

RECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

DEC 23 2024

WESTERN DISTRICT OF LOUISIANA

DANIEL J. MCCOY, CLERK
BY: 

ALEXANDRIA DIVISION

UNITED STATES OF AMERICA * CRIMINAL NO.: 23-CR-00293-02
*
VERSUS * JUDGE DRELL
*
MICHAEL BO PEACOCK (02) * MAGISTRATE JUDGE PEREZ-MONTES

PLEA AGREEMENT

A. INTRODUCTION

1. This document contains the complete plea agreement between the government and MICHAEL BO PEACOCK, the defendant. No other agreement, understanding, promise, or condition exists, nor will any such agreement, understanding, promise or condition exist unless it is committed to writing in an amendment attached to this document and signed by the defendant, an attorney for the defendant, and an attorney for the government. The terms of this plea agreement are only binding on the defendant and the government if the Court accepts the defendant's guilty plea.

B. THE DEFENDANT'S OBLIGATIONS

MICHAEL BO PEACOCK shall appear in open court and plead guilty to count(s) 1 and 3 of the indictment pending in this case.

C. THE GOVERNMENT'S OBLIGATIONS

1. If the defendant completely fulfills all obligations and agreements under this plea agreement, the government agrees to dismiss the remaining count(s) of the

indictment after sentencing, and the United States Attorneys Office for the Western District of Louisiana will not prosecute the defendant for any other offense known to the United States Attorney's Office, based on the investigation which forms the basis of the indictment.

2. The government will and hereby moves pursuant to U.S.S.G. § 3E1.1(b) for the defendant to receive a one-point reduction in offense level should that offense level be 16 or greater, as the defendant has assisted authorities in the investigation or prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the Court to allocate resources efficiently.

D. SENTENCING

MICHAEL BO PEACOCK understands and agrees that:

1. The maximum punishment on count 1 is a term of imprisonment of not less than 15 years nor more than 30 years (pursuant to 18 U.S.C. § 2251) and a fine of not more than \$250,000 (pursuant to 18 U.S.C. § 3571);

2. The maximum punishment on count 3 is a term of imprisonment of not less than 10 years nor more than life (pursuant to 18 U.S.C. § 2422(b)) and a fine of not more than \$250,000 (pursuant to 18 U.S.C. § 3571);

3. As to Count 1, the defendant shall be required to pay a special assessment of \$100 at the time of the guilty plea by means of a cashier's check, official bank check, or money order payable to "Clerk, U.S. District Court"; If the defendant is determined to be non-indigent, he shall be required to pay a special

assessment of \$5,000. In addition, the Court may order an additional special assessment of up to \$50,000 pursuant to 18 U.S.C. § 2259A.

4. As to Count 3, the defendant shall be required to pay a special assessment of \$100 at the time of the guilty plea by means of a cashier's check, official bank check, or money order payable to "Clerk, U.S. District Court";

5. For each count, the defendant may receive a term of supervised release of not less than 5 years nor more than life in length in addition to any term of imprisonment imposed by the Court;

6. A violation of any condition of supervised release at any time during the period of supervised release may result in the defendant being incarcerated over and above any period of imprisonment initially ordered by the Court;

7. The period of incarceration for a violation of a condition of supervised release could be as much as the full term of supervised release initially ordered by the Court, regardless of the amount of time of the supervised release the defendant has successfully completed;

8. In addition to the penalties set forth in the preceding paragraphs, the Court must order restitution in this case, and the defendant agrees that restitution in this case is not limited to the amounts or victims referred to in the specific charge(s) to which the defendant has pled guilty, and will be determined by the Court after a complete review of the evidence developed in the investigation of this case by the government and further investigation by the United States Probation Office as contained in the Presentence Report;

9. Any fine and/or restitution imposed as part of the defendant's sentence will be made due and payable immediately, the defendant will be held liable for all restitution jointly and severally with all co-defendants, and any federal income tax refund received by the defendant from the Internal Revenue Service while there is an outstanding fine and/or restitution shall be applied toward the fine and/or restitution award;

