

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

DEC 15 2023

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

TONY F. MOORE, CLERK
BY *Shalene*
DEPUTY

LAFAYETTE DIVISION

UNITED STATES OF AMERICA	*	DOCKET NO. 6:23-CR-00269-01
	*	JUDGE JOSEPH
VERSUS	*	MAGISTRATE JUDGE WHITEHURST
	*	
JOSEPH PREJEAN	*	

PLEA AGREEMENT

A. INTRODUCTION

This document contains the complete plea agreement between the United States Attorney's Office for the Western District of Louisiana and the Public Integrity Section of the Criminal Division of the Department of Justice ("the government"), and the defendant, JOSEPH PREJEAN. 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

JOSEPH PREJEAN shall waive Grand Jury presentment of the charges filed in this case and appear in open court and plead guilty to the one (1) count Bill of Information 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 that it will not prosecute the defendant for any other offense known to the government based on the investigation which forms the basis of the bill of information.

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

JOSEPH PREJEAN understands and agrees that:

1. The maximum punishment on Count 1 is a term of imprisonment of not more than five (5) years (pursuant to 18 U.S.C. § 371), a fine of not more than \$250,000 (pursuant to 18 U.S.C. § 3571), or both;

2. 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;

3. The defendant may receive a term of supervised release of up to three (3) years in length in addition to any term of imprisonment imposed by the Court;

4. 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;

5. 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;

6. In addition to the penalties set forth in the preceding paragraphs, the Court may order the defendant to make restitution to the victim(s) in this case, and that the amount of restitution and method of payment is at the discretion of the Court;

7. 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;

8. The defendant expressly authorizes the government 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;

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

10. 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 their 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;

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

12. 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. FORFEITURE

1. The defendant agrees to identify all assets over which the defendant exercises or exercised control, directly or indirectly, within the past four years, or in which the defendant has or had during that time any financial interest. The defendant agrees to take all steps as requested by the United States to obtain from any other parties by any lawful means any records of assets owned at any time by the defendant. The defendant agrees to provide and/or consent to the release of the defendant's tax returns for the previous five years.

2. The defendant agrees to forfeit all interests in any bribery and/or conspiracy to commit bribery asset that the defendant currently owns, has previously owned or over which the defendant currently, or has in the past, exercised control, directly or indirectly, and any property the defendant has transferred, as well as any property that is traceable to, derived from, fungible with, or a substitute for property that constitutes the proceeds of his offense.

3. The defendant further agrees to waive all interest in any such asset in any administrative or judicial forfeiture proceeding, whether criminal or civil, state or federal. The defendant agrees to consent to the entry of orders of forfeiture for such

property and waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment. Defendant acknowledges that he understands that the forfeiture of assets is part of the sentence that may be imposed in this case and waives any failure by the court to advise him of this, pursuant to Rule 11(b)(1)(J), at the time his guilty plea is accepted.

4. The defendant further agrees to waive all constitutional and statutory challenges in any manner (including direct appeal, habeas corpus, or any other means) to any forfeiture carried out in accordance with this Plea Agreement on any grounds, including that the forfeiture constitutes an excessive fine or punishment. The defendant agrees to take all steps as requested by the United States to pass clear title to forfeitable assets to the United States, and to testify truthfully in any judicial forfeiture proceeding. Defendant acknowledges that all property covered by this agreement is subject to forfeiture as proceeds of illegal conduct.

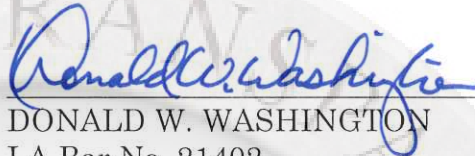
F. ENTIRETY OF AGREEMENT

This plea agreement consists of this document and any addenda attached hereto, including any addendum required by Standing Order 1.86. The defendant, the defendant's attorney, and the government acknowledge that this plea agreement and its addenda are a complete statement of the parties' agreement in this case. This agreement 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.

G. 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,
JOSEPH PREJEAN. I concur in JOSEPH PREJEAN pleading guilty as set forth in this
plea agreement.

