

APPENDIX A

6CCA OPINION

APPENDIX A

NOT RECOMMENDED FOR PUBLICATION

No. 21-5575

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

[Redacted],

Defendant-Appellant.

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FILED
Jan 19, 2022
DEBORAH S. HUNT, Clerk

ORDER

Before: BATCHELDER, MOORE, and ROGERS, Circuit Judges.

[Redacted] [Redacted], a pro se federal prisoner, appeals the district court's order granting the government's motion and reducing his criminal sentence under Federal Rule of Criminal Procedure 35(b) based on his substantial assistance. This case has been referred to a panel of the court that, upon examination, unanimously agrees that oral argument is not needed. *See* Fed. R. App. P. 34(a).

In 2014, [Redacted] pleaded guilty to possessing with intent to distribute oxycodone, and the district court sentenced him to 150 months of imprisonment. In 2019, the government moved to reduce [Redacted]'s sentence under Rule 35(b) by 12 to 18 months given the substantial assistance that he provided in an unrelated case. The district court granted that motion and reduced [Redacted]'s sentence by 12 months. [Redacted] appealed, arguing, among other things, that the district court erred by failing to give him the opportunity to present evidence and argument before deciding the Rule 35(b) motion. We vacated the order and remanded to the district court on that ground. *United States v. [Redacted]*, 986 F.3d 642, 646 (6th Cir. 2021).

A P P E N D I X A

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On remand, [Redacted] filed a resentencing memorandum through counsel, arguing that his sentence should be reduced to time served. The government continued to argue for a reduction of 12 to 18 months. The district court reiterated that [Redacted]’s actions “were admirable and valuable,” but concluded that a 12-month reduction was still appropriate. The court issued an amended judgment reducing his sentence to 138 months.

[Redacted] appeals, arguing that the district court abused its discretion by failing “to consider contextual factors” as well as “mitigating evidence” that he had submitted. He also argues that the court’s reduction is inconsistent with the analogous provision of the United States Sentencing Guidelines, USSG § 5K1.1. [Redacted] asks the court to vacate his amended judgment and remand to a different judge for resentencing, arguing that the district judge is biased against him. He seeks a sentence reduction of “no less than 18 months.”

Rule 35(b) provides that a district court may reduce a defendant’s sentence if he provided substantial assistance in investigating or prosecuting another person. “The granting of the motion is discretionary, as is the extent of any reduction given.” *United States v. Grant*, 636 F.3d 803, 816 (6th Cir. 2011) (en banc). “The value of the substantial assistance is the governing principle in this exercise of discretion.” *Id.* However, “[t]he appropriate balancing of the determinative factors tied to a defendant’s substantial assistance is within the sound discretion of the district court and often arises from the specific context of each case.” *Id.* at 817. Accordingly, when “the district court grants a Rule 35(b) motion, this court has no jurisdiction to review the extent of the downward departure for substantial assistance.” *Id.* at 809. This court does have jurisdiction, however, to review a claim “that the methodology the district court used to impose his sentence was in violation of the law,” such as “by misapprehending the factors it was allowed to consider in deciding the Rule 35(b) motion”. *Id.*

[Redacted] argues that the district court’s methodology was erroneous because it “pushed aside mitigating evidence” about his “capacity to abide by the law” and that he is not a “danger to society.” He cites, for instance, letters that he submitted from prison staff and the fact that he has been allowed to finish his sentence at a halfway house. But the district court’s order shows that it considered [Redacted]’s arguments for a greater sentence reduction. [Redacted] has not

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established that the district court misapprehended the factors it could consider in determining the extent of his sentence reduction. At bottom, [Redacted]’s claim is that “the District Court severely undervalued [his] assistance.” But that determination “is within the sound discretion of the district court.” *Id.* at 817. Therefore, we lack the jurisdiction to review it.

Accordingly, we **AFFIRM** the district court’s order as to the district court’s methodology and **DISMISS** [Redacted]’s appeal as to the extent of the sentence reduction.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

Sub APPENDIX B
DISTRICT COURT OPINION

SEE APPENDIX G SEALED ENTRYS IN THE
LOWER COURTS TO REVIEW DOCUMENT

APPENDIX C
6CCA PUBLISHED OPINION
IN MY CASE
Redacted on Line

RECOMMENDED FOR PUBLICATION
Pursuant to Sixth Circuit I.O.P. 32.1(b)

File Name: 21a0019p.06

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

Defendant-Appellant.

No. 19-[REDACTED]

Appeal from the United States District Court
for the Eastern District of Kentucky at Lexington.
No. 5:14-cr-[REDACTED] — Danny C. Reeves, District Judge.

Decided and Filed: January 26, 2021

Before: BATCHELDER, MOORE, and ROGERS, Circuit Judges.