10. The defendant expressly authorizes the U.S. Attorney's Office to immediately obtain a credit report on him to be used in consideration of his ability to pay restitution or fine that may be imposed by the Court;

11. As part of the presentence investigation, the government will make available to the Court all evidence developed in the investigation of this case;

12. This case is governed by the Sentencing Reform Act as modified by United States v. Booker, 543 U.S. 220 (2005), and the defendant has discussed the Sentencing Guidelines and its applicability with his counsel and understands and acknowledges that a final determination of the applicable guidelines range cannot be made until the completion of the presentence investigation;

13. The sentencing judge alone will decide what sentence to impose; and

14. The failure of the Court to adhere to a sentencing recommendation tendered by counsel shall not be a basis for setting aside the guilty plea which is the subject of this agreement.

E. ADAM WALSH ACT REGISTRATION REQUIREMENTS

The defendant has been advised and understands that pursuant to 18, United States Code, Sections 2250 and 3583(d), he must register and keep the registration current in each of the following jurisdictions: where he resides, where he is an employee, and where he is a student. The defendant understands that the requirements for registration include providing his name, residence address, and the names and addresses of any place where he is or will be an employee or a student, among other information. The defendant further understands that the requirement to keep the registration current includes informing at least one jurisdiction in which he resides, is an employee or is a student not later than three business days after any change of name, residence, employment, or student status. The defendant has been advised and understands that failure to comply with these obligations subjects him to prosecution for failure to register, which is punishable by a fine or imprisonment or both.

F. FORFEITURE

Defendant further agrees:

1. To forfeit all right, title, and interest in and to any and all monies, properties, and/or assets of any kind, derived from or acquired as a result of, or used to facilitate the commission of, or involved in the illegal activity to which the defendant is pleading guilty, specifically, including, but not limited to, the following:

- a. Cooler Master CPU case s/n rc932kkn51135100189
- b. Synology disc drives s/n 2130ryrnwb00ec s/n 2260p1n597900

- c. Kingston USB 3.0 drive 128gb, dtdtse9 g2
- d. Card reader containing 1tb MicroSD card
- e. SurfacePro tablet, model 1866, silver
- f. ClearPHONE, model 620
- g. LG Nexus phone, LGC821
- h. Blue Lenovo laptop, model pf9xb1623174, s/n pf305teh
- i. Toshiba laptop, s/n 1b117919q
- j. Black iPhone
- k. ASUS Nexus tablet
- l. Portfolio of bank documents
- m. Ledger brand USB drive
- n. Red USB drive marked Kinetix
- o. PNY brand 32 gb USB drive, grey in color
- p. PNY 32gb USB drive, SanDisk 8gb SD card, SanDisk microSD adapter with SanDisk 400gb microSD card;
- q. Western Digital Easystore HDD s/n legez73z
- r. DTSE9 32gb USB drive
- s. Crypto seed
- t. Titan security key Google cloud model K9T

(collectively, the "Forfeitable Property").

2. To the Court's entry of an order of forfeiture at or before sentencing with respect to the Forfeitable Property and to the forfeiture of the assets.

3. That the Preliminary Order of Forfeiture shall become final as to the defendant upon entry.

4. To take whatever steps are necessary to pass to the United States clear title to the Forfeitable Property, including, but not limited to, completing any legal documents required for the transfer of title to the United States.

5. Not to contest any administrative forfeiture proceedings or civil judicial proceedings commenced against the Forfeitable Property. If defendant submitted a claim and/or petition for remission for all or part of the Forfeitable Property on behalf of himself or any other individual or entity, defendant shall and hereby does withdraw any such claims or petitions, and further agrees to waive any right he may have to seek remission or mitigation of the forfeiture of the Forfeitable Property. Defendant further waives any and all notice requirements of 18 U.S.C. §983(a)(1)(A), including that it was not timely commenced.

