

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF LOUISIANA
3 LAFAYETTE DIVISION

4 UNITED STATES OF AMERICA CASE NO. 6:24-CR-206

5 VERSUS JUDGE DAVID C. JOSEPH

6 GARY HAYNES MAGISTRATE JUDGE CAROL B.
7 WHITEHURST

8 TRANSCRIPT OF JURY TRIAL
9 VOLUME IX OF IX (PAGES 1626-1726)
10 HEARD BEFORE THE HONORABLE DAVID C. JOSEPH
11 UNITED STATES DISTRICT JUDGE
12 SEPTEMBER 18, 2025

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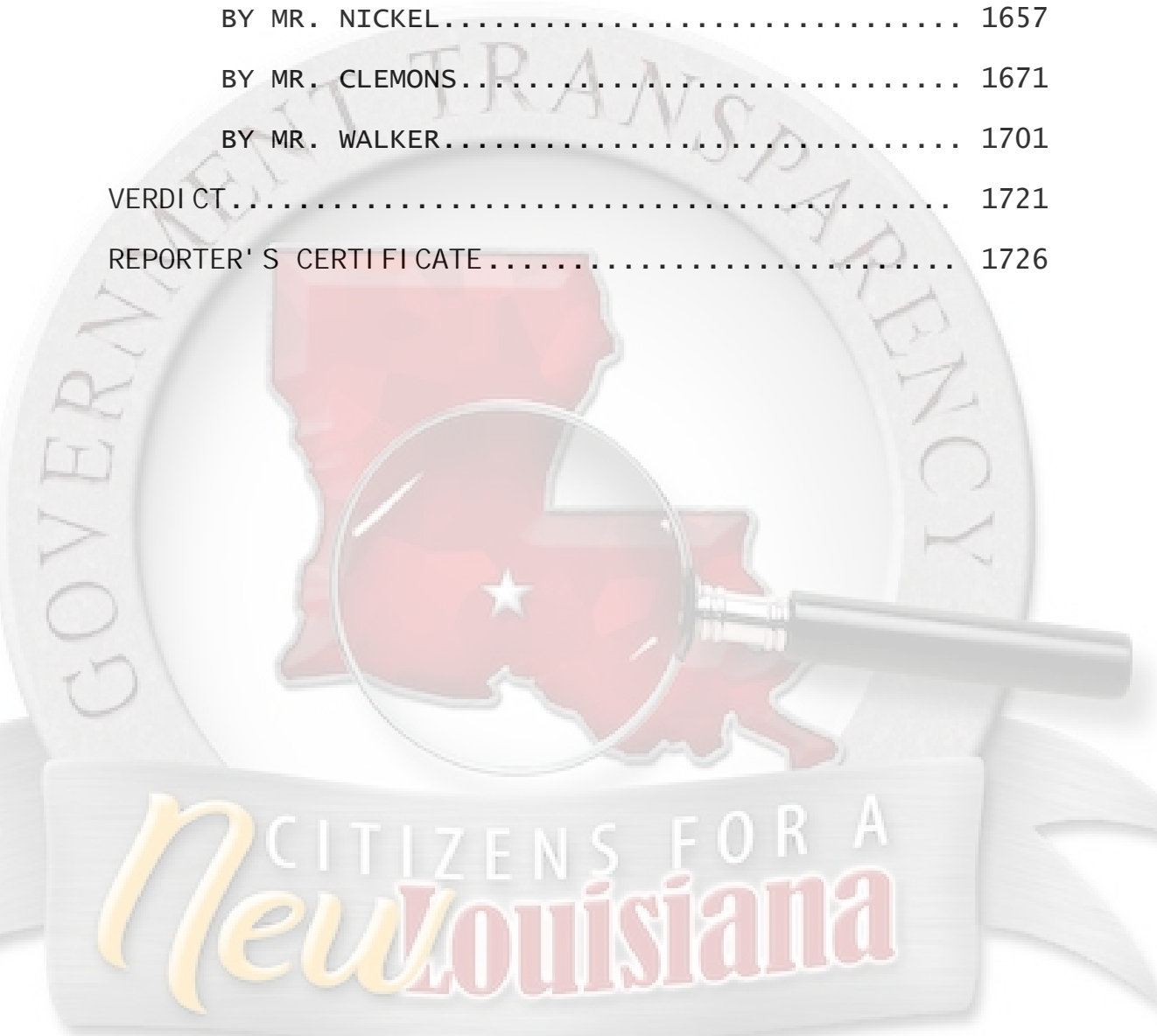
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1 **COURT PROCEEDINGS**

2 **SEPTEMBER 18, 2025**

3 (Court is called to order.)

4 **THE COURT:** Thank you. Please be seated. Okay. We're
5 back on the record in 24-cr-206. The defendant is present in court
6 with counsel.

7 We were advised that there may be another suggestion with
8 respect to the jury instruction. Is that right, Mr. Loew?

9 **MR. LOEW:** Yes, Your Honor. I just noticed -- I
10 apologize I didn't notice until now -- on the instruction for the
11 obstruction count, it alleges multiple ways that the defendant
12 could have obstructed. And we alleged it in the conjunctive -- he
13 did this and this and this and this -- so we would ask that the
14 Judge either instruct it or read it as "or," or give a conjunctive
15 verse disjunctive instruction.

16 **THE COURT:** Hold on. Let me see it. Which part are you
17 looking at?

18 **MR. LOEW:** It's on page 33.

19 **THE COURT:** Okay. And which element?

20 **MR. LOEW:** I don't have it in front of me, but "alter and
21 destroy and mutilate and..."

22 **THE LAW CLERK:** It's the second element, Judge.

23 **THE COURT:** So change it to "...alter, destroy, mutilate,
24 or conceal..." instead of "and conceal"? "Alter, destroy,
25 mutilate, or conceal a record document or other object to impair

1 the object's integrity or availability for use in an official
2 proceeding"?

3 **MR. LOEW:** Yes.

4 **THE COURT:** That's the only change?

5 **MR. LOEW:** Yes.

6 **MR. JOHNSON:** You said he deleted cell phone records.

7 That's in the indictment; right?

8 **MR. WALKER:** That's correct.

9 **MR. JOHNSON:** So I don't know why it would be in
10 conjunctive to say he deleted cell phone records.

11 **MR. LOEW:** It's just that we don't have to --

12 **THE DEPUTY CLERK:** Use the microphone.

13 **THE COURT:** Right. Yeah, I mean, the evidence is what it
14 is.

15 **MR. JOHNSON:** Is it just, like, a misprint?

16 **THE COURT:** Whether the jury decides that was altering,
17 destroying, mutilating, or concealing that text message, I mean I
18 think that's up to them. The evidence is what it is. I can see it
19 being, you know --

20 **MR. JOHNSON:** We're just talking about replacing that
21 "and" with an "or"?

22 **THE COURT:** Right. And I'm sure you know this, Mr.
23 Johnson, but the way the federal indictments read is the use of
24 "and" is actually a disjunctive in an indictment. So it's saying
25 that you can do it this way or this way or this way; but actually,

1 to prove it, you just have to prove one of the ways.

2 So you, Mr. Loew, think we should -- is there anything
3 else with respect to that issue?

4 **MR. LOEW:** No. I mean, the only --

5 **THE COURT:** That's the second element?

6 **MR. LOEW:** The only other way to handle it -- and I
7 drafted one. And the U.S. Attorney's Office doesn't trust me to
8 use their printer, so I couldn't print it out, but I could maybe
9 e-mail it if you decide this. I just drafted something that says,
10 "It's appropriate for the United States to charge a single crime in
11 the conjunctive, that is, alleging different ways a crime could be
12 committed using the conjunction 'and.' The law permits the United
13 States to allege the crime in the conjunctive, but the jury need
14 only find the defendant committed the crime in one of those ways.
15 In other words, it is proper for the United States to allege A and
16 B, but the jury need only find A or B."

17 **MR. CLEMONS:** Judge, may I be heard briefly?

18 **THE COURT:** Yes, sir.

19 **MR. CLEMONS:** We are strongly opposed to a fundamental
20 change to these jury instructions. It is time to get the jury in
21 and let us do our closings, Judge. You gave us ample time to
22 review this, and they came in like they just wanted to change one
23 word. Now he wants to propose a wholesale change while I'm trying
24 to focus on my closing argument, Judge. This is unfair.

25 **THE COURT:** Fair enough, Mr. Clemons. The proposal is

1 just to change the word "and" to "or" in the second element of the
2 indictment. Do you have the instructions there?

3 **MR. JOHNSON:** I do. I have them in front of me. I just
4 wanted to look at the indictment because I thought what the
5 indictment said was on February 3rd told somebody -- you know, he
6 committed this crime in a specific way. I didn't realize that they
7 had charged --

8 **THE COURT:** Let me look at Count 5 here.

9 **MR. JOHNSON:** I may be wrong, but that's why I was
10 looking for the indictment there.

11 **THE COURT:** Count 6. It's appropriate what Mr. Loew is
12 suggesting, to change it from "and" to "or" because it's correct
13 that the Government has to charge it. Well, they do charge it in
14 the way they do to encompass all of those ways that a record could
15 be --

16 **MR. JOHNSON:** Judge, they -- I'm sorry.

17 **THE COURT:** -- destroyed, but only one of those ways is
18 necessary for the jury to find that it was done.

19 **MR. JOHNSON:** Your Honor, they use "and" in the
20 indictment in Count 6.

21 **THE COURT:** I know. That's my point. They charge in
22 conjunctive, but they only have to prove it in the disjunctive.
23 Mr. Clemons knows that, as well. Anyway, that's just how it reads.
24 They use the "and" because it's charging that that happened in all
25 those ways. In order -- the jury has to only unanimously find that

1 **THE COURT:** Please be seated. Good morning, ladies and
2 gentlemen. When we broke yesterday, we had completed the evidence
3 in the case. Now it's time for the next phase, which is my
4 instructions to you on the law that applies to this case. And then
5 finally you'll hear from Counsel in closing arguments.

6 Members of the jury, in any jury trial there are, in
7 effect, two judges. I'm one of the judges; the other is the jury.
8 It's my duty to preside over the trial and decide what evidence is
9 proper for your consideration. It's also my duty at the end of
10 trial to explain to you the rules of law that you must follow and
11 apply at arriving at your verdict.

12 First, I'll give you some general instructions which
13 apply in every case, for example, instructions about the burden of
14 proof and how to judge the believability of witnesses. Then I will
15 give you some specific rules of law about this particular case.
16 Finally, I will explain to you the procedures you should follow in
17 your deliberations.

18 You, as jurors, are judges of the facts. But in
19 determining what actually happened -- that is, in reaching your
20 decision as to the facts -- it's your sworn duty to follow all the
21 rules of law as I explain them to you.

22 You have no right to disregard or give special attention
23 to any one instruction or to question the wisdom or correctness of
24 any rule I may state to you. You must not substitute or follow
25 your own notion or opinion as to what the law is or ought to be.

1 It's your duty to apply the law as I explain it to you, regardless
2 of the consequences.

3 It's also your duty to base your verdict solely upon the
4 evidence, without prejudice or sympathy, and without consulting any
5 outside or online source or materials. This was the promise you
6 made and the oath you took before being accepted by the parties as
7 jurors, and they have the right to expect nothing less.

8 The indictment or formal charge against the defendant is
9 not evidence of guilt. Indeed, the defendant is presumed by law to
10 be innocent. The defendant begins with a clean slate. The law
11 does not require a defendant prove his innocence or produce any
12 evidence at all, and no inference whatsoever may be drawn from the
13 election of a defendant not to testify.

14 The Government has the burden of proving the defendant
15 guilty beyond a reasonable doubt, and if it fails to do so, you
16 must acquit the defendant. While the Government's burden of proof
17 is a strict or heavy burden, it is not necessary that the
18 defendant's guilt be proved beyond all possible doubt. It's only
19 required that the Government's proof exclude any reasonable doubt
20 concerning the defendant's guilt.

21 A reasonable doubt is a doubt based upon reason and
22 common sense after careful and impartial consideration of all the
23 evidence in the case. Proof beyond a reasonable doubt, therefore,
24 is proof of such a convincing character that you would be willing
25 to rely and act on it without hesitation in making the most

1 important decisions of your own affairs.

2 As I told you earlier, it's your duty to determine the
3 facts. To do so, you must consider only the evidence presented
4 during the trial. Evidence is the sworn testimony of the
5 witnesses, including stipulations, and the exhibits. The
6 questions, statements, objections, and arguments made by the
7 lawyers are not evidence.

8 The function of lawyers is to point out those things that
9 are most significant or most helpful to their side of the case and
10 in doing so call your attention to certain facts or inferences that
11 might otherwise escape your notice. In the final analysis,
12 however, it is your own recollection and interpretation of the
13 evidence that controls in the case. What the lawyers say is not
14 binding on you.

15 During the trial, I sustained objections to certain
16 questions and exhibits. You must disregard these questions and
17 exhibits entirely. Do not speculate as to what the witness would
18 have said if permitted to answer a question or as to the context of
19 an exhibit. Also, certain testimony or other evidence has been
20 ordered removed from the record, and you have been instructed to
21 disregard that evidence. Do not consider any testimony or other
22 evidence which has been removed from your consideration in reaching
23 your decision. Your verdict must be solely based on legally
24 admissible evidence and testimony.

25 Also, do not assume from anything I may have said or done

1 during the trial that I have any opinion concerning any of the
2 issues in the case. Except for the instructions to you on the law,
3 you should disregard anything I may have said during the trial in
4 arriving at your verdict.

5 In considering the evidence, you are permitted to draw
6 such reasonable inferences from the testimony and exhibits that you
7 feel are justified in light of common experience. In other words,
8 you may make deductions and reach conclusions that reason and
9 common sense lead you to draw from the facts which you have been --
10 which have been established by the evidence.

11 Do not be concerned about whether evidence is direct
12 evidence or circumstantial evidence. You should consider and weigh
13 all the evidence that was presented to you.

14 Direct evidence is the testimony of one who actually --
15 who asserts actual knowledge of a fact, such as an eyewitness.
16 Circumstantial evidence is proof of a chain of events and
17 circumstances indicating that something is or is not a fact.

18 The law makes no distinction between the weights to be
19 given either direct or circumstantial evidence; but the law
20 requires that you, after weighing all the evidence, whether direct
21 or circumstantial, be convinced of the guilt of the defendant
22 beyond a reasonable doubt before you can find him guilty.

23 I'll remind you that it's your job to decide whether the
24 Government has proved the guilt of the defendant beyond a
25 reasonable doubt. In doing so, you must consider all the evidence.

1 This does not mean, however, that you must accept all the evidence
2 as true or accurate.

3 You are the sole judges of the credibility or
4 believability of each witness and the weight to be given to the
5 witnesses' testimony. An important part of your job will be making
6 judgments about the testimony of the witnesses who testified in
7 this case. You should decide whether you believe all, some part,
8 or none of what each person had to say and how important that
9 testimony was. In making that decision, I suggest that you ask
10 yourselves a few questions: Did the witness impress you as honest?
11 Did the witness have any particular reason not to tell the truth?
12 Did the witness have a personal interest in the outcome of the
13 case? Did the witness have any relationship with either the
14 Government or the defense? Did the witness seem to have a good
15 memory? Did the witness clearly see or hear the things about which
16 he or she testified? Did the witness have the opportunity and
17 ability to understand the questions clearly and answer them
18 directly? Did the witness' testimony differ from the testimony of
19 other witnesses? These are a few of the considerations that will
20 help you determine the accuracy of what each witness said.

21 Your job is to think about the testimony of each witness
22 you have heard and decide how much you believe of what each witness
23 had to say. In making up your mind and reaching your verdict, do
24 not make any decisions simply because there were more witnesses on
25 one side than the other. Do not reach a conclusion on a particular

1 point because there were more witnesses testifying for one side on
2 that point. You will always bear in mind that the law never
3 imposes upon a defendant in a criminal case the burden or duty of
4 calling any witnesses or producing any evidence.

5 The testimony of a witness may be discredited by showing
6 that the witness testified falsely or by evidence that at some
7 other time the witness said or did something, or failed to say or
8 do something, which is inconsistent with the testimony that the
9 witness gave at this trial.