Dated: 12/15/2023


DONALD W. WASHINGTON

LA Bar No. 21402

Jones Walker

Post Office Box 3408

Lafayette, LA 70502

Telephone: (337) 262-9000

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: 12/15/2023



JOSEPH PREJEAN
Defendant

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

Respectfully submitted,

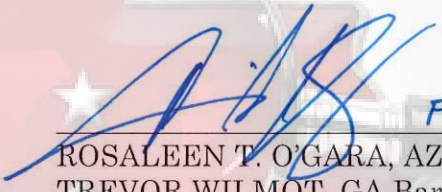
BRANDON B. BROWN
United States Attorney

Dated: 12/15/23


MYERS P. NAMIE, LA Bar No. 29359
DANIEL J. McCOY, LA Bar No. 29334
Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, Louisiana 70501
Telephone: (337) 262-6618

COREY AMUNDSON
Chief, Public Integrity Section
U.S. Department of Justice

Dated: 12/15/23

 For
ROSALEEN T. O'GARA, AZ Bar No. 029512
TREVOR WILMOT, GA Bar No. 936961
Trial Attorneys, Public Integrity Section
U.S. Department of Justice
1301 New York Ave. NW
Washington, D.C. 20530
Telephone: (202) 514-1412

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVEDUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

DEC 15 2023

TONY R. MOORE, CLERK
BY
DEPUTY

LAFAYETTE DIVISION

UNITED STATES OF AMERICA

VERSUS

JOSEPH PREJEAN

*
*
*
*
*

DOCKET NO. 6:23-CR-00269-01

JUDGE JOSEPH

MAGISTRATE JUDGE WHITEHURST

STIPULATED FACTUAL BASIS FOR GUILTY PLEA

NOW INTO COURT, comes the United States of America, by and through the undersigned attorneys for the United States Attorney for the Western District of Louisiana and the Public Integrity Section, Criminal Division, United States Department of Justice, and the defendant, JOSEPH PREJEAN ("PREJEAN"), represented by his undersigned counsel, Mr. Donald W. Washington, 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, hereby stipulate as follows:

Count 1**Conspiracy to Commit an Offense****18 U.S.C. § 371**

PREJEAN stipulates and agrees that he and other individuals known to the United States agreed to commit the crime of Bribery Concerning Programs Receiving Federal Funds, as alleged in the Bill of Information; he knew of the unlawful purpose of the agreement and entered into the conspiracy willfully; and he and other conspirators committed overt act(s) in order to accomplish the object of the

Factual Stipulation

Page 1 of 5

conspiracy. Furthermore, PREJEAN stipulates and agrees that at the time alleged in the Bill of Information, at least one of the conspirators was an agent for the 15th Judicial District Attorney's Office, a state agency that in the relevant one-year period received more than \$10,000 under federal program(s). PREJEAN stipulates and agrees that he corruptly paid things of value to conspirators in connection with the 15th Judicial District Attorney's Office's Pre-Trial Diversion Program ("the Program"). PREJEAN also stipulates and agrees that the series of transactions involved in the bribery conspiracy concerning programs receiving federal funds involved \$5,000 or more.

* * *

The 15th Judicial District Attorney's Office was a state prosecuting authority in Acadia, Lafayette, and Vermillion Parishes, in the Western District of Louisiana. At all times relevant to the Bill of Information, the 15th Judicial District Attorney's Office operated the Program. Under the Program, a person with pending criminal charges was given the opportunity to fulfill certain conditions, such as paying fines, attending courses, passing random drug tests, and performing community service. Upon successfully completing these conditions the pending criminal charges were dismissed. Entry into the Program was voluntary for the defendants, and solely offered at the discretion of the 15th Judicial District Attorney's Office.

The required courses and services were provided by third party vendors, who received payment directly from the defendants participating in the Program. One

such vendor was C & A Consulting Services, LLC ("C&A Consulting"), a company controlled and operated by PREJEAN.

From at least on or about January 2021, to on or about May 2022, DUSTY GUIDRY ("GUIDRY") was a contractor with and agent of Louisiana's 15th Judicial District Attorney's Office, assigned to assist with the administration of the Program. GUIDRY was, therefore, a public official of the 15th Judicial District Attorney's Office. From at least on or about January 2021, until at least on or about May 2022, Public Official #1 ("PO-1") was another employee and agent of Louisiana's 15th Judicial District Attorney's Office, tasked with oversight of the Program. PO-1 was, therefore, also a public official of the 15th Judicial District Attorney's Office. PREJEAN understood that GUIDRY and PO-1 controlled not only which defendants were offered entry into the Program, but also the specific vendors whose courses and services the defendants were required to take.