6. Not to assist any other individual in any effort falsely to contest the forfeiture of the Forfeitable Property.

7. Not to claim that reasonable cause to seize the Forfeitable Property was lacking.

8. To prevent the transfer, sale, destruction, or loss of the Forfeitable Property to the extent defendant has the ability to do so.

9. To fill out and deliver to the USAO a completed financial statement listing defendant's assets on a form provided by the USAO.

10. That forfeiture of Forfeitable Property shall not be counted toward satisfaction of any special assessment, fine, restitution, costs, or other penalty the Court may impose.

11. With respect to any criminal forfeiture ordered as a result of this plea agreement, defendant waives: (1) the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcements of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment; (2) all constitutional and statutory challenges to the forfeiture (including by direct appeal, habeas corpus or any other means); and (3) all constitutional, legal, and equitable defenses to the forfeiture of the Forfeitable Property in any proceeding on any grounds including, without limitation, that the forfeiture constitutes an excessive fine or punishment. Defendant acknowledges that the forfeiture of the Forfeitable Property is part of the sentence that may be imposed in this case and waives any failure by the Court to advise defendant of this, pursuant to Federal Rule of Criminal Procedure 11(b)(1)(J), at the time the Court accepts defendant's guilty plea.

G. REINSTATEMENT OF ORIGINAL INDICTMENT

MICHAEL BO PEACOCK understands and agrees that should this plea be overturned for any reason at a later date, the indictment, in its entirety, will be automatically reinstated without need for presentment to a Grand Jury or any motion or other action by the government.

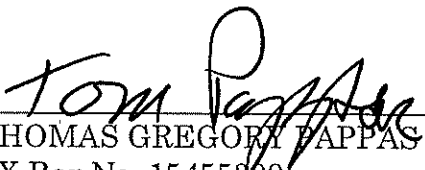
H. ENTIRETY OF AGREEMENT

This plea agreement consists of this document and any addendum required by Standing Order 1.86. The defendant, the defendant's attorney, and the government acknowledge that this plea agreement is a complete statement of the parties' plea agreement in this case. It supersedes all other plea agreements and may not be modified unless the modification is in writing and signed by all parties. No other promises have been made or implied.

I. SIGNATURE OF ATTORNEY FOR THE DEFENDANT, THE DEFENDANT, AND THE ATTORNEY FOR THE GOVERNMENT

I have read this plea agreement and have discussed it fully with my client, MICHAEL BO PEACOCK. I concur in MICHAEL BO PEACOCK pleading guilty as set forth in this plea agreement.

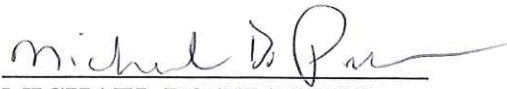
Dated: 12/19/24


THOMAS GREGORY PAPPAS
TX Bar No. 15455300
Burleson, Pate & Gibson
900 Jackson Street, Suite 330
Dallas, TX 75202
Telephone: (214) 871-4900
Attorney for the Defendant

I have read this plea agreement and have discussed it with my attorney. I fully understand the plea agreement and accept and agree to it without reservation. I do this voluntarily and of my own free will. No threats have been made to me, nor am I under the influence of anything that could impede my ability to fully understand this plea agreement.

I am satisfied with the legal services provided by my attorney in connection with this plea agreement and the matters related to this case.

Dated: 12/10/2024


MICHAEL BO PEACOCK
Defendant

I accept and agree to this plea agreement on behalf of the United States of America.