10 Earlier statements of a witness were not admitted into
11 evidence to prove the contents of any of those statements are true.
12 You may not consider any earlier statements to prove that the
13 content of an earlier statement is true. You may only use earlier
14 statements to determine whether you think the earlier statements
15 are consistent or inconsistent with the trial testimony of the
16 witness and therefore whether they affect the credibility of that
17 witness.

18 If you believe that a witness has been discredited in any
19 manner -- in this manner, it is your exclusive right to give the
20 testimony of that witness whatever weight you think it deserves.

21 You have been told that the witness Dusty Guidry has
22 entered a plea of guilty to federal charges related to the
23 allegations brought by the Government in the instant case. A
24 conviction is a factor you may consider in deciding whether to
25 believe that witness, but it does not necessarily destroy that

1 witness' credibility. These convictions have been brought to your
2 attention only because you may wish to consider them when you
3 decide whether you believe the witness' testimony. It is not
4 evidence of the defendant's guilt or anything else.

5 You have heard the testimony of Dusty Guidry. You have
6 also heard testimony from others concerning their opinion about
7 whether that witness is a truthful person. It is up to you to
8 decide from what you heard here whether Dusty Guidry was telling
9 the truth at this trial. In deciding this, you should bear in mind
10 that the testimony concerning the witness' truthfulness as well as
11 other instructions you have been given.

12 Again, in this case the Government called as its witness
13 an alleged accomplice, Dusty Guidry, that is a named coconspirator
14 in the indictment and with whom the Government has entered into a
15 plea agreement. The plea agreement provides for, among other
16 things, the possibility that the Government may request that the
17 Court give this witness' assistance to the Government and testimony
18 during this trial favorable consideration when he is sentenced.
19 Such plea bargaining, as it is called, has been approved as lawful
20 and proper and is expressly provided for in the rules of this
21 Court.

22 An alleged accomplice, including one who has entered into
23 a plea agreement with the Government, is not prohibited from
24 testifying. On the contrary, the testimony of such a witness may
25 alone be of sufficient weight to sustain a verdict of guilty. You

1 should keep in mind that such testimony is always to be received
2 with caution and weighed with great care. You should never convict
3 a defendant upon the unsupported testimony of an alleged accomplice
4 unless you believe that testimony beyond a reasonable doubt.

5 The fact that an accomplice has entered a plea of guilty
6 to the offense charged is not evidence of the guilt of any other
7 person.

8 The testimony of a witness who is shown to have used
9 addictive drugs during the period of time about which the defendant
10 testified must always be examined and weighed by the jury with
11 greater care and caution than the testimony of an ordinary witness.

12 You should never convict any defendant upon the
13 unsupported testimony of such a witness unless you believe that
14 testimony beyond a reasonable doubt.

15 You will note that the indictment charges that the
16 offenses were committed on or about specified dates. The
17 Government does not have to prove that the alleged crimes were
18 committed on those exact dates, as long as the Government proves
19 beyond a reasonable doubt that the defendant committed the crimes
20 alleged on dates reasonably near the dates stated in the
21 indictment.

22 In order for you to find -- return a guilty verdict, the
23 Government must prove by a preponderance of the evidence that the
24 offense charged was begun, continued, or completed in the Western
25 District of Louisiana. Unlike the other elements of this offense,

1 this is a fact that the Government must prove only by a
2 preponderance of the evidence. This means the Government must
3 convince you only that it is more likely than not that the offense
4 was charged -- the offense charged was begun, continued, or
5 completed in the Western District of Louisiana. All other elements
6 of the offense must be proved beyond a reasonable doubt. You are
7 instructed that Lafayette Parish and the 15th Judicial District
8 Court are located in the Western District of Louisiana.

9 You are here to decide whether the Government has proved
10 beyond a reasonable doubt that the defendant is guilty of the
11 crimes charged. The defendant is not on trial for any act,
12 conduct, or offense not alleged in the indictment. Neither are you
13 called upon to return a verdict as to the guilt of any other person
14 or persons not on trial as a defendant in this case, except as
15 you're otherwise instructed.

16 If a defendant is found guilty, it will be my duty to
17 decide what the punishment will be. You should not be concerned
18 with punishment in any way. It should not enter into your
19 consideration or discussions.

20 A separate crime is charged in each count of the
21 indictment. Each count, and the evidence pertaining to it, should
22 be considered separately. The fact that you may find the defendant
23 guilty or not guilty as to one of the crimes charged should not
24 control your verdict as to any other.

25 You have heard evidence of the acts of the defendant

1 which may be similar to those charged in the indictment, but which
2 were committed on other occasions. You must not consider any of
3 this evidence in deciding if the defendant committed the acts
4 charged in the indictment. However, you may consider this evidence
5 for other, very limited purposes.

6 If you find beyond a reasonable doubt from other evidence
7 in this case that the defendant did commit the acts charged in the
8 indictment, then you may consider evidence of similar acts alleged
9 committed on other occasions to determine:

10 Whether the defendant had the state of mind or intent
11 necessary to commit the crime charged in the indictment;

12 Or whether the defendant had a motive or opportunity to
13 commit the acts charged in the indictment;

14 Or whether the defendant acted according to a plan or in
15 preparation for commission of a crime;

16 Or whether the defendant committed the acts for which he
17 is on trial by accident or mistake.

18 These are the limited purposes for which any evidence of
19 other similar acts may be considered.

20 The word "knowingly," as that term is used from time to
21 time in these instructions, means that the act was done voluntarily
22 and intentionally, not by mistake or accident.

23 The word "willfully," as that term is used from time to
24 time in these instructions, means that the act was committed
25 voluntarily and purposefully with the specific intent to do

1 something the law forbids; that is to say, with bad purpose either
2 to disobey or disregard the law.

3 You have seen typewritten transcripts of oral
4 conversations which can be heard on tape recordings received in
5 evidence. The transcript also purports to identify the speakers
6 engaged in such conversations. I let you see the transcript for
7 the limited and secondary purpose of aiding you in following the
8 content of the conversations as you listened to the tape recording,
9 and also to aid you in identifying the speakers.

10 You're specifically instructed that whether the
11 transcript correctly or incorrectly reflects the content of the
12 conversation or the identity of the speakers is entirely for you to
13 determine based on your own evaluation of the transcript in
14 relation to your hearing of the tape recording itself as the
15 primary evidence of its own contents; and, if you should determine
16 the transcript is in any respect incorrect or unreliable, you
17 should disregard it to that extent. It is what you hear on the
18 tape that is evidence, not the transcripts.

19 Certain charts and summaries and other records have been
20 received into evidence. They should be considered like any other
21 evidence in the case. You should give them only such weight as you
22 think they deserve.

23 The charts and summaries include inferences or
24 conclusions drawn from the records underlying them. It is up to
25 you to determine if these inferences or conclusions are accurate.

1 The underlying records are the best evidence of what
2 occurred.

3 Summary testimony by a witness and charts or summaries
4 prepared or relied upon by the witness have been received into
5 evidence for the purpose of explaining facts disclosed by testimony
6 and exhibits which are also in evidence in the case. If you find
7 that such summaries of testimony and charts correctly reflect the
8 other evidence in the case, you may rely upon them. But if and to
9 the extent that you find they are not in truth summaries of the
10 evidence in the case, you are to disregard them. The best evidence
11 of what occurred are the underlying records themselves.

12 The defendant is charged in Count 1 of the indictment
13 with conspiracy to commit an offense against the laws of the United
14 States. Title 18, United States Code, Section 371 makes it a crime
15 for two or more persons to conspire to commit an offense against
16 the laws of the United States.

17 The indictment charges the defendant with conspiring to
18 engage in bribery concerning programs receiving federal funds.

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

23 For you to find the defendant guilty of this crime, you
24 must be convinced that the Government has proved each of the
25 following beyond a reasonable doubt:

1 First, that the defendant and at least one other person
2 agreed to commit the crime of bribery concerning programs receiving
3 federal funds in violation of 18, United States Code, Section
4 666(a)(1)(B), as charged in Count 2 of the indictment, and which
5 will be discussed in the following instruction;

6 Second, that the defendant knew the unlawful purpose of
7 the agreement and joined in it willfully, that is, with the intent
8 to further the unlawful purpose;

9 And third, that at least one of the coconspirators during
10 the existence of the conspiracy knowingly committed at least one
11 overt act described in the indictment in order to accomplish some
12 object or purpose of the conspiracy.

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

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

22 The Government does not need to prove that the alleged
23 conspirators entered into any formal agreement or that they
24 directly stated between themselves all the details of the scheme.
25 Likewise, the Government does not need to prove that all the

1 details of the scheme alleged in the indictment were actually
2 agreed upon or carried out. Nor must it prove that all the persons
3 alleged to have been members of the conspiracy were such, or that
4 the alleged conspirators actually succeeded in accomplishing their
5 unlawful objectives.

6 Mere presence at the scene of the event, even with
7 knowledge that the crime is being committed, or the mere fact that
8 certain persons may have associated with each other and may have
9 assembled together and discussed common aims or interests does not
10 necessarily establish proof of the existence of a conspiracy.
11 Also, a person who has knowledge of a conspiracy, who happens to
12 act in a way which advances some purpose of the conspiracy, does
13 not thereby become a conspirator.

14 The defendant is charged in Count 2 of the indictment
15 with bribery concerning programs receiving federal funds,
16 soliciting a bribe. Title 18, United States Code, Section
17 666(a)(1)(B) makes it a crime for anyone who is an agent of a state
18 that receives more than \$10,000 in federal assistance, in any
19 one-year period, to corruptly solicit or demand for the benefit of
20 any person, or to accept or agree to accept anything of value from
21 any person, intending to be influenced or rewarded in connection
22 with any business transaction, or series of transactions of such
23 organization, government, or agency involving anything of value of
24 \$5,000 or more.

25 For you to find the defendant guilty of this crime, you

1 must be convinced that the Government has proved each of the
2 following beyond a reasonable doubt:

3 First, that the Government [SIC] was an agent of the
4 District Attorney's Office for the 15th Judicial District Court;

5 Second, that the 15th Judicial District Court's District
6 Attorney's Office was an agency of the State of Louisiana that
7 received in any one-year period benefits in excess of \$10,000 under
8 a federal program involving a grant, contract, subsidy, loan,
9 guarantee, insurance, or other form of federal assistance. In this
10 case, the parties have stipulated and agree that the 15th Judicial
11 District Court District Attorney's Office is an agency of the State
12 of Louisiana and received in any one-year period benefits in excess
13 of \$10,000 under a federal program involving a grant, contract,
14 subsidy, loan, guarantee, insurance, or other form of federal
15 assistance. This element has therefore been met, and you may
16 accept it as true;

17 Third, that the defendant corruptly solicited, accepted,
18 or agreed to accept, for the benefit of any person, kickback
19 payments of \$10,000 from Leonard and Michelle Franques with the
20 intent to be influenced or rewarded in connection with any business
21 transaction or a series of transactions of the District Attorney's
22 Office of the 15th Judicial District Court;

23 And fourth, that the business transaction or series of
24 transactions involved anything of value of \$5,000 or more.

25 The term "agent" means a person authorized to act on

1 behalf of another person or a government, and in the case of an
2 organization or government, includes a servant or an employee and a
3 partner, director, officer, manager, and representative.

4 The term "government agency" means a subdivision of the
5 executive, legislative, judicial, or other branch of government,
6 including a department, independent establishment, commission,
7 administration, authority, board, and bureau, and a corporation or
8 other legal entity established, and subject to control by a
9 government or governments for the execution of a governmental or
10 intergovernmental program.

11 The term "state" includes a state of the United States,
12 the District of Columbia, and any commonwealth territory or
13 possession of the United States.

14 The term "in any one-year period" means a continuous
15 period that commences no earlier than 12 months before the
16 commission of the offense or that ends no later than 12 months
17 after the commission of the offense. Such period may include time
18 both before and after the commission of the offense.

19 An act is corruptly done if it is done intentionally with
20 an unlawful purpose.

21 The term "intent to be influenced or rewarded" means that
22 the defendant must have had a specific intent to act on a person's
23 behalf in exchange for a thing of value received from a person.
24 This statute does not criminalize accepting or agreeing to accept
25 mere gratuities or gifts with no intent to act on a person's behalf

1 in exchange for the thing of value. Bribery requires a quid pro
2 quo, a specific intent to give or receive something of value in
3 exchange for an official act.

4 The word "value" means the face, par, market value, or
5 cost price, either wholesale or retail, whichever is greater.

6 It's not necessary for the Government to prove that the
7 defendant's conduct directly affected the federal funds received by
8 the agency under that federal program; however, there must be some
9 connection between the criminal conduct and the State government
10 organization receiving the federal assistance.

11 It's also not necessary for the Government to prove that
12 the defendant who attempted -- who accepted or agreed to accept the
13 bribe benefitted from the bribe or that the bribe was successfully
14 obtained.

15 In determining whether the defendant is guilty of this
16 offense, do not consider bona fide salary, wages, fees, or other
17 compensation paid, or expenses paid or reimbursed, in the usual
18 course of business.

19 The defendant is charged in Counts 3 and 4 of the
20 indictment with use of a facility in interstate commerce in aid of
21 bribery. Title 18, United States Code, Section 1952 makes it a
22 crime for anyone to use any facility in interstate commerce with
23 the intent to commit or facilitate certain unlawful activity, and
24 therefore perform or attempt to perform that unlawful activity.

25 For you to find the defendant guilty of this crime, you

1 must be convinced that the Government has proved each of the
2 following beyond a reasonable doubt:

3 First, that the defendant used any facility in interstate
4 commerce;

5 Second, that the defendant did so with the specific
6 intent to promote, manage, establish, or carry on any unlawful
7 activity. Here, the Government alleges in the indictment that the
8 specified unlawful activity was public bribery in violation of
9 Louisiana Revised Statute 14:118. Public bribery as prohibited by
10 this statute is the direct or indirect offer to accept or
11 acceptance of anything of apparent present or prospective value by
12 a public officer or public employee, knowing that it was given or
13 offered with the intent to influence the conduct of a public
14 officer or employee in relation to his position, employment, or
15 duty;

16 And third, that subsequent to the use of any facility of
17 interstate commerce, the defendant did knowingly and willfully
18 promote, manage, establish, or carry on such unlawful activity.

19 Commerce includes travel, trade, transportation, and
20 communication.

21 "Interstate commerce" means commerce or travel between
22 one state, territory, or possession of the United States and
23 another state, territory, or possession of the United States,
24 including the District of Columbia.

25 You're instructed that a cell phone is a facility of

1 interstate commerce.

2 The defendant is charged in Count 5 of the indictment
3 with conspiracy to commit money laundering. Title 18, United
4 States Code, Section 1956(h) makes it a crime for anyone to
5 conspire to commit money laundering.

6 A conspiracy is an agreement between two or more persons
7 to join together to accomplish some unlawful purpose.

8 For you to find the defendant guilty of this crime, you
9 must be convinced that the Government has proved each of the
10 following beyond a reasonable doubt:

11 First, that the defendant and at least one other person
12 made an agreement to commit the crime of money laundering. Money
13 laundering, as prohibited by Title 18, United States Code, Section
14 1956(a) (1) makes it a crime for anyone to knowingly conduct or
15 attempt to conduct a financial transaction with the proceeds of a
16 specified unlawful activity while knowing that the property
17 involved in the financial transaction represented the proceeds of
18 some kind of a crime that is a felony under federal or state law,
19 and while knowing that the transaction was designed in whole or in
20 part to conceal or disguise the nature, location, source,
21 ownership, or control of the proceeds of the specified unlawful
22 activity. Here, the Government alleges that the specified unlawful
23 activity is bribery concerning programs receiving federal funds,
24 soliciting a bribe, as described to you in Count 2 of the
25 indictment. You may refer to the Court's previous instruction for

1 the elements of Count 2;

2 Second, that the defendant knew the unlawful purpose of
3 the agreement;

4 And third, that the defendant joined in the agreement
5 willfully, that is, with the intent to further the unlawful
6 purpose.