Beginning on a date unknown, but at least as early as the summer of 2021, PREJEAN knowingly participated in a kickback scheme that involved PREJEAN, GUIDRY, and PO-1 soliciting individuals with pending criminal charges in the 15th Judicial District to participate in the Program by promising favorable resolutions of pending felony and misdemeanor cases within the 15th Judicial District, including the eventual dismissal of the criminal charge(s). It was also part of the scheme that GUIDRY and PO-1 would ensure those defendants were required to take courses and obtain services from C&A Consulting, thus generating additional income for PREJEAN that was further shared with GUIDRY and PO-1.

For example, Person-1 was a defendant in the 15th Judicial District with pending charges in Lafayette Parish (15th Judicial District), and in St. Martin Parish (16th Judicial District). Person-1 was enrolled in the Program and, as part of the enrollment, GUIDRY and PO-1 directed that Person-1 enroll in and take classes from C&A Consulting. In or about October 2021, PREJEAN corruptly solicited \$25,000 from Person-1. PREJEAN understood that GUIDRY and PO-1 were aware of his solicitation of Person-1, and the \$25,000 was later paid on Person-1's behalf in cash to PREJEAN. During a subsequent phone conversation on October 27, 2021, PREJEAN advised GUIDRY that he had the "25 cash" [\$25,000] from Person-1. PREJEAN and GUIDRY then agreed to apportion the extorted \$25,000 between themselves and PO-1. The following day, PREJEAN corruptly paid approximately \$12,500 to GUIDRY. In making the bribe payment, PREJEAN and GUIDRY agreed that GUIDRY would pay a portion of the bribe to PO-1, who also used his/her official position to enroll Person-1 into the Program.

Further, in or about September, 2021, Person-2 was also a defendant in the 15th Judicial District with pending charges in Lafayette Parish (15th Judicial District) and an out-of-state prosecuting district. Person-2 was enrolled in the Program. On or about September 20, 2021, PREJEAN corruptly solicited \$20,000 from Person-2. PREJEAN assured Person-2 that the money would ensure that GUIDRY and other officials would successfully graduate Person-2 from the Program. Person-2 agreed to provide \$20,000 in cash to PREJEAN. Subsequently on September 29, 2021, Person-2 provided \$20,000 in cash to PREJEAN.


BRANDON B. BROWN
United States Attorney

Dated: 12/15/23

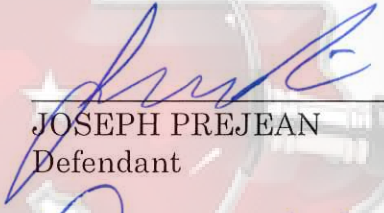

MYERS P. NAMIE, LA Bar No. 29359
DANIEL J. McCOY, LA Bar No. 29334
Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, Louisiana 70501
Telephone: (337) 262-6618

COREY AMUNDSON
Chief, Public Integrity Section

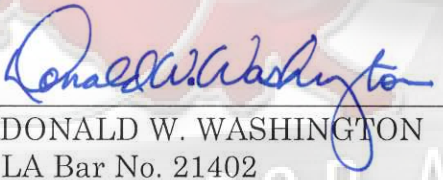
Dated: 12/15/23


ROSALEEN T. O'GARA, AZ Bar No. 029512
TREVOR WILMOT, GA Bar No. 936961
Trial Attorneys, Public Integrity Section
1301 New York Ave. NW
Washington, D.C. 20530
Telephone: (202) 514-1412

Dated: 12/15/2023


JOSEPH PREJEAN
Defendant

Dated: 12/15/2023


DONALD W. WASHINGTON
LA Bar No. 21402
Attorney at Law
Jones Walker
Post Office Box 3408
Lafayette, LA 70502
Telephone: (337) 262-9000

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVEDUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

DEC 15 2023

TONY D. MOORE, CLERK
BY LaCombe
DEPUTY

UNITED STATES OF AMERICA

VERSUS

JOSEPH PREJEAN

*
*
*
*
*

DOCKET NO. 6:23-CR-00269-01

JUDGE JOSEPH

MAGISTRATE JUDGE WHITEHURST

ELEMENTS OF OFFENSE

I.

COUNT 1

Conspiracy to Commit Bribery

18 U.S.C. § 371

Title 18, United States Code, Section 371, makes it a crime for two or more persons to conspire to commit an offense against the laws of the United States. You are charged with conspiring to commit bribery in Count 1 of the bill of information.

