



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

May 21, 2021

**BY ECF**

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re:     *United States v. Noel and Thomas, 19 Cr. 830 (AT)***

Dear Judge Torres:

The Government submits this letter to inform the Court that the parties have entered into deferred prosecution agreements (the “Agreements”), which have been approved by Pretrial Services and are included for the Court’s consideration.<sup>1</sup> After a thorough investigation, and based on the facts of this case and the personal circumstances of the defendants, the Government has determined that the interests of justice will best be served by deferring prosecution in this District. The proposed Agreements contemplate an additional six-month term of supervision by Pretrial Services and, in addition to the standard terms of pretrial supervision, the proposed Agreements include the additional salient terms:

- The defendants will cooperate with a pending Department of Justice Office of Inspector General review by providing truthful information related to their employment by the Bureau of Prisons, including about the events and circumstances described in the Indictment; and
- The defendants will complete 100 hours of community service, preferably in an area related to the criminal justice system.

The defendants have consented to the entry of the Agreements and have also admitted that they “willfully and knowingly completed materially false count and round slips regarding required counts and rounds in the Special Housing Unit of the Metropolitan Correctional Center on August 9, 2019 and August 10, 2019.”

The Government respectfully requests, with the consent of the defendants, through counsel, that the Court schedule a hearing date for entry of the Agreements. Having conferred with defense

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<sup>1</sup> As the deferred prosecution agreements are not final until they are approved by the Court, the Government has not filed them publicly with this letter.

counsel, the Government proposes the following dates, should any of them prove convenient for the Court:

[DATES]

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

By: /s/  
[REDACTED]  
[REDACTED]  
Assistant United States Attorneys  
[REDACTED]

Cc: Defense Counsel  
Pretrial Services