7 One may become a member of a conspiracy without knowing
8 all the details of the unlawful scheme or the identities of all the
9 alleged conspirators. If a defendant understands the unlawful
10 nature of a plan or scheme and knowingly and intentionally joins in
11 that plan or scheme on one occasion, that is sufficient to convict
12 him for conspiracy even though the defendant had not participated
13 before or even though the defendant played only a minor part. The
14 Government need not prove an overt act in furtherance of the
15 conspiracy for this count.

16 The Government need not prove that the alleged
17 conspirators entered into any formal agreement nor that they
18 directly stated between themselves all the details of the scheme.
19 Similarly, the defendant need not prove that all the details of the
20 scheme alleged in the indictment were actually agreed upon or
21 carried out. Nor must it prove that all the persons alleged to
22 have been members of the conspiracy were such or that the alleged
23 conspirators actually succeeded in accomplishing their unlawful
24 objectives.

25 Mere presence at the scene of an event, even with

1 knowledge that a crime is being committed, or the mere fact that
2 certain persons may have associated with each other and may have
3 assembled together and discussed common aims and interests, does
4 not necessarily establish proof of the existence of a conspiracy.
5 Also, a person who has knowledge of a conspiracy, but who happens
6 to act in a way which advances some purpose of a conspiracy, does
7 not thereby become a conspirator.

8 Defendant is charged in Count 6 of the indictment with
9 obstruction of justice. Title 18, United States Code, Section
10 1512(b)(2)(B) makes it a crime for someone to alter, destroy,
11 mutilate, or conceal an object with the intent to impair the
12 object's integrity or availability for use in an official
13 proceeding.

14 For you to find the defendant guilty of this crime, you
15 must be convinced that the Government has proved each of the
16 following beyond a reasonable doubt:

17 First, that the defendant knowingly and corruptly
18 persuaded another person or attempted to do so;

19 Second, that the defendant acted knowingly and with the
20 intent to cause or induce that person to alter, destroy, mutilate,
21 or conceal a record, document, or other object to impair the
22 object's integrity or availability for use in an official
23 proceeding;

24 Third, that the defendant knew or should have known that
25 the official proceeding was pending or likely to be instituted;

1 And fourth, that the defendant knew or should have known
2 that the official proceeding was a federal proceeding.

3 An act is done corruptly -- an act is corruptly done if
4 it's done intentionally with an unlawful purpose.

5 An official proceeding is a proceeding before a judge or
6 court of the United States or a federal grand jury.

7 For the third element, the Government does not need to
8 prove that an official proceeding was actually pending or about to
9 be instituted at the time of the alleged offense. However, the
10 defendant must be able to foresee that -- the official proceeding
11 when he engages in the conduct. And the conduct --

12 For you to find the defendant attempted to commit this
13 offense as referenced in the first element, you must find the
14 Government has proved each of the following beyond a reasonable
15 doubt:

16 First, that the defendant intended to commit obstruction
17 of justice as described in this instruction;

18 And second, that the defendant did an act that
19 constitutes a substantial step towards the commission of that crime
20 and strongly corroborates the defendant's criminal intent and
21 amounts to more than mere preparation.

22 To reach a verdict, whether it's guilty or not guilty,
23 all of you must agree. The verdict must be unanimous on each count
24 of the indictment.

25 It's your duty to consult with one another and deliberate

1 in an effort to reach an agreement if you can do so. Each of you
2 must decide the case for yourself but only after an impartial
3 consideration of the evidence with your fellow jurors. Recall, you
4 must base your verdict solely on the evidence, testimony, and
5 stipulations at trial and not on any outside or online material or
6 source. Do not let any bias, sympathy, or prejudice you may feel
7 toward one side or the other influence your decision in any way.
8 In particular, do not let any racial, ethnic, national origin, or
9 other bias influence your decision in any way. During your
10 deliberations, do not hesitate to reexamine your opinions and
11 change your mind if convinced that you are wrong, but do not give
12 up your honest beliefs as to the weight or effect of the evidence
13 solely because the opinion of your fellow jurors or for the mere
14 purpose of returning a verdict.

15 Remember at all times, you are the judges -- judges of
16 the facts. It's your duty to decide whether the Government has
17 proved the defendant guilty beyond a reasonable doubt.

18 After closing arguments, when you go to the jury room,
19 the first thing you should do is select one of your members to be
20 your foreperson, who will help guide your deliberations and will
21 speak on behalf of the jury here in the courtroom.

22 I have prepared a verdict form for your convenience that
23 has -- it's very simple. It has a slot for guilty or not guilty as
24 to each count of the indictment, Counts 1 through 6. And then it
25 has a place for the foreperson to sign and date the verdict form.

1 Once the verdict form has been filled out, the foreperson
2 will place the verdict form in this envelope we're going to send
3 back and seal it. At that point you will get one of these notes
4 that we're going to send back with you, as well, and fill out the
5 note and say "We have a verdict." You'll hand the note to Ms.
6 Lacombe or to the Court security officer, who will give it to Ms.
7 Lacombe, who will give it to me. And then I'll call you back here.
8 The foreperson will bring the verdict into the courtroom with him
9 or her, hand it to me. I will open it and read the verdict.

10 Again, we're sending note forms back. If you need to
11 communicate with me during your deliberations, the foreperson
12 should write the message and give it to the court security officer.
13 I'll either reply in writing after a discussion with Counsel or I
14 will bring you back here in court to discuss the question.

15 Bear in mind that during no communications with the
16 Court, including with Ms. Lacombe or with me, should you ever
17 reveal if there is any, you know -- how the jury stands, whether
18 there's any numerical counts that you've done or anything of that
19 nature. You shouldn't reveal that to anybody, including court
20 staff. Okay? That should only be revealed when there is a
21 unanimous verdict.

22 So now we are going to move into closing arguments. It's
23 going to take probably two hours, so I think maybe we should take a
24 short break before we begin that. Does that sound okay? Let's
25 take a ten-minute break. We will resume at 9:45 and we'll begin

1 closing arguments.

2 All rise for the jury.

3 (Jury not present.)

4 **MR. CLEMONS:** Recess, Judge?

5 **THE COURT:** Recess until 9:45.

6 (Off the record at 9:34 a.m.; resumed at 9:46 a.m.)

7 **THE COURT:** All right. Let's get the jury.

8 **THE COURTROOM SECURITY OFFICER:** All rise for the jury.

9 (Jury present.)

10 **THE COURT:** Please be seated. As I mentioned before our
11 short break, Counsel will now be allowed to make closing arguments.
12 You're reminded that what the lawyers say is not evidence, but it's
13 intended to assist you in recalling the evidence and to suggest
14 inferences you may wish to draw from, but you're not bound by what
15 the lawyers say. Indeed, it's your recollections and inferences
16 that you choose to draw that control.

17 Because the Government has the burden of proof in this
18 case, it has the right to both open and close the closing
19 arguments. Counsel for the Government will now make the major part
20 of its closing argument, then the defense counsel will make his
21 entire closing argument, after which the counsel for the Government
22 will make -- will complete his argument.

23 Mr. Nickel, you may proceed when you're ready.

24 **CLOSING ARGUMENTS**

25 **MR. NICKEL:** Thank you, Judge.

1 And thank you, ladies and gentlemen. I know this has
2 been a long two weeks. We're all very tired, but we're at the end.
3 You've been paying special attention. We've been watching you, and
4 we can't thank you enough for that. I'm going to ask you to pay
5 attention for a little bit longer. Now, I'm not going to waste
6 anymore time. We're going to dive right into the case of *The*
7 *United States versus Gary Haynes*.

8 (Audio recording playing.)

9 **MR. NICKEL:** Those were the first words that Mr. Loew
10 said in his opening statements. They're Mr. Gary Haynes' words.
11 "I've told him time and time again, we don't talk about this shit
12 on the phone."

13 Gary Haynes is charged with conspiracy to engage in
14 bribery, bribery concerning programs receiving federal funds, two
15 counts of use of a facility in interstate commerce in aid of
16 bribery, a count of conspiracy to commit money laundering, and
17 obstruction of justice.

18 Count 1, conspiracy to engage in bribery concerning
19 programs receiving federal funds. Let's break it down element by
20 element.

21 At its very core, a conspiracy is an agreement. A
22 conspiracy is an agreement between two or more persons to join
23 together to accomplish some unlawful purpose. Let's hear from Mr.
24 Gary Haynes and his idea of this conspiracy.

25 (Video playing.)

1 **MR. NICKEL:** F1 is F4. That's Leonard Franques' holding
2 company. That's where the CBT money goes. The money that comes
3 from F4 to Gary Haynes is what him and Dusty Guidry are going to
4 split.

5 Now, the Judge just read you the elements, but we're
6 going to take them one at a time. First, the defendant and at
7 least one other person agreed to commit the crime of soliciting
8 bribes and kickbacks. You have seen this exhibit through Mr.
9 Landry. You've seen this exhibit through Mr. Guidry. These are
10 your coconspirators. Mr. Franques has pled guilty. Mr. Guidry has
11 pled guilty. And this is the scheme: Mr. Haynes and Mr. Guidry
12 agreed with each other and Mr. Franques to require defendants in
13 the PTI program at the 15th JDC to take CBT courses. I know that's
14 a lot, but you have heard a lot about it and we're going to go a
15 little bit more into detail.

16 Those defendants would go to Mr. Franques. In exchange,
17 Mr. Franques agreed to give money to Dusty Guidry, money to Mr.
18 Haynes, and agreed to give Mr. Haynes that truck that you heard
19 about.

20 (Video playing.)

21 **MR. NICKEL:** He wants to get that money back that he
22 bought into the conspiracy with and then they can start doing
23 something else. Remember, at the time, it's 2021. Don Landry had
24 just got elected. He had another five years in office. This
25 scheme was going to be profitable for at least the next five years,

1 if not the next six after that if Don Landry wins re-election.

2 Second, that the defendant knew the unlawful purpose of
3 the agreement and joined in it willfully, that is, with the intent
4 to further the unlawful purpose.

5 I'm about to show you a video. Mr. Franques is going to
6 talk about how the scheme is illegal. I want you to watch Mr.
7 Haynes during this conversation.

8 (Video playing.)

9 **MR. NICKEL:** And let's go to the T3. Let's go to the
10 wiretaps before we were even consensually -- before Mr. Franques
11 even signed on to record these conversations. What is Mr.
12 Franques' understanding of Mr. Haynes? He's not doing work, he's
13 not in the office, but he's a member of this conspiracy.

14 (Audio recording playing.)

15 **MR. NICKEL:** Third, that at least one of the conspirators
16 during the existence of the conspiracy knowingly committed at least
17 one of the overt acts. Now, there's several overt acts in the
18 indictment. Only one needs to be proven to meet this element.

19 The first, on or about May 13, 2021, Mr. Haynes
20 reactivated MD at Law, LLC, a company registered in his own name
21 with the Louisiana Secretary of State. Recall, this company had
22 been dormant for several years before Mr. Haynes reinstated it.
23 When does he reinstate it? May 13th of 2021, a few months before
24 the wiretap investigation begins.

25 Second overt act, that on or about June 28, 2021, Mr.

1 Haynes opened a bank account for MD at Law and funded the account
2 with \$15,000. Now, Mr. Haynes opened this in his personal account,
3 which the defense made a big deal about. However, he opened it in
4 his name. It was the nature of the account that was going to be
5 engaged in criminal conduct. This was the account used to get the
6 CBT money, used to get the Wildlife and Fisheries money.

7 Third, that on October 16th, Guidry informed the
8 defendant, Haynes, that Franques planned to obtain a truck worth
9 approximately \$81,000 for Haynes as payment for Haynes having
10 assigned participants in the PTI program to take Leonard Franques'
11 courses. Now, I want you to pay special attention to the date of
12 this next clip.

13 (Audio recording playing.)

14 **MR. NICKEL:** On October 14th, Gary Haynes tells Dusty
15 Guidry: I sent a few to court today. I sent a few to court today.
16 You had a CBT. That's what you're supposed to do, a reckless op, a
17 CBT course.

18 This next call is two days later, two days after October
19 14, 2021. That's what was said during the previous conversation.
20 And this is two days later.

21 (Audio recording playing.)

22 **MR. NICKEL:** That's two days later. And that's Mr.
23 Guidry telling Mr. Haynes Mr. Franques is going to buy that for
24 him. Mr. Haynes is not saying, "Don't buy me a truck. I can't get
25 a truck from Mr. Franques." He's excited. He's thrilled about the

1 Rocky Roads package on this new truck.

2 D, on or about November 10, 2021, Mr. Haynes authorized
3 the enrollment of Person 1 -- that's Barry Petry -- into the PTI
4 program, even though Mr. Haynes knew Mr. Petry had been charged
5 with sexual assault and would previously not been eligible for PTI.
6 These are documents you've seen in evidence. That's the crime.
7 This is Mr. Haynes signing off on it, approved for PTI. And Ms.
8 Perez. Ms. Perez says, "Mr. Haynes, sexual battery is not an
9 offense we normally accept into PTI."

10 What did Dusty -- on November 12th, the defendant, Mr.
11 Haynes, discusses with Dusty the number of classes and the cost per
12 session for Mr. Petry for the course provided by Mr. -- for the
13 courses provided by Mr. Haynes by Mr. Franques.

14 Now, what you're about to hear Mr. Haynes say is that the
15 courses how they're priced right now are too cheap for a dentist.
16 We need to get more.

17 (Audio recording playing.)

18 **MR. NICKEL:** "That's cheap for a dentist." Lake Wellness
19 is Mr. Franques' company. Use Leonard's counselor.

20 The next overt act, on or about November 18th, the
21 defendant, Mr. Haynes, and Guidry discuss how to handle the case of
22 Person 2, Bradley Zaunbrecher, who you heard from, a criminal
23 defendant who had recently been charged by the DA's office with his
24 third OWI. Bradley Zaunbrecher was already in PTI from the
25 previous OWI charge. During the conversation, Mr. Guidry says,

1 "There's some meat on the bone there. There's still money to be
2 made if we can keep him in."

3 (Audio recording playing.)

4 **MR. NICKEL:** "There's meat on the bone." There's Mr.
5 Haynes telling his staff what Mr. Bradley Zaunbrecher is going to
6 be required to go. Where does he send him? Leonard Franques'
7 company, Lake Wellness.

8 On or about January 4th, Mr. Haynes instructed Mr.
9 Franques not to tell the DA that Franques had been paying Guidry
10 for referrals to the PTI program. During this same conversation,
11 Mr. Franques is going to tell Mr. Haynes that he had been paying
12 Guidry \$40,000. And Haynes responded, "That's CBT money, they're
13 going to say it's CBT money. He should be splitting that with me."

14 (Video playing.)

15 **MR. NICKEL:** Don't tell Mr. Landry that you're paying Mr.
16 Guidry. Don't tell him that because that's illegal. By the way,
17 the money that you were giving Mr. Guidry, that CBT money, you're
18 supposed to be splitting that with me.

19 His that on or about January 12th -- this is the
20 boardroom meeting -- Mr. Haynes, Mr. Guidry, and Mr. Franques met
21 in person to discuss how to increase profits to Mr. Franques'
22 companies, how to conceal Mr. Haynes' role in sending more
23 participants to PTI. And during the same conversation, the three
24 of them discuss how to conceal kickbacks made from Franques to Mr.
25 Haynes through Franques' purchase of a vehicle, which we've already

1 heard about, and the submission of checks to MD at Law.

2 (Video playing.)

3 **MR. NICKEL:** "I'm glad I did it the way I did it. I just
4 kind of let you do it. I kind of played dumb when they asked me
5 about it."

6 (Video playing.)

7 **MR. NICKEL:** That's the first thing Mr. Haynes says when
8 he walks into that meeting, is that we had a good day in court; is
9 that I referred about seven or eight people to enhance reckless
10 driving, and they're 350 a pop.

11 Remember the CBT: Enhanced Reckless Drivings? Those are
12 350 a pop. That's what he was doing.

13 Mr. Franques said, "The more you push, the more we make."
14 And that's what he said in response to Mr. Franques saying, "The
15 more you push --" your defendants, my companies -- "the more we
16 make."

17 (Video playing.)

18 **MR. NICKEL:** That's the last thing Mr. Haynes says before
19 he leaves that room. "I got to be subtle, but I know what to do."