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

First: that you and at least one other person agreed to commit the crime of bribery, as charged in the bill of information;

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

JOSEPH PREJEAN – Elements of the Offense

Page 1 of 5

Third: that you or at least one of the conspirators during the existence of the conspiracy knowingly committed at least one of the overt acts described in the bill of information, in order to accomplish some object or purpose of the conspiracy.

The overt act need not be of a criminal nature so long as it is done in furtherance of the conspiracy.

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 you for conspiracy even though you had not participated before and even though you 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.

Mere presence at the scene of an event, even with knowledge that a crime is being committed, or the mere fact that certain persons may have associated with each other and may have assembled together and discussed common aims and interests, does not necessarily establish proof of the existence of a conspiracy. Also, a person who has no knowledge of a conspiracy, but who happens to act in a way which advances some purpose of a conspiracy, does not thereby become a conspirator.¹

Bribery Concerning Programs Receiving Federal Funds (Offering a Bribe)
18 U.S.C. § 666(a)(2)

Title 18, United States Code, Section 666(a)(2), makes it a crime for anyone to corruptly give, offer, or agree to give anything of value to any person, with intent to influence or reward an agent of an organization or of a State, local, or Indian tribal government, or any agency thereof, that receives more than \$10,000 in federal assistance in any one year period, in connection with any business, transaction, or series of transactions of such organization, government, or agency involving anything of value of \$5,000 or more.

In order to be found guilty of this crime, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

First: That PO-1 and/or Dusty Guidry were agents of the 15th Judicial District Attorney's Office in the State of Louisiana;

¹ Pattern Crim. Jury Instr. 5th Cir. 2.15A (2019), Pattern Crim. Jury Instr. 5th Cir. 2.15A (2019).

Second: That the 15th Judicial District Attorney's Office was an agency of the State of Louisiana that received in any one-year period, benefits in excess of \$10,000 under a Federal program involving a grant contract, subsidy, loan, guarantee, insurance, or other form of Federal assistance;

Third: That the defendant corruptly gave, offered, and agreed to give money and other things of value with the intent to influence, and reward PO-1 and/or Dusty Guidry in connection with any business, transaction, and series of transactions of the 15th Judicial District Attorney's Office and

Fourth: That the business, transaction, or series of transactions involved anything of value of \$5,000 or more.²

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.

Respectfully submitted,

BRANDON B. BROWN
United States Attorney


Dated: 12/15/23


MYERS P. NAMIE, LA Bar No. 29359
DANIEL J. MCCOY, LA Bar No. 29334
Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, Louisiana 70501
Telephone: (337) 262-6618

² Pattern Crim. Jury Instr. 5th Cir. 2.33C (2019), Pattern Crim. Jury Instr. 5th Cir. 2.33C (2019).

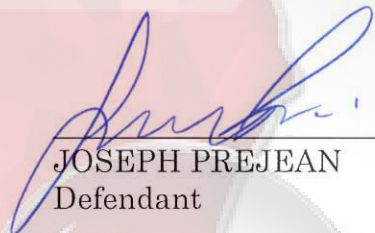
COREY AMUNDSON
Chief, Public Integrity Section
U.S. Department of Justice

Dated: 12/15/23

 FOX

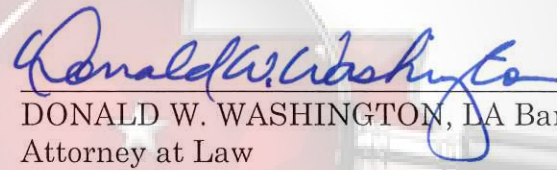
ROSALEEN T. O'GARA, AZ Bar No. 029512
TREVOR WILMOT, GA Bar No. 936961
Trial Attorneys, Public Integrity Section
U.S. Department of Justice
1301 New York Ave. NW
Washington, D.C. 20530
Telephone: (202) 514-1412

Dated: 12/15/2023

_____
JOSEPH PREJEAN
Defendant

12/15/2023

Date

_____
DONALD W. WASHINGTON, LA Bar No. 21402
Attorney at Law
Jones Walker
Post Office Box 3408
Lafayette, LA 70502
Telephone: (337) 262-9000

CITIZENS FOR A
New Louisiana

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVEDUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

