:

- (a) That the defendant knowingly possessed 40 grams or more of a mixture or substance containing a detectable amount fentanyl, a Schedule II controlled substance;
- (b) That the defendant intended to distribute 40 grams or more of a mixture or substance containing a detectable amount of fentanyl.

4. The essential elements of Count 3 are as follows:

- (a) That the defendant committed a drug trafficking crime as charged in Counts 1 and 2 of the Indictment;
- (b) That the defendant knowingly possessed a firearm; and
- (c) That the defendant's possession of the firearm was in furtherance of the defendant's drug trafficking crimes as charged in Counts 1 and 2 of the Indictment.

5. As to Counts 1, 2, and 3 of the Indictment, the United States could prove the following facts that establish the essential elements of the offenses beyond a reasonable doubt, and the Defendant admits these facts:

- a. On June 22, 2021, in Fayette County, in the Eastern District of Kentucky, officers with the Lexington Police Department executed a search warrant on a residence belonging to the Defendants Charles McElroy and Jamie Crawford. Both Defendants were present at the time of the execution of the search warrant.

In the Defendants' bedroom, officers located various quantities of narcotics. Behind and within a television stand, officers located multiple plastic baggies containing the following:

- 190.105 grams of fentanyl, a Schedule II controlled substance in powder form;
- 32.567 grams of fentanyl in pill/tablet form; and
- 17.87 grams of methamphetamine

All of the above-listed narcotics were submitted to the Kentucky State Police Lab where they were tested, analyzed, and confirmed as the narcotics and weights listed.

- b. In addition to the narcotics, officers also located the following firearms in the same bedroom and in close proximity to the narcotics and television stand:
- Beretta, Model: 8040 Cougar F, Cal.: .40, pistol, SN: 075378MC;
 - Springfield Armory, Model: XDS, Cal.: 9x19, pistol, SN: XS917796; and
 - Smith & Wesson, Model: 36, Cal.: 38 S&W Special, revolver, SN: 382J57

All three firearms were loaded with various amounts of ammunition. The Springfield was also determined to be stolen.

- c. Throughout the residence, officers also located various paraphernalia consistent with narcotics trafficking. Such items included a money counter, plastic baggies, multiple digital scales used to weigh out narcotics for sale, and Naloxone (Narcan).
- d. While at the residence, McElroy and Crawford were interviewed by narcotics detectives. Both Defendants admitted to being involved in narcotics trafficking for some time. The Defendants admitted that they would typically obtain various narcotics such as fentanyl, methamphetamine, cocaine, and pills from a source of supply located in Detroit, Michigan. Their source of supply would normally have the narcotics brought to the Defendants' residence where they would then traffic the narcotics from their home. According to the Defendants, once the narcotics were sold, they would wire a portion of the proceeds to the supplier and retain a portion for themselves.

On June 21, 2021, the supplier was unable to deliver the narcotics to the Defendants. Instead, Crawford traveled to Detroit to meet with the supplier, obtained approximately 200 grams of fentanyl, and traveled back to Lexington on June 22, 2021, with the intent that she and McElroy would sell the narcotics to other people. Both Defendants also admitted that the firearms located in the bedroom belonged to both of them.

e. The Defendant admits that she engaged in a conspiracy with McElroy and other known and unknown subjects to knowingly and intentionally distribute at least 40 grams or more of a mixture or substance containing a detectable amount of fentanyl from her and McElroy's residence, which they maintained as a premise for the purpose of distributing narcotics. The Defendant admits that a quantity of at least 400 kilograms to 700 kilograms of converted drug weight can be attributed to the Defendant by her own conduct and conduct reasonably foreseeable to her as part of the conspiracy. The Defendant also admits that she knowingly possessed the narcotics seized from her residence on June 22, 2021, with the intent to distribute them to another person(s). Lastly, based on the types of firearms, their ease of accessibility, the presence of ammunition, their proximity to the Defendants' narcotics, that one of the firearms was unlawfully possessed as it was stolen, and that all of the firearms were loaded, the Defendant admits that she possessed at least one firearm with the intent to further the drug trafficking conspiracy and the drug trafficking crime on June 22, 2021.

6. The statutory punishments for Counts 1 and 2 is not less than 5 years imprisonment, not more than 40 years imprisonment, a fine of not more than \$5,000,000, and a term of supervised release of not less than 4 years. The statutory punishment for Count 3 is not less than 5 years imprisonment, not more than life imprisonment, consecutive to any other sentence, not more than a \$250,000 fine, and a term of supervised release of not more than 5 years. A mandatory special assessment of \$300 applies, and the Defendant will pay this assessment to the U.S. District Court Clerk at the time of sentencing.

7. Pursuant to Rule 11(c)(1)(B), the United States and the Defendant recommend the following sentencing guideline calculations, and they may object to or argue in favor of other calculations. This recommendation does not bind the Court.

(a) The United States Sentencing Guidelines (USSG) in effect as of November 1, 2021, will determine the Defendant's guidelines range.