20 Count 2 of the indictment is bribery concerning programs
21 receiving federal funds. The Judge has read these elements to you,
22 but we will also take them one at a time.

23 First, the defendant was an agent of the 15th Judicial
24 District Attorney's Office. That's not contested. Here is Mr.
25 Haynes' oath of office. Here is where Mr. Haynes solemnly swore

1 that he would follow the laws of this state and the United States
2 as an assistant district attorney for the 15th Judicial District.

3 The second element is that 15th Judicial District
4 Attorney's Office received in one year benefits in excess of
5 \$10,000 under a federal program involving a grant. This is
6 stipulated to. You can consider this element as already met.

7 Third, the defendant corruptly solicited, accepted, or
8 agreed to accept \$10,000 from Franques with the intent to be
9 influenced or rewarded in connection with any transaction or series
10 of transactions with the DA's office. Remember that January check
11 that he got from Midway Media?

12 (Video playing.)

13 **MR. NICKEL:** Mr. Haynes acknowledges -- remember, this
14 meeting is January 12th. The check was January 5th -- acknowledges
15 getting the check.

16 (Video playing.)

17 **MR. NICKEL:** Again, acknowledges getting that check.

18 This is the February check, February 1, 2022.

19 (Video playing.)

20 **MR. NICKEL:** That's the February 3rd, Jason's Deli,
21 meeting. "I have both checks right now. I'm just holding them."
22 He has agreed to accept them, right. They're made out to MD at
23 Law. He says, "Make them out to MD at Law. That's the company I
24 set up to do this." Those are both of the checks.

25 Counts 3 and 4 of the indictment are use of a facility in

1 interstate commerce in aid of bribery. That's just using a cell
2 phone to perpetuate this crime of bribery. Now, the Judge has read
3 these elements, and this is the indictment that you'll see.

4 The first count is from November 12th when they discuss
5 Mr. Petry. Remember, November 12th they discussed Mr. Petry and
6 saying how, look, he is a dentist, it should be more expensive?

7 (Audio recording playing.)

8 **MR. NICKEL:** Again, you'll see Ms. Perez say, "Sexual
9 battery is not an offense we normally accept into PTI."

10 And these are Mr. Haynes' words. "It's the dude's second
11 time committing sexual battery on somebody. That's cheap for a
12 dentist. You know what I mean?"

13 The next is the January 11, 2022. This is when he uses
14 his cell phone to tell Ms. Franques: Hey, I'm coming to pick up
15 that bribery check. I'm coming to pick up that kickback check.

16 Mr. Haynes is on the right. [As read] "I'm leaving the
17 hospital in 10-15 minutes. Lourdes. Text me when you drive up. I
18 can bring it out to you. Okay. Thank you. I'm here. White
19 truck."

20 There he is. There's the check.

21 (Video playing.)

22 **MR. NICKEL:** Count 5 of the indictment is conspiracy to
23 commit money laundering. First, the defendant and at least one
24 other person made an agreement to commit the crime of money
25 laundering; second, the defendant knew the unlawful purpose of the

1 agreement; and third, that the defendant joined in the agreement
2 willfully, that is, with the intent to further its unlawful
3 purpose. Let's break those down one at a time.

4 This is your money laundering scheme. Take it from the
5 top right, where it says, "Haynes sends PTI clients to Franques'
6 courses."

7 We know that they are CBT and Lake Wellness. From there,
8 those clients paid to take CBT courses and Lake Wellness courses.
9 That money that's generated by having to take those classes, Mr.
10 Franques receives as proceeds from each course taken by PTI
11 clients. Those proceeds, Mr. Franques sends as part of the profits
12 to Mr. Haynes and agrees to buy Mr. Haynes a truck in the future.

13 Top left, Dusty Guidry to Leonard Franques, telling him,
14 "Gary fucking them up in city court with CBT." He screenshots a
15 conversation he has with Gary Haynes. "PTI domestic plus CBT
16 Effective Decision," Leonard Franques courses. Another case,
17 "Reckless to speeding with CBT Effective Decisions."

18 On the right, Leonard Franques to Dusty Guidry, [as read]
19 "Ha. Another \$7,000 week becoming the rule as opposed to the
20 exception. Just wait to the CBT driving. It will be over 10,000 a
21 week. I talked to Big G. When you get back, we will go a third
22 each with you to pay it up front so we start revenue sharing
23 immediately. By the time it's live, we should have caught the
24 balance up."

25 Remember, Mr. Guidry said, "That's CBT Driving."

1 Yesterday he said, "That's CBT Driving." Mr. Johnson tried to get
2 him to admit that this was part of the Fish and Wildlife scheme.

3 Bottom left, Gary Haynes to Dusty Guidry, [as read] "We
4 done. Seven cases went -- would not have gone, 10 to 14 classes.
5 Just got 2 more. Enhanced Driving."

6 On the right, bottom right, Dustin Guidry -- Dusty Guidry
7 to Leonard Franques, [as read] "Gary just approved a ton of people
8 for CBT driving school. We're just sitting on them until it's
9 ready and sending an abundance of letters at once."

10 (Audio recording playing.)

11 **MR. NICKEL:** Again, discussion of the truck.

12 (Audio recording playing.)

13 **MR. NICKEL:** That's four days after Dusty Guidry was
14 arrested. If this thing is reaching out far, it's going to be bad
15 for everybody, right. If the FBI is tapping Dusty Guidry's phone,
16 it's going to be bad for everybody. And it was bad for Mr. Haynes.

17 (Audio recording playing.)

18 **MR. NICKEL:** May 13th, he reinstates MD at Law. Let's
19 break down the timeline.

20 June 28, 2021, MD at Law, the bank account, is open.
21 Now, remember, in January of 2021 Mr. Haynes gets the job at the
22 DA's office.

23 January 4, 2022, the meeting with Mr. Franques. Clearly,
24 clearly in this call they're going to talk about splitting CBT
25 proceeds.

1 (Video playing.)

2 **MR. NICKEL:** Finally...

3 (Video playing.)

4 **MR. NICKEL:** MD at Law. What happens next? May 9, 2021,
5 the FBI executes a search warrant at the district attorney's
6 office, and three days later Mr. Haynes closes that MD at Law
7 account.

8 Count 6, finally, is obstruction of justice. Again,
9 these are the elements that the Judge just read to you, but keep in
10 mind, this is attempted obstruction of justice and/or obstruction
11 of justice.

12 Mr. Haynes is going to tell Mr. Franques, "Delete your
13 texts from him. Delete your texts from Dusty Guidry."

14 We know as recently as December 14th, Ronnie Guidry,
15 Dusty's dad, tells Mr. Haynes, "If you have lunch with Dusty,
16 please let him know that his phone and wife's are bugged." So as
17 soon as December 14th, Mr. Haynes knows that something could be up.

18 Gary Haynes to Dusty Guidry, February 1st, "Don't discuss
19 anything on the phone."

20 Mr. Guidry, "If you think it can wait, we can do it
21 later. I have stayed off the phone with the exception of my
22 sister."

23 "Good idea. I'm tired. Just stay off the phone."

24 That's his oath of office.

25 (Audio recording playing.)

1 **MR. NICKEL:** "We're in this together. I trust you
2 because we're in this together," is what he tells his
3 coconspirator.

4 (Audio recording playing.)

5 **MR. NICKEL:** There, he's telling us: I'm not putting any
6 money in that CBT account because right now I can say I haven't
7 gotten anything from you. Finally, delete the text.

8 (Audio recording playing.)

9 **MR. NICKEL:** Gary Haynes to Dusty Guidry: Don't discuss
10 anything on the phone. Okay. Good idea. I'm tired just stay off
11 the phone. Stay off the phone. Do not discuss anything on the
12 phone. I don't want to talk on the phone. Just stay off the
13 phone. We don't talk about this shit on the phone. You know what
14 you got to do. Delete the text that you have from him."

15 There's one thing I want to leave you with. You've seen
16 this video before, but this is the last thing that Gary Haynes says
17 to his coconspirators before he leaves that boardroom meeting on
18 January 12, 2022.

19 (Video playing.)

20 **MR. NICKEL:** "I know what to do."

21 Ladies and gentlemen, Gary Haynes is guilty of every
22 single count in that indictment. Thank you so much for your time
23 throughout the week. I really do appreciate it. And please, take
24 your time and come back with the only just verdict in this case,
25 guilty as charged to every count. Thank you.

1 **THE COURT:** Thank you, Mr. Nickel.

2 Mr. Clemons, please proceed when you're ready.

3 **MR. CLEMONS:** I'm ready, Judge. Thank you.

4 Ladies and gentlemen, you don't have to take your time.
5 You don't have to take your time. See, we can't get there from
6 here. We can't get there from here. We can't get to proof beyond
7 a reasonable doubt from here. That's why they want you to take
8 your time. You take all the time you need, but you don't need to
9 take any more time than what you need because they don't have
10 credible, competent evidence that this man (indicating) committed
11 any crimes. That's what they don't have.

12 Now, let me be clear with you, ladies and gentlemen. I'm
13 going to be looking at this clock and I'm going to be looking at my
14 watch because I've got a limited amount of time. But let me tell
15 you, from the bottom of my heart, there is nowhere in the world I
16 would rather be than standing right here fighting for that man
17 (indicating). So when I look at that clock and I look at my watch,
18 please don't take it as disrespect, please don't take it as if I
19 got somewhere to go because I'll be here all night and I'll come
20 back tomorrow and the next day if I need to. Once you go in that
21 room and you come back in five minutes, I can deal with that, too.
22 But I got a limited amount of time and I got a lot to say.

23 Because, see, we have a bribery case without a bribe. We
24 have a bribery case without a bribe. There was no agreement.
25 There was no meeting of the minds. We do not have a conspiracy.

1 This man did not conspire with anyone to violate the law. See, the
2 Government built its entire case on a con man. Dirty Dusty
3 Guillory (SIC). He's got the great name. Oh, my God. Dusty.

4 I remember one day -- I guess after, you know, a two-week
5 trial, your days blur -- and we're having a little bite to eat
6 after court one day, and we're talking about, "Was that his birth
7 name?"

8 And somebody said, "No."

9 I'm asking, "Is that a nickname?"

10 Somebody said, "That's his God-given name, Dusty." But
11 I'm going to add dirty in front of it because he's Dirty Dusty
12 Guidry. And they built an entire case. They took two weeks of our
13 lives. They spent thousands of our tax dollars to try to make a
14 case on this man (indicating) using Dirty Dusty Guidry. Dusty
15 Guidry: He conned our client; he conned the federal government;
16 the Department of Justice; but thank God he didn't con you. Thank
17 God he didn't con you.

18 I want to thank you for your service before I get too
19 caught up. I want to thank you, from the bottom of my heart, for
20 your service. We do this every day. Well, fortunately not trials
21 every day, because this is stressful, but we work in the court
22 system every single day. It's our jobs. You guys have other jobs
23 and other careers and you sacrificed two weeks to give my client
24 his day in court. And so I want to thank you for that.

25 I want to thank my team. This is a big, old load to

1 carry. And so before I forget, I want to thank my team, my
2 right-hand man there, Adam Johnson; my son Micah; my son Malcolm;
3 and Courtney, that's the backbone. She drives this whole train.
4 So before I get too caught up in thanking y'all, -- you know, it's
5 like sometimes you're giving a speech and you thank everybody in
6 the world and your wife's sitting there, looking at you like, you
7 know, Don't forget me. I don't want to forget my team because I
8 truly, truly appreciate them.

9 This is my only chance to speak with you, my last chance.
10 My prayer, my prayer this morning when I got up at 4 to work to put
11 my thoughts together, my prayer was very, very simple: That what I
12 had in my heart would be clearly conveyed through the words that I
13 chose to speak to you. And if I can get that done, I will be
14 pleased.

15 Now, I'm a proud member of Omega Psi Phi Fraternity,
16 Incorporated. I guess about 20 years ago I was speaking up in
17 Little Rock, speaking at a founders banquet, and my friend, Larry
18 Duncan, a fellow attorney -- he's no longer with us now --
19 introduced me. And he said, "Todd has the unique courage of saying
20 exactly what's on his mind." I think he really wanted to say, "the
21 unique foolishness of saying exactly what is on his mind," but he
22 said "courage." But I just believe you got to speak the truth.
23 You got to say what's on your mind. And this is my time to tell
24 you exactly how I feel about this case. And in the time allotted
25 to me, I'm going to break it all the way down.

1 Leonard Franques. Joe Prejean. So I heard Mr. Nickel
2 talking -- I didn't keep time. I guess it was about 30-40 minutes
3 -- waiting to hear about Franques and why they didn't put him up
4 there. Joe Prejean. See, Franques is an indicted coconspirator.
5 He's all up in the mix in this PTI scheme. For whatever reason,
6 our government chose not to call him. Joe Prejean, they tried to
7 say, through Dirty Dusty, that Joe Prejean was providing money to
8 my client. But Joe Prejean didn't come here and tell that lie.
9 You never heard from Joe Prejean because he's not cosigning that
10 lie.

11 I've never, in my 30 years of prosecuting and defending
12 cases in federal court, seen anything like this where the primary
13 codefendant, the codefendant, the one who has pled guilty, agreed
14 to cooperate, wired up, their snitch, wired his home office, wired
15 him up, made the recordings that they love to play, love to play,
16 but they didn't put him on that witness stand. I've never seen
17 that before because I believe the record supports that, despite all
18 the meetings, all the prep, all the dress rehearsals, he never
19 could get the song right.

20 See, we know they had dress rehearsals. We know they met
21 him, prepped him, debriefed him, brought even Dirty Dusty to a
22 courtroom so he could get ready, but evidently Franques just
23 couldn't get right. Franques couldn't sing the song in the right
24 key, so you never heard from him.

25 See, the Government's witnesses Dusty and Leonard can't

1 even agree on how my client allegedly got involved in the PTI
2 scheme. Work with me here. They can't even agree on the basics,
3 on the beginning. Dusty got up there and lied and said, Well, it
4 was Leonard's idea to bring in Gary. It was Leonard's idea. Of
5 course, Leonard said, through Agent Herman, that he didn't want no
6 three-way split. It was Dusty's idea to get this man involved.
7 They can't even agree on the basics, the fundamental fact of how
8 this thing got started. We all over the place.

9 Mr. Guidry testified under oath. He flat-out lied to
10 you. He flat-out lied to you. I want you to -- you're going to
11 get that indictment. It was read to you. Feel free to read it,
12 but I think the evidence is clear. This indictment is all about
13 the so-called PTI scheme. They love their word "scheme." They
14 like it. This case is about the PTI scheme, about my client
15 allegedly pushing cases, pushing cases, more cases that were
16 qualified, he was pushing them so he could get that kickback.
17 That's their theory.

18 They soon realized, as they were getting ready for trial,
19 evidently that theory just wasn't going to hold water. So what did
20 they do? They had to come to the judge and say: Well, Judge, we
21 got this Wildlife and Fisheries scheme. You know, Jack Montoucet,
22 Leonard Franques, and Dusty, now we got evidence that Gary was
23 trying to get in on that. Let us bring that up.

24 But they didn't charge him with that. They didn't charge
25 him with that because that wasn't the lie that was initially told.

1 If that lie was told in the beginning, he would have been indicted
2 for that, but he wasn't. But they're desperate. So now they want
3 to put my client in the Wildlife and Fisheries scheme, but there's
4 no evidence he was in the Wildlife and Fisheries scheme.

5 Remember Agent Herman on the stand just yesterday. I
6 asked him about that. I said, Agent Herman, well, if Dusty and
7 Leonard and Jack Montoucet, the secretary, they had a deal worked
8 out; they had this thing tight; they going to make millions and
9 millions of dollars; they had visions of grandeur; and they were
10 going to split that bread three ways, each one getting a third, a
11 third, a third -- Mr. Herman, my client had no affiliation with
12 Wildlife and Fisheries.

13 Yes, sir.

14 He didn't bring nothing to the table.

15 No, he didn't.

16 Why did lying Dusty say they were bringing him in?

17 No idea.

18 Remember that? Then I had to remind him. Dusty said
19 under oath the reason they brought him in is because they needed
20 him for MD Law. They needed his MD Law account so that all the
21 money from Wildlife and Fisheries scheme could go to MD Law and
22 then it could get disbursed to the other three. That's what Dusty
23 told you under oath.