Dated: Dec. 13, 2024

BRANDON B. BROWN
United States Attorney


JOHN LUKE WALKER
LA Bar No. 18077

Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, Louisiana 70501
Telephone: (337) 262-6618

J. Daniel Siefert, Jr.
LA # 34764

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

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UNITED STATES OF AMERICA * CRIMINAL NO.: 23-CR-00293-02
 *
VERSUS * JUDGE DRELL
 *
MICHAEL BO PEACOCK (02) * MAGISTRATE JUDGE PEREZ-MONTES

**UNDERSTANDING OF MAXIMUM PENALTY
AND CONSTITUTIONAL RIGHTS**

I, MICHAEL BO PEACOCK, the above-named defendant, having been furnished a copy of the charges and having discussed same with my attorney, state that I understand the nature of the charges against me and the maximum possible penalties that may be imposed against me, as follows:

PENALTY – COUNT 1: A term of imprisonment of not less than fifteen (15) years, nor more than thirty (30) years per 18 U.S.C. § 2251. a fine of up to \$ 250,000 or both; a term of supervised release of not less than five (5) years, nor more than life pursuant to 18 U.S.C. § 3583(k); a special assessment fee of \$100.00, per 18 U.S.C. § 3013, or if the defendant is non-indigent \$5,000.00 pursuant to 18 U.S.C. § 3014, which under this agreement is payable and due **at the time his guilty plea is entered.**

The Court may order an additional special assessment of up to \$50,000.00 pursuant to 18 U.S.C. § 2259A. The defendant agrees to tender the special assessment by means of a cashier's check, bank official check, or money order payable to the "Clerk, U.S. District Court."

PENALTY - COUNT 3: A term of imprisonment of not less than ten (10) years, nor more than life per 18 U.S.C. § 2422. a fine of up to \$250,000 or both; a term of supervised release of not less than five (5) years, nor more than life pursuant to 18 U.S.C. § 3583(k); a special assessment fee of \$100.00, per 18 U.S.C. § 3013, which under this agreement is payable and due **at the time his guilty plea is entered.**

I further state that I understand:

1. My right to be represented by counsel (a lawyer) of my choice, or if I cannot afford counsel, my right to be represented by court-appointed counsel at no cost to me;
2. My right to plead guilty or not guilty;
3. My right to have a jury trial with twelve jurors who must all agree as to my guilt in order to convict;
4. My right not to be required to testify against myself or at all, if I do not so desire;
5. My right to confront and cross-examine witnesses against me and my right to have compulsory process to require witnesses to testify.

I realize that by pleading guilty, I stand convicted of the crime charged and waive my privilege against self-incrimination, my right to jury trial, my right to confront and cross-examine witnesses, and my right of compulsory process.

I further state that my plea in this matter is free and voluntary and that it has been made without any threats or inducements whatsoever (except the Plea Agreement) from anyone associated with the State or United States Government or my attorney, and that the only reason I am pleading guilty is that I am in fact guilty as charged.

Thus done and signed this ____ day of ____ 2024, at Alexandria, Louisiana.

12/10/2024
Date

Michael Bo Peacock
MICHAEL BO PEACOCK
Defendant

12/10/24
Date

Thomas Gregory Pappas
THOMAS GREGORY PAPPAS
TX Bar No. 15455300
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Attorney for the Defendant

BRANDON B. BROWN
United States Attorney

J. Daniel Steffer, Jr.
LA # 34764

Dec 13, 2024
Date

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BY: _____
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ALEXANDRIA DIVISION

UNITED STATES OF AMERICA * CRIMINAL NO.: 23-CR-00293-02
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VERSUS * JUDGE DRELL
*
MICHAEL BO PEACOCK (2) * MAGISTRATE JUDGE PEREZ-MONTES

STIPULATION IN SUPPORT OF GUILTY PLEA

NOW INTO COURT, come the United States of America, by and through the undersigned Assistant United States Attorney, and the defendant, MICHAEL BO PEACOCK, hereinafter referred to as "Peacock" or "Defendant," and for the purposes of providing the Court with a factual basis for a plea agreement pursuant to Rule 11(b)(3) of the Federal Rules of Criminal Procedure, provide the following:

COUNT 1

Beginning on an unknown date but reasonably near January 1, 2023, and continuing until about November 16, 2023, the defendant, MICHAEL BO PEACOCK, and Daniel Perryman Collins (hereafter Collins), both together and individually would cause minors to produce child pornographic images of themselves by the use of threats and blackmail for their sexual gratification. During the life of the conspiracy, Collins was located in Pineville, Louisiana. All of his actions occurred while he was in Pineville, Louisiana, which is in the Western District of Louisiana. Peacock was located in Dallas, Texas. His actions occurred while he was in Dallas, Texas or other places outside the Western District of Louisiana.