DEC 15 2023

TONY R. MOORE, CLERK
BY HaCombe
DEPUTY

LAFAYETTE DIVISION

UNITED STATES OF AMERICA

VERSUS

JOSEPH PREJEAN

*
*
*
*
*

DOCKET NO. 6:23-CR-00269-01

JUDGE JOSEPH

MAGISTRATE JUDGE WHITEHURST

**UNDERSTANDING OF MAXIMUM PENALTY
AND CONSTITUTIONAL RIGHTS**

I, JOSEPH PREJEAN, 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 more than five (5) years, pursuant to Title 18, United States Code, Section 371, a fine of not more than \$250,000, pursuant to Title 18, United States Code, Section 3571, or both, a term of supervised release of three (3) years pursuant to Title 18, United States Code, Section 3571; and a special assessment of \$100.00, pursuant to Title 18, United States Code, Section 3013, which under this agreement is payable and due at the time his guilty plea is entered, and defendant agrees to tender the \$100.00 special assessment by means of a cashier's check, bank official check, or money order payable to the "Clerk, U.S. District Court."

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 and the attached addenda to that agreement) from anyone associated with the 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 ____, 2023, at Lafayette, Louisiana.

12/15/2023

Date

JOSEPH PREJEAN

Defendant

12/15/2023

Date

DONALD W. WASHINGTON, LA Bar No. 21402

Attorney at Law

Jones Walker

Post Office Box 3408

Lafayette, LA 70502

Telephone: (337) 262-9000


BRANDON B. BROWN
United States Attorney

Dated: 12/15/23


MYERS P. NAMIE, LA Bar No. 29359
DANIEL J. McCOY, LA Bar No. 29334
Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, Louisiana 70501
Telephone: (337) 262-6618

COREY AMUNDSON
Chief, Public Integrity Section
U.S. Department of Justice

Dated: 12/15/23


ROSALEEN T. O'GARA, AZ Bar No. 029512
TREVOR WILMOT, GA Bar No. 936961
Trial Attorneys, Public Integrity Section
U.S. Department of Justice
1301 New York Ave. NW
Washington, D.C. 20530
Telephone: (202) 514-1412

CITIZENS FOR A
New Louisiana

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED
DEC 15 2023
TONY R. MOORE, CLERK
BY *[Signature]* DEPUTY

UNITED STATES OF AMERICA * CRIMINAL NO. 6:23-cr-00269-DCJ-CBW
*
VERSUS * 18 U.S.C. §§ 2, 371, 666, 981
* 28 U.S.C. § 2461
JOSEPH PREJEAN *

BILL OF INFORMATION

THE UNITED STATES CHARGES:

AT ALL TIMES MATERIAL HEREIN:

1. The defendant, JOSEPH PREJEAN ("PREJEAN"), was a resident of Church Point, Louisiana, within the Western District of Louisiana, and was a businessman who owned several companies, to include C & A Consulting Services, LLC ("C&A Consulting"), a registered Louisiana Limited Liability Company, that marketed a series of online courses to the 15th Judicial District Attorney's Office.

2. Beginning at least on or about January 11, 2021, until at least on or about May 9, 2022, co-conspirator Dusty Guidry, was an agent for the 15th Judicial District Attorney's Office located within the Western District of Louisiana, and the State of Louisiana.

3. Public Official #1 ("PO-1") was an employee and agent of the 15th Judicial District Attorney's Office during at least on or about January, 2021, until at least on or about May, 2022.

4. PREJEAN and Guidry acted in concert with, and under the direction of, PO-1, who was an employee and agent of the 15th Judicial District Attorney's Office, with ultimate authority over the Pretrial Diversion Program ("the Program") of that office.

5. The 15th Judicial District Attorney's Office was an agency of the State of Louisiana that received in excess of \$10,000 annually in benefits under federal programs involving grants, contracts, subsidies, loans, guarantees, insurance, and other forms of assistance.

COUNT 1
CONSPIRACY TO COMMIT AN OFFENSE

18 U.S.C. §§ 371 and 666

The Conspiracy

6. The introductory allegations set forth in paragraphs 1 through 5 are realleged and incorporated by reference as though fully set forth herein.

7. Beginning on a date unknown, but at least as early as the summer of 2021, and continuing until on or about December 8, 2021, the defendant, JOSEPH PREJEAN, did conspire, confederate, and agree with others both known and unknown to the United States, to commit the crime of paying a bribe to an agent of an organization or agency receiving federal funds, in violation of Title 18, United States Code, Section 666(a)(2).