24 And so since they needed Dusty -- I mean, they needed
25 Gary, Dusty, out of the goodness of his heart, decided: Well, I'm

1 going to bring my friend Gary in and I'm going to give him half of
2 my one-third split.

3 That makes absolutely no sense whatsoever because you
4 know that from this Wildlife and Fisheries scheme, the money that
5 was being collected was all coming from Franques. Think about
6 this: Jack Montoucet, the public official; Dirty Dusty, who knows
7 what his role is, but he's sure not putting in no money; and
8 Franques. All the money for this scheme was coming from Franques'
9 programs, either the violations or the hunter and fishing and
10 boater improvement courses.

11 So Franques is generating all the money, and according to
12 Dusty, all the money was supposed to go in MD Law. But when
13 Franques was questioned, he said he knew nothing about that. See,
14 we don't have an agreement. Franques said, I knew nothing about
15 Gary being involved in Wildlife and Fisheries. I know nothing
16 about Gary evidently using his MD Law account for me to put all the
17 money.

18 If Gary is holding all this money in trust coming from
19 Franques, Franques would know about it. But that's the whole
20 point. We don't have an agreement. This whole thing makes no
21 sense whatsoever.

22 And I want to get to this right now in case I run out of
23 time. As we discussed in voir dire, and we appreciate the Court
24 giving us a little time for voir dire to talk to the jurors. I
25 specifically talked and made sure you understood that your job is

1 not to, quote, figure out what happened. Your job is not to figure
2 out what happened because if you try to figure this out, you would
3 be stuck in that room for a long, long time.

4 We discussed and you agreed that your job is simply to
5 give the Government an opportunity to prove these six charges
6 beyond a reasonable doubt, based on competent and credible
7 evidence. That's your simple job. Not to, quote, figure out what
8 happened. Because I can promise you this: I think the record is
9 clear we received like over 300,000 documents in evidence, God
10 knows how many calls and recordings. I appreciate that man
11 (indicating) because at night when I'd be sleeping, he was
12 listening to calls. Him and Courtney, Micah, they listened to
13 recordings. I'm looking at the big picture. They got way down in
14 the weeds.

15 But I can tell you this. I can't speak for anybody else
16 in this room, but I know the case pretty well. But I can tell you
17 this: I can't explain it to you because there's so many moving
18 parts, there's such a cluster, every different person has a
19 different spin on what this was about, including Michelle Franques.
20 Lord knows I got to save time for her. But that's another one.
21 They not even going to mention Michelle Franques and how the
22 Government was bending over backwards to get her to blame Gary
23 Haynes. But my point is you can't figure out this thing because it
24 makes no sense whatsoever and you got a lot of people getting up
25 here, lying to you.

1 But let me break this down in the little bit of time I
2 have. May 9, '22. FBI raided the local FBI's office -- local DA's
3 office, excuse me. FBI come in, with the raid all over the news.
4 Don't know if the news was tipped off or maybe they just Downtown
5 and everybody see a bunch of FBI agents going in the courthouse,
6 they want to figure out what happened.

7 Now, the evidence is clear that everyone in the office
8 knew about the investigation from ten years ago of DA's office
9 employees. Record is clear that everyone employed in the office
10 knew that several prior employees were investigated by the federal
11 government and that several of them went to federal prison. So
12 guess what. Everyone from Don Landry on down was definitely afraid
13 when they kicked in that door and they flooded that office. And
14 when you get deathly afraid, self-preservation kicks in.

15 Self-preservation kicked in. It's every man for himself
16 and the good Lord for us all. It's every man for himself and the
17 good Lord for us all. Because let me tell you one thing I know,
18 and I'm not telling you what somebody told me. I'm telling you
19 what I know because I had the pleasure of working for the
20 Department of Justice for 12 years as a federal prosecutor: When
21 the FBI comes, they come. They don't tiptoe. They don't
22 apologize. They come in with what we call heavy badges.

23 A heavy badge is an officer who loves being an officer,
24 and he loves letting you know he's an officer, and he loves letting
25 you know the power that he has. So when they come, they come

1 correct and they come very, very strongly. So self-preservation
2 kicks in.

3 Now, somebody's got to go down. Somebody's getting on
4 the bus. We didn't just come here and do this search warrant and
5 got this all over the news just for Dirty Dusty to go down. Oh,
6 no, no, no. Somebody with a title is going down once we do all
7 this.

8 So, of course, you can't blame Mr. Don. Everybody loves
9 Mr. Don. And I like Mr. Landry. He's a nice fellow from what I
10 can gather. Everybody's favorite uncle. So we can't blame Mr. Don
11 for what's going on, if anything. Dusty is a con man. Everybody
12 knew that. It didn't take a rocket scientist to figure out, okay,
13 the FBI is here now, maybe they're here for Dusty.

14 So we got to give them a prize. We got to give the feds
15 a trophy. They like getting the, quote, big fish. So we going to
16 blame Gary. Blame little Gary. You know Gary's tough. He makes
17 everybody do their job. He likes to try cases. He don't let the
18 defense attorneys walk over him. We going put the blame on Gary.
19 So we going to point the finger at Gary and that's going to get a
20 lot of this heat off of us.

21 See, Mr. Landry's a very, very wise man because after
22 that first interview, he was wise enough to realize: Maybe I got
23 some criminal exposure. Maybe I need to get me a lawyer. Maybe I
24 need to get me a Kastigar letter because next time I talk to the
25 FBI, I want some protection.

1 So he gets him a criminal defense attorney, he gets him a
2 Kastigar, he lawyers up, and now he's ready to talk to the FBI
3 again. See, Mr. Landry's hands are dirty and he knows he's got
4 dirty hands. And I'm going to break it all the way down to make
5 sure nobody gets confused. Because if I say it, I mean it.

6 Now, see, Mr. Landry put two foxes in the henhouse. He
7 decided he was going to let two foxes guard his hens. The first
8 fox he put in his henhouse was Joe Prejean, crooked as crooked can
9 be, corrupt as corrupt can be. The second fox, Dusty Guidry. But
10 this is why his hands are dirty: Because he found out that the
11 foxes were foxes and he left them in the henhouse. He found out
12 the foxes were foxes, and he still left them in the henhouse.

13 Now, he was told in early '22 by that man (indicating)
14 that Prejean was shaking defendants down, getting \$10,000, \$20,000,
15 sometimes \$25,000 to make charges go away. This man went in his
16 office and told him. And what did Don Landry do? Did he talk to
17 Prejean? No. He was told that Dusty Guidry was a part of it. Did
18 he talk to Dusty? No. Even after getting this information, he
19 refused to do anything.

20 Now, let's talk about Dusty's suspension. See, he
21 flat-out lied to you about it. He lied to the world. That was his
22 cover. Dusty's suspended. Dusty's suspended. But you saw Sonya
23 Anderson's note. You saw the note.

24 Mr. Douget, I know I didn't tip you off. Do you have
25 this one handy? You can pull it up? If not, we're going to work

1 with it.

2 But you saw that note. I think you saw it again
3 yesterday. Dusty is still a part --

4 There we go. Blow up that bottom part for me, Mr.
5 Douget.

6 Five or six days after his arrest, Zoila -- we know who
7 Zoila is. She ran that program. She spoke with Don Landry, who
8 advised that Dusty Guidry is still a part of this office. Let that
9 resonate for a minute. Compare that to what he told you on the
10 witness stand. See if this supports what I said. I don't say it
11 lightly. When I say somebody is lying to you, I got some proof.
12 They didn't expect us to find that. See, they gathered thousands
13 and thousands and thousands of pages and 300,000 documents. Ain't
14 nobody supposed to see that.

15 "Mr. Herman, when did you see it?" He told you when you
16 saw it. He saw it when we put it up on that screen.

17 Now, he let the fox stay in the henhouse. Hillar Moore,
18 he couldn't wait to get rid of Dusty Guidry after his arrest, but
19 not Mr. Landry. Brought him back. Well, actually, he never left.

20 Now, Dusty Guidry, he cons people, or used to, anyway,
21 all over the state. The record is clear that his MO was normally
22 the same: bring two parties together, at least one of them got to
23 have money. He going to bring them together to do a deal and he's
24 going to get broken off by at least one of the people. I think he
25 called them commissions. I think he called them hustles. He

1 hustled and hustled a lot.

2 See, he is highly incentivized to make the Government
3 happy. He is highly incentivized to make them happy. He got a
4 sweetheart deal already from the Government with the potential to
5 make it even sweeter. See, the Government is aware of many other
6 crimes that he's committed, and they told you generally about them,
7 and he told, when my colleague Adam Johnson cross-examined him, he
8 went into even more details about the crimes he was committing. He
9 got a pass on those. His plea agreement, you saw it: Hey, you
10 plead to this, no other charges that we know about you're going to
11 be prosecuted for. Also relevant conduct, we're going to stipulate
12 out for you what it is and we're going to give you a chance to get
13 a 5k departure motion. But you saw the language. That's at the
14 sole, nonreviewable discretion of these gentlemen (indicating).
15 Better make us happy, Dusty. That's the bottom line.

16 Now, we all know that at the time of this case -- don't
17 know what the man's condition is now, but in '21 and '22 we know --
18 and the Government didn't mention this in their closing. You know,
19 I'm waiting to hear about this -- we know he was addicted to
20 opioids, hydrocodone. Mr. Herman said, Hey, he was an easy mark.
21 He had a supplier. We knew he had to get those pills, so it's just
22 a matter of just pulling him over and we could pop him.

23 You know? Not that, Hey, he was going to get pills one
24 time. We knew Dusty was regularly being supplied with hydrocodone.
25 We know how strong and addictive that is. Think about that. The

1 fox back in the henhouse.

2 But they knew that, as well, the Government did. Dusty
3 got busted. They knew Dusty was still cooperate-- they knew Dusty
4 was still in the DA's office. Remember I asked Mr. Herman, Well,
5 Mr. Herman, you didn't think about talking to the DA and pulling
6 him off discretely and saying, Hey, man, you may want to get rid of
7 Dusty and you ain't got to divulge any confidences.

8 Mr. Herman was honest. He said, Well, if he didn't see
9 it by then, he wasn't going to ever see it.

10 You know why he didn't see it? He didn't want to see it.
11 See, Dusty was good for business. Dusty was good for business.
12 That's why Mr. Landry didn't want to get rid of him. That's why he
13 brought him in. That's why he brought him in.

14 Now, the Judge is going to instruct you -- I'm sorry. I
15 keep forgetting the Judge has already instructed you. The Judge
16 has instructed you. You can take that in consideration and be very
17 leery of a testimony of a person who the record is clear is
18 addicted to narcotics. So you have to decide whether you want to
19 take the word of a drug addict to convict this honorable man.

20 See, bribery requires an official act in return for the
21 thing of value. You heard the instruction from Judge Joseph. And
22 that's where this case falls short. See, they play all the calls,
23 and I concede, you know, U.S. Attorney's Office got some high-tech
24 equipment, they got talented people, like Ms. Laura Burke, who can
25 do these things and they can do a cute PowerPoint. But the

1 PowerPoint doesn't replace credible and competent evidence. See,
2 they have to prove that Gary Haynes did an official act in
3 furtherance of getting something of value or agreeing to get
4 something of value. They have to prove he did an official act in
5 return, quid pro quo. You with me? Not that he agreed to get
6 something of value and not that he did an official act. They have
7 to connect the two. They have to connect the two to show he did
8 the official act in return for getting something of value. But the
9 evidence doesn't support that. The evidence support he did his
10 job. Yes, he sent cases to CBT, to Midway Media. That was his
11 job. That's the vendor Don Landry approved. And you know why Don
12 Landry approved it? Because he put 5Gs in his pocket on his
13 campaign, the max contribution.

14 We going break it down and we going let you see Louisiana
15 politics. I told you that. So Don Landry brought in Leonard
16 Franques to be a vendor. Gary Haynes did his job: Send cases to
17 Franques. He's got CBT program. They can't make the connection.
18 There is no quid pro quo. They have no proof our client did
19 anything in return for nothing because he got nothing. A bribery
20 case without a bribe. They want to play the call about a truck.
21 I'm not a truck man. You show me a nice car, I'm going to get
22 excited, too. See, the fallacy in the case is he never got the
23 truck. The truck was never even ordered. We know about MD Law.
24 Not a penny went in there but the 15,000 he put in to open it up.
25 A bribery case without a bribe.

1 Now, I want to talk about the four PTI files. See, they
2 seized -- I forgot the number -- 160-200 files when they went in.
3 Like I say, when they go in, they go in strong. And they brought
4 in the taint team, and we brought the retired agent Jeff Goins in,
5 or Mr. Goins. Jeff Goins, he was over the taint team. Not over
6 the taint team. He was over the search team. And if anything was
7 privileged or attorney-client, they'd kicked that out, let the
8 taint team look at it. And then whatever the taint team gave back,
9 they got that. And I think it was like 160 or 200. We got 4 here
10 in the courtroom. We got 4 introduced into the courtroom, 4 PTI
11 files. Nothing illegal about any of them, not a single one.

12 The case is just very, very weak. They're relying on
13 Dusty Guidry. They're relying on Dusty Guidry.

14 Let's talk about the DWI second program. You saw that on
15 that letter, too. Don Landry said, Yeah, it was a pilot program.
16 I just did it for a short time.

17 Why did you do it?

18 Generate that money, that's why. But I just did it for a
19 short time and maybe one case or two in there.

20 That's flat-out not true. You ain't got to take Dusty's
21 word for it. You ain't got to take no recording for it. Mr.
22 Herman told you. I had to pull it out of him a little bit. It was
23 a long time. Yeah, beginning of the year. You saw when it ended,
24 when my client told the staff it was ending. He had it for nine
25 months because it generated revenue. That's how long he had it.

1 I want you to show me -- and I may have missed it -- a
2 bribery case in American history where the public official lost
3 \$219,000 in the bribery scheme. I'll wait for you. I'll wait for
4 you to show me the bribery case in American history where the
5 public official, like Gary Haynes, lost \$219,000. It makes no
6 sense. The man was investing in legitimate business. He realized
7 that after Dusty Guidry got arrested, he had been conned. He
8 realized he wasn't -- see, I'm going to break it down just in case
9 I run out of time.

10 I think you-all realize Gary Haynes didn't have any
11 contact with Leonard Franques until after Dusty was arrested. See,
12 he dealt with the con man Dusty Guidry and didn't know he was being
13 conned. Dusty was playing the left hand against the right hand.
14 That's his MO. You heard Franques say that, and you heard Herman
15 admit Dusty was telling Leonard one thing and telling Gary another.

16 So the line of demarcation is December 9th and December
17 10th when they, quote, tickle the wire. Or I think Mr. Herman said
18 they had to throw in a variable. Why did they have to throw in a
19 variable? Why did they have to tickle the wire? Because they had
20 no evidence Gary Haynes was doing anything illegal. So let's start
21 trying to get something. Let's get a little more creative. Let's
22 get a snitch. Let's coach him up. Let's tell him what to say.
23 That's why they had to, quote, create a variable.

24 See, that's your line of demarcation. December 9th,
25 December 10th time frame. That's when everything started looking

1 like Gary Haynes is doing something illegal because until that
2 point, they just striking out, they swinging and missing, so they
3 got to get desperate. And we going to try this. And they still
4 didn't prove anything to you despite that.

5 But that's what happened. Dusty got arrested. The man
6 is trying to get his money back. He realizes at some point his
7 \$219,000 is gone. The money he invested: GPP, a legit business;
8 Wildlife and Fisheries, a legit business; even CBT, a legit
9 business. Even Mr. Herman admits -- I had to pull it out -- the
10 Wildlife and Fisheries operation, where someone takes online
11 courses, charge a fee to a vendor, pay a fee to a vendor, that's
12 legit business. Credit card processing, that's a legitimate
13 business. Now, whether people in the business do something to
14 corrupt or break the law, that's not the question. It's legitimate
15 business that someone can invest in.

16 Now, our client realized he was out of his money. He was
17 trying hard to get a small portion of the money back that he had
18 invested.