Stipulated Factual Basis

The defendant, MICHAEL BO PEACOCK, was adept at meeting and coercing/blackmailing children to engage in sexually explicit conduct and producing videos of said conduct. Collins also would meet and coerce minors to engage in sexually explicit conduct, and produce videos of said conduct, though he had a difficult time doing so. Collins was sophisticated in the area of computer and network security. He would remove meta-data on images and videos that Peacock obtained so that those images and videos could not be traced back to Peacock. In return for this service, Peacock gave Collins access to all the child pornography he had caused minors to produce. Collins also gave Peacock access to all the child pornography he had caused minors to produce.

In order to effectively share the child pornography, Collins and Peacock obtained a Mega account for which both had an encryption key. Mega, a cloud-based file hosting service, is located in Auckland, New Zealand. Because the data stored in Mega is end-to-end encrypted, only those who have the encryption key can decrypt and view the material posted at the site. Both Collins and Peacock posted images and videos of child pornography they had produced or otherwise obtained and placed them in the encrypted account they had with Mega.

During the life of the conspiracy, Collins and Peacock exploited over 100 child victims, causing them to create child pornography. Those images and videos were posted on the Mega Account. A separate folder for each of the child victims was created by Collins and Peacock, with some identifying information about the children being included. Peacock, on at least two occasions traveled from his home in Dallas,

Texas to other states for the purpose of meeting and engaging in sexual acts with children. While doing so, he would create images and videos of the sexual exploitation. He would then share them with Collins. In at least 2 of the images sent, Peacock's face could be seen in the image.

On November 16, 2023, a search warrant on Collins' home was executed. During the execution of the warrant law enforcement obtained access to Collins' and Peacock's Mega account. They were then able to download all the folders of images of child pornography that Collins and Peacock had created and thereafter posted to that site.

On November 21, 2023, an arrest warrant was executed for MICHAEL BO PEACOCK, along with a search warrant for his home. SD cards were found at his home which contained approximately 194 folders containing child pornography as well as the names of the victims. Many of those folders were the same as those found on the Mega account.

COUNT 3

At the same time that Collins was communicating with Peacock, he was also communicating with an undercover law enforcement officer in the United Kingdom. Those conversations with the undercover officer primarily related to the sale of blackmail child pornography that he and Peacock had produced. During his communications with the undercover officer, Collins distributed 4 videos to the undercover officer. Based upon the metadata found on one of the videos, the video was created on July 24, 2023. In those videos Peacock contacted Collins and

thereafter contacted a minor victim on SnapChat. Peacock and Collins then convinced the minor victim to masturbate or show lascivious videos of their genitals to the two defendants. Causing a minor to masturbate or to show lascivious videos of their genitals is a crime. As such, Peacock and Collins used a facility in interstate commerce to cause a minor to engage in a crime for which someone could be prosecuted criminally. Peacock and Collins created those videos of the child engaging in sexually explicit conduct, capturing a video of the child engaging in the sexually explicit conduct as it was occurring.

Even though Peacock was in Dallas he was contacting Collins in Pineville, Louisiana on his cell phone and the minor victim. As such his contact was within the Western District of Louisiana for venue purposes.

12/10/2024
DATE

Michael B. Peacock
MICHAEL BO PEACOCK
Defendant

12/10/24
DATE

Tom Pappas
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Attorney for the Defendant

Dec. 13, 2024
DATE

BRANDON B. BROWN
United States Attorney

J. Daniel Siefert, Jr.
LA # 34764

John Luke Walker
JOHN LUKE WALKER, La. Bar No. 18077
Assistant United States Attorney
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

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UNITED STATES OF AMERICA * CRIMINAL NO.: 23-CR-00293-02
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VERSUS * JUDGE DRELL
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MICHAEL BO PEACOCK (02) * MAGISTRATE JUDGE PEREZ-MONTES

ELEMENTS OF OFFENSE

COUNT 1
CONSPIRACY TO PRODUCE CHILD PORNOGRAPHY
18 U.S.C. §§ 2251(a) & (e)

Title 18, United States Code, Section 2251(a) and (e), makes it a crime for two or more persons to conspire to commit the offense of production of child pornography.

