

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED IN OPEN COURT

DATE: 10-29-2009

TIME: 2:03 PM

INITIALS: J.G.

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.)
)
PAULA SHARICE NELSON,)
)
Defendant.)

Criminal No. 08-20093-STA

PLEA AGREEMENT

The full and complete plea is as follows:

1. The following constitutes the Plea Agreement reached between the United States, represented by Lawrence J. Laurenzi, United States Attorney for the Western District of Tennessee, and CHRISTOPHER E. COTTEN, Assistant United States Attorney, and the defendant, PAULA SHARICE NELSON, represented by STEFFEN G. SCHREINER, defense counsel. The parties enter into the following Plea Agreement pursuant to Rule 11(c)(1)(c) of the Federal Rules of Criminal Procedure, it being the intention of the parties that the Court may accept or reject this agreement immediately or after having had an opportunity to review the pre-sentence report, but may not modify the agreement. Except with respect to any non-binding recommendations to be made by the United States, if the Court rejects the agreement either party may withdraw from the agreement.

2. PAULA SHARICE NELSON agrees that she will enter a voluntary plea of guilty to counts 1 and 6 of the indictment.

3. The United States agrees to dismiss any remaining counts of the indictment against the defendant at sentencing.

4. The United States agrees to recommend that PAULA SHARICE NELSON be sentenced at the low end of the applicable sentencing guideline range. The defendant understands that any recommendations made by the United States are not binding on the court and should the court not accept the recommendation or request the defendant nevertheless has no right to withdraw the plea.

5. Given the facts in the possession of the United States at the time of the writing of this agreement, the United States does not oppose the defendant receiving acceptance of responsibility credit pursuant to U.S.S.G. Section 3E1.1. The defendant understands that if the United States receives information between the signing of this agreement and the time of the sentencing that the defendant has previously engaged in, or if she engages in the future, in conduct inconsistent with the acceptance of responsibility, including, but not limited to, participation of any additional criminal activities between now and the time of sentencing, this position could change. Further, the defendant understands that whether or not acceptance of responsibility credit pursuant to Section 3E1.1 is granted is a matter to be determined by the district court. Failure of the district court to grant acceptance of responsibility credit is not a basis for PAULA SHARICE NELSON to withdraw her guilty plea.

6. Defendant agrees that for the purpose of restitution, the Court may consider losses derived from the counts of conviction and losses caused from dismissed counts and uncharged conduct of the defendant.

7. Defendant understands that Title 18 United States Code Section 3742 gives her the right to appeal the sentence imposed by the Court. Acknowledging this, defendant knowingly and voluntarily waives her right to appeal her conviction, as well as any sentence imposed by the Court and the manner in which the sentence is determined so long as the sentence is within the statutory maximum specified above. This waiver is made in exchange for the concessions made by the United States in this Plea Agreement. The waiver in this paragraph does not apply to claims relating to prosecutorial misconduct and ineffective assistance of counsel.

8. PAULA SHARICE NELSON agrees to upon request, provide the United States Probation Office and the attorney for the United States a complete and accurate personal financial statement and any and all other records and documents pertaining to her financial condition.

9. The defendant understands and agrees that the special assessment is due and payable to the United States District Court office immediately following the defendant's sentencing.

10. This writing constitutes the entire Plea Agreement between the Defendant and the United States with respect to her plea of guilty. Neither the United States nor any law enforcement officer can or does make any promises or representations as to what sentence will be imposed by the Court. No additional promises, representations or inducements other than those referenced in this Plea Agreement have been made to the Defendant or to the Defendant's attorney with regard to this Plea, and none will be made or entered into unless in writing and signed by all parties.

11. PAULA SHARICE NELSON agrees that this plea agreement constitutes the entire agreement between herself and the United States and that no threats have been made to induce her

to plead guilty. By signing this document, PAULA SHARICE NELSON acknowledges that she has read this agreement, has discussed it with her attorney and understands it.

FOR THE UNITED STATES:

LAWRENCE J. LAURENZI
UNITED STATES ATTORNEY



CHRISTOPHER E. COTTEN
Assistant United States Attorney
800 Federal Office Building
167 N. Main Street
Memphis, TN 38103

10-29-09

Date

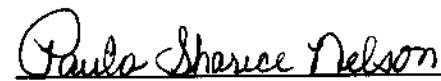
FOR THE DEFENDANT:



STEFFEN G. SCHREINER
Attorney for the Defendant
369 N. Main
Memphis, TN 38103

10-29-09

Date



PAULA SHARICE NELSON
Defendant

10-29-09

Date