19 Now, I want to look for a minute at the indictment
20 because that's the charging instrument and that's what you have to
21 consider in deciding whether my client broke the law. And I'm not
22 going to go deep in the weeds with this because it will take up all
23 my time going through it, but I think you understand by now, we've
24 made it very, very clear, they're the authors. They write it, they
25 edit it, they tweak it, they put every word in there, they

1 double-triple check it, send it to D.C., send it back, and then
2 they present it to the grand jury.

3 But let's see what they said on Count 1, conspiracy.
4 "The defendant did knowingly combine, conspire, confederate, and
5 agree with others." That's not true. They simply did not prove
6 that. See, they got a theory. And I tell my colleagues in law
7 enforcement all the time in my years as a prosecutor and I do it
8 now: It's great to have a theory. A theory is great. You can
9 start with a theory, but we can't get to proof beyond a reasonable
10 doubt without competent and credible evidence. And, see, that's
11 where they fall short.

12 And then the second part, the purpose was that (as read),
13 "Enrich themselves by soliciting, accepting money, property, other
14 things of value from Franques in exchange for providing and
15 agreeing to provide favorable official action, the quid pro quo we
16 talked about. They just don't have the connection. They just
17 don't have the connection.

18 They talked about Gary Haynes and Guidry approving
19 additional participants in PTI. Just not true. See, the witnesses
20 told you, Mr. Landry once a month, he's pushing PTI. He wants more
21 people. The evidence is clear that under Stutes, the guidelines
22 were pretty tight; under Landry, they got real, real lax. He
23 wanted that money. But they want to portray it as Gary Haynes
24 pushed additional people into the program.

25 Of course, they talk about MD Law. But what they fail to

1 mention is not a single dime went into MD Law. See, they said he
2 opened up MD Law with \$15,000. We know it was open for a year.
3 But what they fail to put in the charging instrument is that not a
4 single penny went into it. See, they want to paint a picture, but
5 they don't want to go all the way. They don't want to tell the
6 grand jury that, Oh, by the way, not a penny went into it.

7 But this is the part I want to get to: Person Number 1,
8 let me read this to you. "On or about November 10th of '21, the
9 defendant, Gary Haynes, authorized the enrollment of Person Number
10 1." Mr. Herman told you. See, we had to get it. We had to get it
11 for you. The Government wasn't going to tell you who Person Number
12 1 is. They weren't going to tell you who Person Number 2 is.
13 We'll get to him. You had to get it from the defense. They claim
14 that my client authorized the enrollment of Dr. Barry Petry into
15 the PTI program. You know that's not true. You know that's not
16 true. That's why I'm telling you this count falls.

17 And let me throw this in the pot while I'm in the
18 kitchen. All these charges are bribery-related charges. When this
19 first one goes down, they all go down. There is no bribery, so all
20 these other bogus charges related to bribery are not provable. So
21 you know for a fact the Government put something in an indictment,
22 indicted my guy for something that they know he didn't do.

23 Chad Vallo, you heard from Mr. Vallo, the police juror
24 from Vermillion. He said, I called Mr. Don. He said, Dr. Petry
25 was my dentist and a friend. He got a misdemeanor sexual assault

1 and I called Mr. Don to get help, and it's my understanding Mr. Don
2 approved him to be in the PTI program.

3 See, that's uncontroverted, uncontradicted.

4 See, you got to understand, ladies and gentlemen, before
5 my time runs out, the Government has a chance to rebut our case.
6 Any evidence we put on, they can call witnesses to rebut it. They
7 didn't call a single rebuttal witness. Let me tell you why.
8 Because they have no evidence to rebut anything we put on, not a
9 single thing.

10 Person Number 2. On or about November 18th of '21, Gary
11 Haynes and Guidry discuss how to handle the case of Person Number
12 2, a defendant who had recently been charged by the DA's office
13 with his or her third OWI offense. Listen to this. Person Number
14 2 was already in the PTI program from a previous OWI.

15 "Mr. Herman, who is Person Number 2?"

16 "Bradley Zaunbrecher." Mr. Bradley Zaunbrecher. See,
17 Mr. Landry knows exactly who Bradley Zaunbrecher is. We had to
18 refresh his recollection, got him back up here. And he admitted,
19 Yes, I got a call from somebody about Bradley Zaunbrecher. Yes, I
20 called Dusty Guidry to talk to Dusty Guidry about Bradley
21 Zaunbrecher's DWI third arrest.

22 See, that's been a little while ago. I want to remind
23 you. He said that, "I talked to Dusty about whether Bradley should
24 stay in the program," not talked to Gary Haynes. "I talked to
25 Dusty about whether Mr. Zaunbrecher should stay in the program."

1 And they agreed to let Zaunbrecher stay in. But our government
2 wants to portray this indictment -- not portray, they want to claim
3 that our client was responsible and he worked with Dusty to keep
4 him in the program. They know that's not true.

5 Now, and they even called Mr. Zaunbrecher as a witness.
6 Mr. Zaunbrecher said, Hey, Joe Prejean tried to shake me down. I
7 never told that to Gary Haynes, but Joe Prejean tried to shake me
8 down.

9 That's one of the people that Mr. Landry knew about, Joe
10 Prejean. He was dirty. He was rotten to the core.

11 Now, Count Number 2. They talk about two \$10,000 checks
12 that he receives. But at no point do they tell you or the grand
13 jury in this indictment that my client never negotiated a single
14 check. He never cashed a single check. It leads one to believe
15 that if I got 10,000 -- it's so frustrating because it would lead
16 anybody to believe that if somebody got a \$10,000 check, of course,
17 well, they deposited it, of course they cashed it. They knew he
18 didn't deposit it. They knew he didn't cash it. The evidence
19 supports they gave him the second check because he never cashed the
20 first check. But they don't say in the indictment that they
21 weren't deposited; that they weren't cashed. They lead the
22 reasonable person to believe that he cashed and negotiated them.

23 Counts 3 and 4, these phone counts. We find out for the
24 first time 30 minutes ago, when Mr. Nickel is presenting his
25 PowerPoint, that Barry Petry is the person who was called about on

1 November 12th. I see why he didn't want to mention that until now,
2 because we all know that Don Landry was responsible for keeping
3 Barry Petry in the program. But they want you to convict this man
4 for making a phone call about Barry Petry when he is not the one
5 who put Barry Petry in the program. Don Landry did. But Don
6 Landry's not charged with this. They want to charge Gary Haynes.
7 They're desperate. So Count 3 is a phone count and they want you
8 to convict him because he made a phone call about Barry Petry.

9 Count 4 is another phone count, January 11th. They showed
10 you the text with Michelle Franques, which is clearly taken out of
11 context because our client says, I'm leaving the hospital. On my
12 way.

13 Well, where are the conversations before that? Where are
14 the texts before that? Where is Michelle Franques, for that
15 matter? But that's what Count 4 is now. Evidently it's a call
16 about the check he picked up from Franques, Michelle.

17 And lastly, I got to get to this money laundering and
18 then obstruction of justice. I want you, and I think you get the
19 indictment -- if not, I know you got access to it -- read that and
20 listen to that and see if you, as a reasonable person, would read
21 that and have any clue of what you're accused of doing. The expert
22 told us that money laundering can be committed all kind of ways.
23 They don't give you any indication of what our client allegedly did
24 to commit money laundering. They just say on a date from January
25 11th of '21 to May 12th of '22 he committed money laundering. See,

1 ladies and gentlemen, they're moving the goal post. They're moving
2 the goal post on Gary Haynes.

3 Obstruction of justice. This one is just outright
4 ridiculous. On or about February 3rd -- now we found out it's the
5 so-called Jason's Deli call. But the Judge has instructed you the
6 call has to be with intent to impair the object's integrity or
7 availability for use in an official proceeding. So now we talk
8 about telling somebody to delete texts. No evidence that Franques
9 ever deleted any texts. But we know, for a fact, there was no
10 official proceeding going on at the time that they had this meeting
11 at Jason's Deli. And Judge Joseph has already told you that to be
12 obstruction of justice, whatever the act is, there has to be some
13 official proceeding going on. There was no official proceeding go
14 on. No case, no grand jury, there was nothing official going on at
15 the time.

16 Now, I want to move on to talk briefly about Michelle
17 Franques before my time runs out. Michelle Franques. I want to
18 break this down real quick for you because the Government is trying
19 to portray her as, quote, venting in April of this year. No. She
20 has a conscious.

21 See, in April of this year they're getting down to trial
22 prep. They're trying to see who's on the team and who's not on the
23 team; who's been working out; who's been practicing. Her attorney
24 talks to the Government. In talking to her, they got to decide
25 whether she's going to be on the team to testify or not. So what I

1 want you to clearly understand is that to do that, they have to
2 consider prior 302s and what was said.

3 Mr. Herman already told you it is very rare for the FBI
4 to allow people to review their 302s. It's done
5 attorney-to-attorney. But the evidence is clear, her initial 302
6 was in December 8th of 2021 at her house. Her second 302, which Mr.
7 Herman referred to, was in March. It was in March of '22. And Mr.
8 Herman met with her along with Doug English. And that's when she
9 first made the corrections. That's when she made all these
10 corrections to the 302 of the first time. And Scott English, I'm
11 sorry, was present for that second debrief. And she had several
12 corrections, according to Mr. Herman, that she wanted to make at
13 this second debriefing.

14 So they want to portray it like she just started venting
15 in April of this year. No. She told them in March of '22: Y'all
16 made a lot of mistakes in that first one and I want to correct it.

17 Now they trying to get her to testify and be a part of
18 this case and she realized were they still pushing this same
19 narrative. So in April of this year, she had to resort to typing
20 up a point-by-point e-mail and delivering it to the U.S. Attorney's
21 Office.

22 She said (as read), "The facts in this 302 are not
23 correct." She says in her, what I'm calling an e-mail, "I asked to
24 record and take notes but told I couldn't. I was told that the
25 corrections were made, but they were not." She said, "I never said

1 that I felt -- never said that I felt that something was wrong with
2 payments to Dusty. The FBI said that. I never said I thought they
3 were wrong. The FBI said that. The FBI said my motherly instincts
4 and gut feelings. I never said those two terms. I said many, many
5 times," hear this clearly, "I did not know what the checks that
6 Haynes wrote were for. The FBI would not take that for an answer.
7 They kept asking over and over about Haynes. The FBI were the ones
8 that said it was to reimburse Leonard for part of the creation of
9 the CBT class for city court. I said Leonard and I met with Greg
10 Logan to get the contract for city court. The FBI did not write
11 that. I never said 'could be split with Haynes.' The FBI added
12 Haynes. I never said that Haynes was supposed to split the CBT
13 profits with Guidry. I have no knowledge of any agreement between
14 Guidry and Haynes."

15 This is her talking in April of this year, trying to get
16 the FBI to correct it. (As read), "I never," and put never in all
17 caps, "said that Haynes' payments were being held until a contract
18 was signed with city court. I never," all caps, "said this. The
19 FBI added this. The FBI said Michelle Franques is unsure of how
20 Haynes will be paid, as there have been no details provided to her.
21 The FBI put this statement in the 302 because I said I had no
22 knowledge of any agreement or payments to Haynes. The FBI was
23 pressing hard on Haynes." This woman's got no reason to make this
24 up. "The FBI kept saying that I knew about -- that if I knew about
25 Haynes, I needed to tell them. I kept saying repeatedly, 'I do not

1 know anything about Haynes.'" "

2 That's what she said. And she said it in April and she
3 tried to correct it in March of '22. The woman went out of her
4 way.

5 The Judge told you, and I want to read it again before I
6 go to my seat, "A reasonable doubt is a doubt based on reason and
7 common sense after careful and impartial consideration of all of
8 the evidence in the case. Proof beyond a reasonable doubt,
9 therefore, is proof of such a convincing character that you would
10 willingly rely and act upon it without hesitation in making the
11 most important decisions of your life."

12 That's what the judge instructed you. He also instructed
13 you about witnesses' credibility, evaluating a witness's
14 credibility. I want you to pay close attention to that. He also
15 spoke to you about witnesses' use of addictive drugs. He gave you
16 the definition of conspiracy: An agreement between two or more
17 persons to join together to accomplish some unlawful purpose, a
18 partnership in crime. He's also instructed you, "The mere presence
19 at the scene of an event, even with knowledge that crime is being
20 committed or the mere fact that certain persons have associated
21 with each other and may have assembled together and discussed
22 common aims and interest, does not necessarily establish proof of
23 the existence of a conspiracy."

24 So I want you to pay close heed to the instructions. I
25 believe you're going to get a copy of the written instructions.

1 But either way, I need you to pay close, close attention.

2 I want to get Mr. Douget to pull up Defense Exhibits 4
3 and 6. It's going to be two checks. I want you to see these
4 checks side-by-side. I think these checks help incapsulate this
5 case.

6 The first check, as Mr. Johnson brought out with Dusty
7 Guidry, is a check to F4 that our client is paying. "WLF" in the
8 memo line. He's telling whoever is getting this check this is what
9 my 50,000 is going for. Five days later, F4 turns around and pays
10 Dusty Guidry \$40,000 from that same F4 account. We all know that
11 Wildlife and Fisheries is a legitimate investment, and these two
12 checks clearly show how Dusty Guidry was conning both Leonard
13 Franques as well as our client.

14 Also, can you play -- I want to play one of the
15 consensual recordings while I have time. Can you play Government's
16 Exhibit 001-019, Mr. Douget?

17 (Video playing.)

18 **MR. CLEMONS:** You can stop it, Mr. Douget.

19 Who, in a conspiracy to violate the law, wants to
20 document a so-called scheme and kickback by doing a promissory
21 note?

22 Can you play briefly 001-015, Mr. Douget? because our
23 client was trying to get reimbursed and we think the evidence is
24 abundantly clear.

25 (Video playing.)

1 **MR. CLEMONS:** You can stop it.

2 **THE DEPUTY CLERK:** Four minutes, Mr. Clemons.

3 **MR. CLEMONS:** Thank you.

4 The man wants to get reimbursed.

5 Ladies and gentlemen, you got a two-hour meeting clipped
6 up into ten minutes by somebody who is cooperating with the FBI,
7 who is coached by the FBI. You let me meet with you for two hours
8 with some good coaching, I can make sure I can get something out of
9 context to make you look like you did something you didn't do.

10 Ladies and gentlemen, as I go to my seat, I just want to
11 thank you for your service. I want to implore upon you to have the
12 courage of your convictions. Martin Luther King said one time,
13 "It's not where people stand in time of comfort and convenience,
14 but it's where you stand in time of crisis and controversy."

15 Ladies and gentlemen, again, I want to thank you for your
16 service. I want to remind you of the Government's burden of proof
17 beyond a reasonable doubt and the burden Judge Joseph gave to you
18 when you make life's most important decisions.

19 Ladies and gentlemen, I think you have seen how desperate
20 the Government was. You have to make one of the most important
21 decisions in your life, one of the most important decisions in your
22 life. But you have to make the most important decision in the life
23 of Gary Haynes. And when we all go home today, when we all go home
24 today, we want to leave Downtown Lafayette and leave this federal
25 courthouse, we are all going to know that justice has been served.

1 Thank you, again, ladies and gentlemen, for your service.

2 **THE COURT:** Does anybody need a brief break before we
3 hear the final closing?

4 Mr. Walker? Thank you, Mr. Clemons.

5 **MR. WALKER:** Again, I'm asking the Court, because the
6 defense violated a rule of the Court specifically when he said,
7 "Where is Michelle Franques?" He was not allowed to say that. I'm
8 asking the Court to tell the jury they should disregard that
9 statement because the defense was told he could not -- that was not
10 a subject that could be discussed. And he did exactly what was
11 said he could not do.

12 **MR. CLEMONS:** Judge, they could have called Michelle
13 Franques. They chose not to.

14 **MR. WALKER:** That's -- Your Honor, I'm asking --

15 **THE COURT:** Hold on. Mr. Walker is correct, Mr. Clemons.
16 You were not to regard -- you were not to discuss whether or not
17 Ms. Michelle Franques testified for either the Government or the
18 defense in this case. Okay? That should not come into your
19 consideration.

20 **MR. WALKER:** And I'm asking you also to ask the defense
21 -- I'm sorry, the jury, to disregard what he just said. He just
22 said, "The Government could call Michelle Franques."