- (b) Pursuant to USSG § 1B1.3, the Defendant's relevant conduct includes the facts set forth in paragraph 5 and the provided discovery materials.
- (c) Pursuant to USSG § 2D1.1(a)(5) and (c)(7), the base offense level for Counts 1 and 2 is 26 as the offense involved at least 400 kilograms but less than 700 kilograms of converted drug weight.
- (d) Pursuant to USSG § 2D1.1(b)(12), the offense level is increased by 2 levels as the Defendant maintained a premises for the purpose of manufacturing or distributing a controlled substance.
- (e) Pursuant to USSG § 2K2.4(b), the guideline sentence for Count 3 is the minimum term of imprisonment required by statute which is 5 years consecutive to any other sentence.
- (f) Pursuant to U.S.S.G. § 3E1.1 and unless the Defendant commits another crime, obstructs justice, or violates a court order, decrease the offense level by 2 levels for the Defendant's acceptance of responsibility. If the offense level determined prior to this 2-level decrease is level 16 or greater, the United States will move at sentencing to decrease the offense level by 1 additional level based on the Defendant's timely notice of intent to plead guilty.

8. 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.

9. The Defendant waives the right to appeal the guilty plea and conviction. The Defendant waives the right to appeal any determination made by the Court at sentencing with the sole exception that the Defendant may appeal any aspect of the sentence if the length of the term of imprisonment exceeds the higher of the advisory sentencing guidelines range as determined by the Court at sentencing or the statutory minimum sentence. Except for claims of ineffective assistance of counsel, the Defendant also waives the right to attack collaterally the guilty plea, conviction, and sentence.

10. The Defendant will forfeit to the United States all interest in the property listed in the forfeiture allegation of the Indictment and will execute any documents necessary for this forfeiture. The Defendant agrees that this property is subject to forfeiture because the United States could prove by a preponderance of the evidence that a nexus exists between the property and criminal conduct. The Defendant waives all provisions in Rule 32.2 pertaining to the timing of entry of forfeiture orders.

11. The Defendant abandons any interest in, and consents to the official use, destruction, or other disposition of, any item obtained by any law enforcement agency during the course of the investigation, unless an item is specifically provided for in another provision of this Agreement. The Defendant also waives any notice of a proceeding to implement the official use, destruction, or other disposition of any item abandoned under this paragraph.

12. The Defendant agrees to cooperate fully with the United States Attorney's Office by making a full and complete financial disclosure. Within 30 days of pleading guilty, the Defendant agrees to complete and sign a financial disclosure statement or affidavit disclosing 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, and disclosing any transfer of assets that has taken place within three years preceding the entry of this plea agreement. The Defendant will submit to an examination, which may be taken under oath and may include a polygraph examination. The Defendant will not encumber, transfer, or dispose of any monies, property, or assets under the Defendant's custody or control without written approval

from the United States Attorney's Office. If the Defendant is ever incarcerated in connection with this case, the Defendant will participate in the Bureau of Prisons Inmate Financial Responsibility Program, regardless of whether the Court specifically directs participation or imposes a schedule of payments. If the Defendant fails to comply with any of the provisions of this paragraph, the United States, in its discretion, may refrain from moving the Court pursuant to U.S.S.G. § 3E1.1(b) to reduce the offense level by one additional level, and may argue that the Defendant should not receive a two-level reduction for acceptance of responsibility under U.S.S.G. § 3E1.1(a).

13. The Defendant understands and agrees that, pursuant to 18 U.S.C. § 3613, whatever monetary penalties are imposed by the Court will be due and payable immediately and subject to immediate enforcement by the United States. If the Court imposes a schedule of payments, the Defendant agrees that it is merely a minimum schedule of payments and not the only method, nor a limitation on the methods, available to the United States to enforce the judgment. The Defendant waives any requirement for demand of payment on any fine, restitution, or assessment imposed by the Court and agrees that any unpaid obligations will be submitted to the United States Treasury for offset. The Defendant authorizes the United States to obtain the Defendant's credit reports at any time. The Defendant authorizes the U.S. District Court to release funds posted as security for the Defendant's appearance bond in this case, if any, to be applied to satisfy the Defendant's financial obligations contained in the judgment of the Court.

14. 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.


15. 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.

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

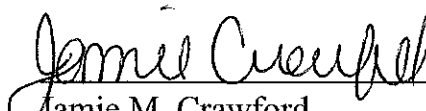
17. The Defendant and the Defendant's attorney acknowledge that the Defendant understands this Agreement, that the Defendant's attorney has fully explained this Agreement to the Defendant, and that the Defendant's entry into this Agreement is voluntary.

CARLTON S. SHIER, IV
UNITED STATES ATTORNEY

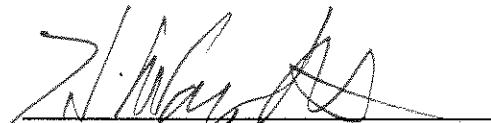
Date: 12-9-22

By: 
Francisco J. Villalobos II
Assistant United States Attorney

Date: 12/2/22


Jamie M. Crawford
Defendant

Date: 12/2/22


H. Wayne Roberts
Attorney for Defendant