Purpose of the Conspiracy

8. It was a purpose of the conspiracy for PREJEAN, Dusty Guidry, PO-1, and others known to the United States, to enrich themselves by paying and offering

to pay money and things of value, from PREJEAN to Dusty Guidry and PO-1, in exchange for Dusty Guidry and PO-1 providing and agreeing to provide favorable official action for PREJEAN in his business dealings with the Program.

9. It was a further part of the conspiracy to hide, conceal, and cover up the true nature and scope of PREJEAN'S dealings with Dusty Guidry and PO-1, including the true source and nature of the payments PREJEAN provided, and agreed to provide, to Dusty Guidry and PO-1.

Manner and Means of the Conspiracy

10. The conspiracy was carried out through the following manner and means, among others:

11. Dusty Guidry and PO-1 used their positions within the 15th Judicial District Attorney's Office to unlawfully steer and attempt to steer participants in the Program to classes and services offered by C&A Consulting and PREJEAN in exchange for payments and other tangible benefits.

12. In exchange, PREJEAN provided money, and agreed to provide money, to Dusty Guidry and PO-1 specifically due to these actions and their official positions at the 15th Judicial District Attorney's Office.

Overt Acts

13. In furtherance of the conspiracy and to effect the objects of the conspiracy, PREJEAN and one or more of the conspirators committed and caused to be committed at least the following acts:

a. In or about October 2021, PERSON 1 was a defendant in the 15th Judicial District with pending charges in Lafayette Parish (15th Judicial District),

and in St. Martin Parish (16th Judicial District). PERSON 1 was enrolled in the Program and, as part of the enrollment, GUIDRY and PO-1 directed that PERSON 1 enroll in and take classes from C&A Consulting.

b. In or about October 2021, PREJEAN corruptly solicited \$25,000 from PERSON 1. PREJEAN understood that GUIDRY and PO-1 were aware of his solicitation to PERSON 1. \$25,000 was then paid on PERSON 1's behalf to PREJEAN.

c. During a subsequent phone conversation on or about October 27, 2021, PREJEAN advised GUIDRY that he had the "25 cash" [\$25,000] from PERSON 1. PREJEAN and GUIDRY then agreed to apportion the extorted \$25,000 between themselves and PO-1. The following day, PREJEAN corruptly paid approximately \$12,500 to GUIDRY. In making the bribe payment, PREJEAN and GUIDRY agreed that GUIDRY would pay a portion of the bribe to PO-1, who also used his/her official position to enroll Person 1 into the Program.

d. Further, in or about September 2021, PERSON 2 was also a defendant in the 15th Judicial District with pending charges in Lafayette Parish (15th Judicial District), and an out-of-state prosecuting district. PERSON 2 was enrolled in the Program.

e. On or about September 20, 2021, PREJEAN corruptly solicited \$20,000 from PERSON 2. PREJEAN assured PERSON 2 that the money would ensure that GUIDRY and other officials would successfully graduate PERSON 2 from the Program. PERSON 2 agreed to provide \$20,000 in cash to PREJEAN.

Subsequently on September 29, 2021, PERSON 2 provided \$20,000 in cash to PREJEAN.

All in violation of Title 18, United States Code, Sections 371 and 666.

FORFEITURE ALLEGATION

14. The allegations contained above and in Count 1 of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

15. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 371 and 666 as set forth in Count 1 this Information, the defendant, JOSEPH PREJEAN, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

16. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

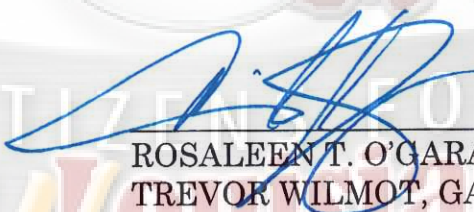
Respectfully submitted:

BRANDON B. BROWN
United States Attorney



MYERS P. NAMIE, LA. Bar No. 29359
DANIEL J. McCOY, La. Bar No. 29334
Assistant United States Attorney
Western District of Louisiana
800 Lafayette Street, Suite 2200
Lafayette, LA 70501
Telephone: (337) 262-6618

COREY R. AMUNDSON
Chief, Public Integrity Section
U.S. Department of Justice



ROSALEEN T. O'GARA, AZ Bar No. 029512
TREVOR WILMOT, GA Bar No. 936961
Trial Attorneys, Public Integrity Section
U.S. Department of Justice
1301 New York Ave. NW
Washington, D.C. 20530
Telephone: (202) 514-1412