23 **THE COURT:** I just gave the instruction, Mr. Walker.

24 **MR. WALKER:** Thank you, Your Honor.

25 **MR. CLEMONS:** Judge --

1 **THE COURT:** You can sit down, Mr. Clemons. You can sit
2 down.

3 Mr. Walker, please proceed when you're ready.

4 **MR. WALKER:** You know the amazing thing in this case?
5 Y'all sat and listened to probably 20 different Title III wiretap
6 phone calls where the defendant was describing his participation in
7 criminal activity. It wasn't in the consensual recordings. It was
8 during the Title III wiretap conversations. And the defense didn't
9 play one. The defense didn't mention one. He didn't talk about
10 the conversations that were occurring. What the defense did do, he
11 made a lot of statements in closing argument that were inaccurate.

12 There are two rules of law that apply in every case. The
13 first rule is when you're doing a trial what we say is not
14 evidence. The Judge told you that the first day that you came in.
15 What the attorneys say is not evidence. The evidence comes from
16 the stand. The evidence comes from the documents that are
17 submitted. In this case, the evidence came from the Title III
18 wiretaps, all those calls you heard where the defendant, in his own
19 voice, acknowledged he was engaging in this criminal activity.
20 That's where the evidence comes from. So that's the first rule of
21 law.

22 The second rule of law that comes in every case is that
23 when you come into this courtroom, you don't know the law. The
24 Judge has to tell you what the law is. You don't know the facts of
25 this case. The Judge has to tell you what the facts of this case

1 are. But what you come in with is your common sense. And when
2 you're looking at a case and making a decision, you base it on your
3 common sense.

4 The defense suggested the FBI had some motive. That's
5 absolutely not true and the evidence doesn't -- it's completely
6 inconsistent with the evidence. This is what you heard,
7 uncontroverted evidence from Special Agent Herman. They started
8 out with a case --

9 Well, first of all, what FBI agents do, what federal
10 agents do, what every agent should do, they follow the evidence.
11 That's how they figure out what happened, is by following the
12 evidence. In this case, the case began with Joe Prejean. You
13 heard the agent testify to that. He got a wire. As a result of
14 that, he discovered that Dusty Guidry was involved in this bribery
15 scheme, as well, this kickback scheme, as well. So they got a
16 wiretap on Dusty Guidry's phone. And when they got the wiretap on
17 Dusty Guidry's phone, it led to Gary Haynes.

18 The defense suggests that they needed to get somebody
19 within the DA's office. They followed the evidence. And when you
20 listen to the phone calls, all the phone calls that were played in
21 our first closing argument, and also throughout the trial, there's
22 no doubt Dusty Guidry was talking to Gary Haynes. There's no doubt
23 Gary Haynes and he were talking about the fact that he could get
24 paid. You remember the text message where they were talking about
25 one-third each and at the same time talking about how Gary Haynes,

1 Gary, was putting all these people into the CBT classes and Leonard
2 Franques was going, "Go Gary."

3 And also the phone calls. And I tell you, we played the
4 first part of the truck phone call, where Gary Haynes, in October,
5 is excited about the fact that he can get a truck out of this deal.
6 What's the second part of the same phone call that comes just
7 moments after his excitement about this truck that he's going to
8 get? He's talking about how he is going to incentivize people to
9 get through with their classes more quickly. He's going to -- and
10 how is he going to do it? Because that brings in CBT money. The
11 way he's going to incentivize the people is he's going to say,
12 "Look, you are an OWI case or you're a drug case. Normally you
13 would have to be drug tested. We're going to let you off early."
14 That incentivizes them to get those classes done sooner because if
15 you can incentivize them to get the classes done sooner, what do
16 you know? Leonard Franques makes more money. What do you know?
17 Dusty Guidry makes more money. And what do you know? Gary Haynes
18 makes more money.

19 The defense talks about Michelle Franques and says that
20 Michelle Franques -- Michelle Franques made this statement and
21 somehow that statement, like, in some way helps the defense. I
22 want you to think about what happened. These are the facts. These
23 are not the statements, but these are the facts that came from the
24 stand.

25 In December of 2021, federal law enforcement talked to

1 Michelle Franques, the FBI, and she made a long statement. They
2 then gave her her statement. She read it. And if you remember the
3 agent said this, she made some very minor changes. She said, you
4 know --

5 **MR. CLEMONS:** Objection, Your Honor. There is no
6 evidence she made minor changes. She said he made corrections.

7 **THE COURT:** Overruled. The jury can remember the
8 testimony and they can determine what was said and what wasn't from
9 the witness stand.

10 **MR. WALKER:** She made small changes in March of 2022. So
11 we're talking about, they talked to her in December. They gave it
12 to her so she could look at it and read it and make sure everything
13 was right. And in March she made some minor changes. Then 3¹/₂
14 years later, after her husband had pled guilty and was awaiting
15 sentencing, she came back and wrote that letter, basically saying
16 the FBI just kind of lied about everything. Does that make any
17 sense? Does it make any sense that law enforcement would just lie
18 about everything? If it's true, would it make any sense that when
19 they gave her a document and said, "Look, you can read this and
20 make any corrections you want to," she didn't correct any of it?
21 Does that make any sense? It doesn't.

22 I know Michelle Franques has been in a difficult time. I
23 mean, it's clear. Her husband had to plead guilty. I'm
24 sympathetic to anybody who has to go through things like that, but
25 that doesn't make her a credible witness and it also doesn't make

1 what she said in that document, in any way, credible.

2 You got a chance to listen to Doug Herman three separate
3 times. He was a consummate professional. The defense aggressively
4 cross-examined him, sometimes yelling while he's on the stand. He
5 listened to him and he answered his questions. If Mr. Clemons
6 asked him a question that, you know, made a suggestion, he would
7 stop and he would say, "Okay, I think you're asking me this. This
8 is what the answer is to it." You never saw him raise his voice.
9 In fact, the only thing he tried to do is honestly answer the
10 questions that were being asked to him. And he took hours of that.
11 He was a consummate professional from the beginning to the end.

12 They say Dusty Guidry's not believable. I'm going to
13 start off and say this: If Dusty Guidry was the linchpin of this
14 case, y'all wouldn't be sitting here. Dusty Guidry was a
15 participant in this, but do you need Dusty Guidry to find the
16 defendant guilty? Absolutely not.

17 Now, he testified, and Agent Herman testified, that he
18 spoke to him on several occasions. And he also said, he said from
19 the first time he talked to him and every other time he was
20 consistent and, based on the evidence, he appeared to be truthful.
21 So that's what Agent Herman testified to, the special agent with
22 the FBI.

23 But the fact of the matter is -- and he's a bad guy.
24 Dusty Guidry did bad things. I'm not here supporting Dusty Guidry.
25 There's no question that he was doing bad things. But the phone

1 calls that the defendant was making, this defendant was making, the
2 statements this defendant was making are exactly consistent with
3 what Dusty Guidry said. Dusty Guidry described the fact that, yes,
4 there was a three-way split. You've seen a text message. This is
5 not a text message that was prompted by anybody. This was going on
6 right in the middle of the conspiracy before Dusty Guidry got
7 arrested. It was going on before anybody knew about the criminal
8 activity. And in the text message, they said it was a three-way
9 split. And in the text message, one line down, Gary Haynes -- they
10 were saying Gary Haynes is out there and he's pushing everything
11 into CBT and Enhanced Driving, a \$350 course. And they were like,
12 "Go, Gary." Gary is on their team.

13 The defense says, you know, "Where is Leonard Franques?"
14 They say, "You never heard from Leonard Franques." That's
15 absolutely not true. When you think about it, when you have a
16 Title III wiretap it's different than any other kind of case in
17 that you're able to hear people talking when they don't know
18 anybody's listening. You were able to hear Leonard Franques
19 describe the scheme. You were able to hear Leonard Franques and
20 Dusty Guidry describe how they were paying Gary Haynes. You were
21 able to hear Leonard Franques talking at some point to Gary Haynes
22 about the payment and Gary Haynes describing the fact that he
23 understood there was going to be a payment.

24 You heard from Leonard Franques. And more importantly,
25 in the consensual calls -- I mean, in the consensual monitorings,

1 you heard from the defendant, Gary Haynes. You heard Gary Haynes,
2 and I'm going to play a few but not many. You heard Gary Haynes
3 describing: This is what I'm doing; I'm excited about it; I can
4 get a truck out of this; I've set up MD Law so that I've got a
5 place to keep the money.

6 That wasn't Leonard Franques talking. That was Gary
7 Haynes talking. That was Gary Haynes confessing.

8 The defense says he didn't get any money and so as a
9 result of that, you shouldn't be able to charge him with these
10 counts because he never got any money out of the scheme. That is
11 just absolutely not true. He set up the scheme; he got MD at Law
12 so he had a place to keep the money; he had discussions about the
13 fact that he was going to get the money; he got two \$10,000 checks,
14 but he didn't deposit them. But he had everything set up so that
15 when the money started coming in, he had a place to put it. And he
16 was actively excited and talking about how he was going to get this
17 money.

18 It's a little bit like this: If you have a guy and the
19 guy decides he's going to commit a bank robbery, the guy is going
20 to commit a bank robbery and so he's got to put some money out.
21 He's going to have to get a gun. He's going to have to get a car.
22 He's going to have to get all those things so he is able to go and
23 rob the bank. The fact that he didn't get in the door and didn't
24 actually get to rob the bank didn't mean that he didn't want to rob
25 the bank. He wanted to rob the bank. If there were two of them,

1 they conspired to rob the bank.

2 The FBI in this case caught them before they had a chance
3 to continue with their scheme. They caught them -- by the time in
4 December when Dusty Guidry got arrested, that shut down the scheme
5 effectively because at that point Gary Haynes wasn't going to cash
6 those checks. Everybody was on edge. That was the point that
7 stopped this scheme.

8 The defense says MD Law is just a legitimate business.
9 We all know that's not true. Every business has the ability to be
10 a legitimate business. So if I go and I open up a corporation, it
11 can be a legitimate business, but MD Law in this case was not a
12 legitimate business. MD Law in this case was a business that was
13 opened long ago, had gone dormant, and it was reopened for one
14 purpose. It was a place to keep the Fish and Wildlife money and
15 the CBT money from the DA bribery scheme.

16 Could you play Clip 11?

17 (Video playing.)

18 **MR. WALKER:** That's not a legitimate business. It was a
19 corporation that when it was created was legitimate, but it's not a
20 legitimate business now. He had two purposes in it. You know this
21 from the boardroom meeting, and you know it from the conversations
22 on the T3. MD at Law, though it was created as a legitimate
23 business, was a business that was going to be used to deposit the
24 money from the DA bribery scheme. And it's also not a legitimate
25 business because they were also -- Dusty Guidry, the public

1 official in the Wildlife case, was going to deposit the kickback
2 money from that into the account and then they'd split it. And he
3 agreed to it. He acknowledged that that's what he was agreeing to
4 do.

5 The defense says the Fish and Wildlife scheme was a
6 completely legitimate investment. That is simply not true. It's
7 not even close. It may -- Fish and Wildlife is legitimate, but if
8 you're going to get a kickback of money, if a public official is
9 going to get a kickback of money for that, then it's a crime. And
10 if you -- Gary Haynes, this defendant, is going to help conceal the
11 money in his MD at Law account, he's just as guilty of the
12 conspiracy as Dusty Guidry. In this case, the Fish and Wildlife
13 scheme is really exactly like the DA bribery scheme. In both cases
14 you had a public official. In both cases you had people that were
15 going to make money based on the criminal conduct, the bribery.

16 The defense talked about the obstruction of justice, and
17 he misled you. And I don't say that lightly, but it's a fact. The
18 defense said in the obstruction of justice count, we have to prove
19 -- you have to be able to prove that the defendant at the time that
20 he was obstructing justice, attempting to conceal the evidence,
21 there had to be an official proceeding going on. I wrote it down
22 when he said it and I couldn't believe it. That is absolutely not
23 what the Court instructed you. And you're going to get a copy of
24 the instructions and you'll know that what he said misled you.

25 The instructions say there has to have been -- you don't

1 have to prove there was an actual proceeding going on; that there
2 was likely a proceeding that was going to go on. Well, in this
3 case, there is absolutely no doubt that the defendant believed
4 there was a proceeding that was going on or was likely to go on.
5 He's talking about FBI. He's talking about the fact that a lawyer
6 told him that the FBI was doing an investigation. He talked about
7 the fact that he knows the FBI does wiretap investigations. And he
8 knows, from 2012, when the district attorney's office here in
9 Lafayette was investigated in a wiretap investigation and a person
10 he was close to in this courtroom, in this building, came in and
11 pled guilty to that crime. He knows there are federal
12 investigations. He knows there are federal wiretap investigations.
13 He talked about his concern about this wiretap investigation, the
14 fact that if they've tapped our phones, they may be able to get the
15 text messages. Delete the text messages. You have to get rid of
16 the text messages. I stayed up last night worried about it. I've
17 been thinking about this. We have to delete the text messages.

18 That's what he did. There is absolutely no doubt, based
19 on the evidence, that he was attempting to obstruct justice. There
20 is absolutely no doubt.

21 Equally, there is no doubt that he conspired to engage in
22 a bribery scheme. How do you know? His words convict him. The
23 words that he said, the words that he said to Dusty Guidry, the
24 words that he said to Leonard Franques, his words show he was
25 trying to get money. And I was stunned when the defense said he

1 wasn't doing an official act because all he would talk about is how
2 excited he was about getting the bribes, either money or a truck,
3 and how excited he was to incentivize people so they would have
4 more money coming in. His words convict him of those crimes.

5 Equally, the actual bribery case, his words convict him
6 of that. He took the checks. He took the checks and he got them
7 made out to MD at Law. What does that tell you? If this is
8 legitimate, if they are just getting money paid back, why would you
9 go through all those steps to conceal it? Get a check, deposit it
10 in your account. But he didn't do that. You know why? The only
11 reasonable explanation for why he didn't do it is because he didn't
12 want anybody to know that he was getting kickbacks. He was getting
13 kickbacks from Leonard Franques.

14 And the defense played a phone call and it was kind of
15 amazing.

16 I just need to find the phone call very quickly. Can you
17 play 001-019?

18 (Video playing.)

19 **MR. WALKER:** Pause it for one second.

20 So it begins with, "Keep sending it to CBT. One goes to
21 Laura, two goes to you," talking about Gary Haynes.

22 Keep going.

23 (Video playing.)

24 **MR. WALKER:** Pause it.

25 So he is concerned. He doesn't want anybody to know he's

1 getting checks from CBT. Why didn't he want anybody to know he was
2 getting checks from CBT? Because that would tell everybody,
3 anybody who was looking, any federal investigator who was looking
4 would know if he's getting a check from CBT, he's committing a
5 bribery scheme.

6 Keep going.

7 (Video playing.)

8 **MR. WALKER:** Pause it.

9 He wasn't concerned about getting the money from the
10 bribery scheme. The only thing he was concerned about was getting
11 caught. He said, "I can't get a check from CBT because if I get a
12 check from CBT, that's bad." And he was like, "Yeah, but, see, the
13 checks are actually coming from F4, the parent company of CBT."
14 He's like, "Oh, okay. That's okay." He's not saying he's not
15 committing the crime. He's saying: I want to make sure I don't
16 get caught committing the crime.

17 Dusty Guidry, he came into Lafayette and he came to a
18 person who was the head of the pretrial intervention program. And
19 the head of the pretrial intervention program had things good about
20 him and bad things about him. A good thing that he had about him,
21 from Dusty Guidry's perspective, is that he was -- he ran the PTI
22 program; he was the boss; he made the decisions. And two, he was
23 corrupt. He was willing to take money for the things that Dusty
24 Guidry could do to get money for both of them.

25 He had some things about him that were not good. He was

1 lazy. We know that to be true because Zoila Perez -- everybody who
2 testified said Gary Haynes didn't come to work a whole lot in the
3 beginning. Gary Haynes took a lot of trips in the beginning. Gary
4 Haynes wasn't signing off on the paper, so we weren't getting as
5 many people into the PTI program. And then the bribery scheme
6 began.