A “conspiracy” is an agreement between two or more persons to join together to accomplish some unlawful purpose. It is a kind of “partnership in crime” in which each member of the conspiracy becomes the agent of every other member.

For you to found guilty of this crime, the government must have proved each of the following beyond a reasonable doubt:

First: That you and at least one other person agreed to commit the crime
 of production of child pornography as charged in the indictment;
 and

Second: That you knew the unlawful purpose of the agreement and joined in it willfully, that is, with the intent to further the unlawful purpose; and

One may become a member of a conspiracy without knowing all the details of the unlawful scheme or the identities of all the other alleged conspirators. If a defendant understands the unlawful nature of a plan or scheme and knowingly and intentionally joins in that plan or scheme on one occasion, that is sufficient to convict him for conspiracy even though the defendant had not participated before and even though the defendant played only a minor part.

The government does not need to prove that the alleged conspirators entered into any formal agreement, or that they directly stated between themselves all the details of the scheme. Likewise, the government does not need to prove that all of the details of the scheme alleged in the indictment were actually agreed upon or carried out. Nor must it prove that all of the persons alleged to have been members of the conspiracy were such, or that the alleged conspirators actually succeeded in accomplishing their unlawful objectives.

Title 18, United States Code, Section 2251(a), makes it a crime to employ use, persuade, induce, entice, or coerce any minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct.

The elements of production of child pornography are as follows:

First: That you did employ use, persuade, induce, entice, or coerce any minor to engage in sexually explicit conduct;

U.S. v. Michael Bo Peacock, Criminal No. 23-cr-00293-02
Elements of Offense

Second: That you acted with the purpose of producing a visual depiction of such conduct; and

Third: That you knew and had reason to know that the visual depiction would be transported using any means or facility of interstate or foreign commerce.

Because the defendant is charged with conspiracy to produce child pornography, there is no requirement that child pornography was produced, only that the defendant's conspired with another to do so.

COUNT 3

**18 U.S.C. § 2422(b)
Using a Facility in Interstate Commerce
To Cause a Minor to Engage in Criminal Sexual Activity**

Title 18, United States Code, Section 2422(b), makes it a crime for anyone to knowingly persuade, induce, entice, or coerce any minor under 18 years old to engage in any sexual activity for which any person can be charged with a criminal offense by use of any facility or means of interstate or foreign commerce.

For you to be found guilty of this crime, the government has proved each of the following beyond a reasonable doubt:

First: That you knowingly did persuade, induce, entice, or coerce an individual to engage in any sexual activity, as charged;

Second: That you used the Internet or any facility or means of interstate or foreign commerce to do so;

Third: That you believed that such individual was less than 18 years of age; and

Fourth: That, had the sexual activity actually occurred, you could be charged with the criminal offense of receipt of child pornography under the laws of the United States.

As to each Count, the government must also establish, for purposes of venue, that one or more acts constituting this offense took place in the Western District of Louisiana.

II.
VENUE
[18 U.S.C. § 3237(a)]

If the case were to proceed to trial, the government would also have the burden of proving proper venue - that is the government would have to prove by a preponderance of the evidence that the offense was begun, continued, or completed in one of the Parishes that make up the Western District of Louisiana.

12/10/2024
Date

Michael B Peacock
MICHAEL BO PEACOCK
Defendant

12/10/24
Date

Tom Pappas
THOMAS GREGORY PAPPAS
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Attorney for the Defendant

BRANDON B. BROWN
UNITED STATES ATTORNEY

J. Daniel Sreizer, Jr.
LA # 84764

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Date


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