7 And what did you hear Zoila Perez say? All of a sudden
8 he was much more motivated, incentivized to go ahead and push these
9 cases through the CBI program -- I'm sorry, the PTI program. So
10 all of a sudden, all these cases that had been sitting on his desk,
11 all of a sudden went from sitting on his desk to getting pushed
12 through the PTI program. And what did you notice about the cases?
13 They all had CBT.

14 **THE DEPUTY CLERK:** Five minutes.

15 **MR. WALKER:** Thank you.

16 Because that's how he made his money. He made his money
17 -- Gary Haynes made his money by having cases push through the PTI
18 program. That's how he was going to make his part of the money.

19 The defense says that we haven't proved our case. Our
20 case was proved when you listened to the recordings of Gary Haynes,
21 when you listen to the recordings of Gary Haynes describing his
22 participation in the criminal conduct, describing what he wanted to
23 get out of it, describing what he could do, pushing people through.
24 We convicted him with those recordings.

25 The defense, at the very beginning of questioning Doug

1 Herman, said, "You know, it would be better, you would 100 percent
2 know what happened if they just recorded the interviews." Well,
3 ladies and gentlemen, y'all got to see recordings. Y'all got to
4 see the recordings, so you know 100 percent what happened. Those
5 wiretap recordings show 100 percent what Dusty Guidry was doing.
6 They show 100 percent what Leonard Franques was doing. And they
7 show 100 percent what Gary Haynes was doing. And what he was doing
8 was accepting money and agreeing to accept money or a truck or
9 anything else in return. All he had to do is push people into the
10 pretrial intervention program and get the CBT. And he talked about
11 it. He was proud of it. He sent text messages about pushing
12 people into the CBT.

13 When you use your common sense, and I started with that,
14 if you use your common sense in this case, there is only one just
15 verdict. The only just verdict in this case is guilty as charged.
16 He engaged in the conduct, he engaged in the crime, and he engaged
17 in the coverup.

18 And that was one of the things that Mr. Loew said at the
19 beginning. He said, "You know, look at the coverup of the crime.
20 That tells you where he was." After he found out that the FBI
21 might be investigating him, he was like: We got to get rid of the
22 text. We got to circle up. We got to do everything we can to make
23 sure we don't get caught.

24 That's what the evidence is. If he wasn't doing anything
25 wrong, why did he need to delete the text messages? Why was he so

1 terrified of the text messages? Why was he so terrified of Dusty
2 Guidry talking? Why did he have to circle up amongst the
3 coconspirators? There's only one reason. It's because he's
4 guilty. Thank you.

5 **THE COURT:** All right. Thank you, Mr. Walker. Thank
6 you, Counsel.

7 Ladies and gentlemen, you have now heard all the
8 evidence, the argument, and been instructed on the law of the case.
9 It's now time to retire to the jury room to begin your
10 deliberations to reaching a verdict.

11 Is there any reason why any member of the jury is unable
12 to retire to deliberate at this time?

13 Okay. Our alternates are going to remain seated while we
14 send the jury back to begin their deliberation. We're going to
15 send you into a different room.

16 We have taken the privilege of purchasing lunch for you
17 and for the alternates, as well, which it's going to be waiting for
18 you. If not already there, it will be there shortly.

19 Our technology person Brent will also be coming into the
20 jury room to help set up a court computer in case you want to play
21 any of the evidence, video or audio evidence on that computer. It
22 will be available for you, and he can show you how to do that, as
23 well.

24 At this time, all persons will rise for the retirement of
25 the jury.

1 (Jury not present.)

2 **THE COURT:** Please be seated. Our alternates, I think we
3 have Duane here. Follow Duane. We're going to put you in the jury
4 assembly room and have some lunch there for you, as well. But we
5 ask that you wait until jury verdict is reached before you go.

6 All rise for the alternates.

7 (Alternate jurors not present.)

8 **THE COURT:** Please be seated. We're going to send to the
9 jury room, obviously, copies of the jury instructions, the verdict
10 form that they're to use, as well as copies of notes that they can
11 send. We're also going to send all the documentary and electronic
12 evidence in the case and a copy of the indictment.

13 Is there anything else we need to send back there?

14 **MR. WALKER:** No, Your Honor.

15 **MR. JOHNSON:** Your Honor, I just want to place a record
16 -- I didn't want to do it during closing arguments. But we
17 specifically filed a motion. It was contemplated by this Court,
18 and it was that the call on February 3, 2022, would include a
19 specific reference to the entire interaction regarding the
20 allegation that there was a deleted text message. During closing,
21 only a portion of that clip was played. And the reason we objected
22 to that is because --

23 **THE COURT:** Fair enough. They have the entire exhibit in
24 the jury room, and the entire exhibit as I amended it was played
25 during the trial. So, of course, the Government can choose to play

1 whatever they want during closing, as can you.

2 **MR. JOHNSON:** What I'm suggesting is, is that my
3 understanding was, is that, based on our conversation yesterday,
4 that there was going to be -- which I asked for a copy of the
5 slideshow because I didn't want anything like this to happen. But
6 we weren't provided it. And instead of playing the entire clip,
7 the entire clip, which was already a clip of that conversation,
8 instead it was just referenced and, you know, just a section of it
9 played. So I understand they have all of it, but if they are led
10 to believe that's what that clip contained, then they may not feel
11 like they need to reference it. And so that was the reason I
12 wanted a copy of the slideshow. That's the reason we filed the
13 motion.

14 I'm not suggesting Your Honor has done anything wrong
15 because Your Honor granted the motion. You granted that part of my
16 motion. I'm just simply placing that record -- that, you know,
17 objection on the record. I understand they have the exhibits and
18 that's probably all that can be done. But that wasn't supposed to
19 happen because it takes it out of context, and that's the exact
20 reason we filed the motion so that it wouldn't be taken out of
21 context.

22 **THE COURT:** Thank you, Mr. Johnson. Of course, during
23 closings, the Government can play the portions of videos, of
24 recordings, and submit the portions of documents that it thinks
25 supports its case. The defendant can play the portions of videos,

1 audio, and the documents that it thinks supports its case. I
2 didn't see anything wrong with that.

3 The Court will be in recess. Before you go --

4 Mr. Clemons?

5 **MR. CLEMONS:** Before we recess, I would like to deal with
6 this Michelle Franques issue because Mr. Walker said that I
7 violated some order or rule of the Court regarding Ms. Franques.
8 And he did it in front of the world, so I want to get some clarity
9 on what rule or order he is claiming that I violated in my closing
10 arguments because he didn't say what I did.

11 **THE COURT:** I know, and that was not the time to discuss
12 that.

13 Mr. Walker, you should have done it at sidebar if you
14 wanted an instruction. I think ultimately it turned out okay.

15 But Mr. Walker's point was that because she had pled the
16 Fifth Amendment and she was unavailable for any party to call as a
17 witness, because of that, because she pled the Fifth Amendment as
18 to any subject matter that was relevant to this litigation, that it
19 was therefore improper -- she is essentially an unavailable witness
20 since it was impossible to call her, so referencing her not being
21 able to testify as a defect in the Government's case was improper.

22 My instruction was that her being called, either as a
23 defense or a Government witness, should not be considered. And I
24 think that was a proper instruction based on the prior ruling.

25 **MR. CLEMONS:** And Judge, I think that's where the Court

1 is misinformed. She was available for the Government to call. We
2 subpoenaed her weeks ago. I don't know what they did, but we
3 subpoenaed her weeks ago, Judge.

4 I called her attorney for the first time Monday morning,
5 driving in, Mr. Robideaux. We talked about her testifying. I
6 worked with him on her schedule because she had to go out of town
7 for her father's operation. We talked about whether she needed to
8 come back Monday or could wait until Tuesday. I agreed to let her
9 wait until Tuesday because we probably wouldn't get to her until
10 Wednesday.

11 He text me for the first time Tuesday afternoon, after
12 they had rested their case, that she was pleading the Fifth. So
13 she was available to them, Judge. She was not available to us.
14 But up until Tuesday afternoon, not only was she available, but we
15 were coordinating when she would be here to testify.

16 **THE COURT:** Response from the Government?

17 **MR. WALKER:** Sure. She was brought in so she could
18 testify and she pled the Fifth. So we can't put her on the stand.
19 The defense can't put her on the stand. If we had brought her in
20 to our case, then she would have pled the Fifth. I mean, that's
21 what she did from the beginning on both. So my response is: When
22 she pleads the Fifth, no party is allowed to bring up the fact that
23 she wasn't called to testify.

24 **MR. CLEMONS:** But she pled the Fifth after they had
25 already rested their case and they made no attempt to call her,

1 because I spoke to Mr. Robideaux about her testifying in our case,
2 and we made arrangements for her to testify. So she was available
3 to them, Judge.

4 And I object to him grandstanding in front of the jury
5 with this, claiming, in front of the jury, that I violated some
6 rule, and I was told to sit down, when, if he was a professional,
7 he should have chosen to approach the sidebar. We could've
8 addressed this at the sidebar. But he chose to grandstand in front
9 of the jury and in front of the whole world.

10 **THE COURT:** She did plead the Fifth. I have no reason to
11 believe she wouldn't have pled the Fifth had the Government called
12 her, you know, based on what I saw and what I discussed with her on
13 the stand. But I do regret that it happened in front of the jury.
14 I don't know what to do about it at this point. Again, I don't
15 think it was a major issue, and I think that, unfortunately, as I
16 mentioned before, there were stray comments throughout this trial
17 by both defense counsel and Government counsel that are
18 regrettable. And I counsel you: Don't do it again because it's
19 not proper. And anything that's not either evidence from a
20 witness' mouth or that I admit into evidence should not be
21 considered by the jury.

22 Please provide Lisa with your cell phone numbers. We
23 will let you know when we hear something from the jury. Court will
24 be in recess.

25 (Off the record at 11:59 a.m.; resumed at 2:06 p.m.)

1 **VERDICT**

2 **THE COURT:** Please be seated. We have received a note
3 indicating that the jury has reached a verdict in this matter. Is
4 there any reason why the jury shouldn't be summoned to come and
5 announce their verdict in court?

6 **MR. WALKER:** There's none, Your Honor.

7 **MR. CLEMONS:** No, Judge.

8 **THE COURT:** Lisa, please mark this as Court Exhibit 1 and
9 file it in the record. This is the note that was received.

10 Anthony, you can bring in the jury.

11 **THE COURTROOM SECURITY OFFICER:** Yes, sir.

12 All rise for the jury.

13 (Jury present.)

14 **THE COURT:** Please be seated. All right. Will the jury
15 foreperson please identify herself.

16 **JUROR 9:** Me.

17 **THE COURT:** My understanding is that the jury has reached
18 a verdict in this matter; is that correct? And it's a unanimous
19 verdict?

20 **JUROR 9:** Yes, sir.

21 **THE COURT:** Would you please hand the verdict form to Ms.
22 Lacombe, our courtroom deputy.

23 (The foreperson tendered the verdict form.)

24 **THE COURT:** I have reviewed the verdict form. Everything
25 appears to be in order.

1 The jury verdict is as follows:

2 "We, the jury, duly empanelled in the above case, find as
3 to the defendant, Gary Haynes, the following:

4 "Count 1, guilty; Count 2, guilty; Count 3, guilty; Count
5 4, guilty; Count 5, guilty; Count 6, guilty."

6 Signed and dated today, 18, September, 2025.

7 Ms. Lacombe, please file the verdict form in the record.

8 I want to poll the jury, starting with our foreperson.

9 We'll just go down. I'm going to ask each of you if this verdict
10 that I have read represents your individual verdict in this case.

11 (All jurors answer in the affirmative.)

12 **THE COURT:** The record will reflect that all of the jury
13 members have indicated that this verdict is their individual
14 verdict, as well.

15 Is there anything further for the jury?

16 **MR. WALKER:** No, Your Honor.

17 **MR. CLEMONS:** No, Judge.

18 **THE COURT:** All right. Ladies and gentlemen, before I
19 excuse you today, I want to thank you each individually. And if
20 you wait a moment until after I'm finished here in court, I would
21 like to come into the jury room to thank you personally, as well as
22 to give you some forms that you need.

23 But your role here for these last two weeks I know was an
24 interruption for each and every one of you in your individual lives
25 from doing what you do, but it is absolutely a fundamental part of

1 our country. We can't function without people like you that were
2 not only willing to be here and serve, but paid such close
3 attention to the evidence and gave this case your undivided
4 attention, interrupted your lives. I told you not to watch the
5 news and do things you might otherwise do, and you did it every
6 day. I appreciate it. I've noticed. And your country, as well as
7 I, personally thank you for that.

8 You may wonder at this point, after I have told you over
9 and over again, whether you can discuss the case with anybody.
10 That's solely your decision. You are welcome to discuss your role
11 as a juror with anybody now that you have rendered your verdict in
12 this case, but you are not required to discuss your service. If
13 anybody tries to make you uncomfortable asking you about your
14 service, that should be reported to us immediately. You are free
15 to talk about it if you'd like to do so. I only ask that you not
16 talk to the lawyers in this case or the parties in this case about
17 your service. Okay?

18 Again, I'll come back there in a few moments to talk to
19 you, but otherwise, you are discharged from your services as a
20 juror. Not to say you'll never be called again, but for this time,
21 certainly, you are finished and we thank you for it.

22 All rise for the jury.

23 (Jury not present.)

24 **THE COURT:** Please be seated.

25 Mr. Haynes, if you and your attorneys will please come

1 forward to the podium at this time.

2 Mr. Haynes, based on the verdict of the jury in this
3 case, I find you guilty of Counts 1 through 6 of the indictment
4 against you filed by the United States.

5 The next step in your case is the presentence
6 investigation report, which will be prepared by the probation
7 office. You will be assigned a probation officer who will, as part
8 of this process, interview you. I urge you to cooperate with the
9 investigation. You are welcome to have an attorney with you during
10 that interview if you'd like to. Right now, all I know about you,
11 Mr. Haynes, is what has been presented here in court. The
12 presentence report is designed to give me a broader view of your
13 background and your history before I sentence you.

14 I'm setting sentencing for December 17th at 10 a.m.

15 Does the Government oppose the defendant continued
16 release on bond in this case?

17 **MR. WALKER:** Your Honor, we leave that to the Court.

18 There is a shift in 3142, as the Court knows, to 3143; but it's the
19 Court's --

20 **THE COURT:** 3143(a)(1) requires that a defendant in a
21 case is detained unless there is clear and convincing evidence that
22 the defendant is not likely to flee or pose a danger to the safety
23 of any other person or the community if released.

24 Does the Government know of any such danger in this case,
25 Mr. Walker?

1 **MR. WALKER:** I don't.

2 **THE COURT:** I don't, either. So we're going to continue
3 your current bond conditions, pending your sentencing, Mr. Haynes.
4 I think the appearance bond was previously signed by Magistrate
5 Judge Whitehurst on October 4th of 2024.

6 Do we have a new order of conditions in this case?

7 **THE DEPUTY CLERK:** Not that I know of, Judge, but
8 probation was notified that a verdict was reached.

9 **THE COURT:** All right. There may be a new -- I'm
10 ordering that I'm continuing the same conditions. There may be a
11 new form for you to sign, but we don't have it currently, Mr.
12 Haynes.

13 **MR. CLEMONS:** Want us to go by probation before we leave,
14 Judge?

15 **THE COURT:** Yeah. Stop by probation. I think that
16 that's going to be required, anyway, to set up -- I don't see
17 probation here.

18 **MR. CLEMONS:** We'll just go to the office, Judge.

19 **THE COURT:** All right. Is there anything further from
20 the Government?

21 **MR. WALKER:** There is nothing, Your Honor. Thank you.

22 **THE COURT:** From defense counsel?

23 **MR. CLEMONS:** No, Judge. Thank you.

24 **THE COURT:** Court will be adjourned.

25 (Whereupon the proceedings concluded at 2:14 p.m.)

REPORTER'S CERTIFICATE

I, Beth Delatte, Registered Professional Reporter, Certified Court Reporter in and for the State of Louisiana, Official Court Reporter for the United States District Court, Western District of Louisiana, do hereby certify that the foregoing is a true and correct transcript, to the best of my ability and understanding, from the record of the proceedings in the above-entitled and numbered matter.

/s/Beth Delatte

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