COUNSEL

ON BRIEF: William W. Webb, Jr., EDMISTEN & WEBB LAW, Raleigh, North Carolina, for Appellant. John Patrick Grant, Charles P. Wisdom, Jr., UNITED STATES ATTORNEY'S OFFICE, Lexington, Kentucky, for Appellee.

ROGERS, J., delivered the opinion of the court in which MOORE, J., joined. BATCHELDER, J. (pp. 7–8), delivered a separate dissenting opinion.

REDACTED OPINION

ROGERS, Circuit Judge. [REDACTED], who is currently serving a federal prison sentence, provided substantial assistance to the Government in a murder investigation regarding a fellow inmate. [REDACTED]'s help allowed the Government to solve the murder case and have a

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REDACTED OPINION*United States v. [REDACTED]*

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prosecutable case. The Government in turn recommended that the district court reduce [REDACTED]'s sentence by 12 to 18 months. The court decided on the same day that the Government filed its motion for a sentence reduction that a 12-month reduction was appropriate. However, the district court erred by not allowing [REDACTED] the opportunity to respond to the Government's motion.

[REDACTED] pleaded guilty in the Eastern District of Kentucky in 2014 to possession with intent to distribute Oxycodone in violation of 21 U.S.C. § 841(a)(1). The district court sentenced him to 150 months' imprisonment. While serving his sentence at a federal correctional institution in North Carolina, [REDACTED] and a fellow inmate also from Kentucky became confidants of a third inmate, [REDACTED]. [REDACTED] learned that [REDACTED], who was then serving a sentence for fraud offenses, was suspected of being involved in the murder of his adopted daughter, [REDACTED]. In 2015, [REDACTED] told [REDACTED] and the other prisoner that "if you ever want to get rid of a body, hogs is the way to go" and that "it was easy to kill someone without leaving evidence." [REDACTED] told the FBI and police about [REDACTED]' comments and informed them that he believed that he and the other inmate could obtain additional information from [REDACTED] about what happened to [REDACTED]. [REDACTED] and the other inmate urged [REDACTED] to tell law enforcement the truth about what happened to [REDACTED]. In August 2016, [REDACTED] confessed to the police that he and his wife, [REDACTED], killed [REDACTED] and disposed of her body. [REDACTED] told the police that his "Kentucky guys," referring to [REDACTED] and the other inmate, had told [REDACTED] that he needed to tell the truth. Subsequently, [REDACTED] led the police to where he and his wife had disposed of [REDACTED]'s body. [REDACTED] and his wife were then charged with [REDACTED]'s murder. [REDACTED] pleaded guilty and was sentenced to life imprisonment. According to the Government's motion, [REDACTED] was scheduled for trial in April 2020 and the state was seeking the death penalty.¹

On September 4, 2019, the Government filed a motion to reduce [REDACTED]'s sentence pursuant to Federal Rule of Criminal Procedure 35(b) based on his substantial assistance in

¹Later news reports indicate that [REDACTED] pleaded guilty.

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solving the murder case. The Government stated that [REDACTED]'s "confession on August 11 and 16, 2016, to murdering and concealing the body of his adoptive daughter [REDACTED] [REDACTED] was the key to solving the crime and having a prosecutable case." The Government acknowledged that "[REDACTED] [REDACTED] was clear that his decision to be truthful with law enforcement was due in part to the encouragement he received from [REDACTED] [REDACTED]." Accordingly, the Government asserted that [REDACTED]'s "efforts to encourage [REDACTED] [REDACTED] to be truthful certainly constitute 'substantial assistance' in the investigation of an offense committed by another person." Thus, the Government recommended that the district court reduce [REDACTED]'s prison sentence by 12 to 18 months.

The district court granted the Government's motion the same day that the motion was filed, September 4, 2019. The court recognized that [REDACTED] helped persuade [REDACTED] [REDACTED] to tell the truth about what happened to [REDACTED] [REDACTED], which allowed law enforcement to solve [REDACTED]'s murder and to prosecute [REDACTED] [REDACTED] for her murder. The court concluded that [REDACTED] therefore provided substantial assistance and reduced [REDACTED]'s prison sentence by 12 months.

[REDACTED] appeals the district court's order. He argues first that the district court erred in ruling without giving him the opportunity to present evidence and argument, and second that in any event the district court abused its discretion in ordering a reduction of only 12 months. Because a remand is warranted on his first argument, we do not reach his second argument.

We have jurisdiction over this appeal under 18 U.S.C. § 1291, because [REDACTED]'s reduced sentence was a final judgment issued by the district court. *See United States v. Marshall*, 954 F.3d 823, 827 (6th Cir. 2020). In *Marshall*, we recognized that before Congress enacted 18 U.S.C. § 3742, federal courts used § 1291 to review criminal appeals. 954 F.3d at 827 (citing *Abney v. United States*, 431 U.S. 651, 657 (1977)). As the Supreme Court cautioned in *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 510-13 (2006), we must exercise care in characterizing federal statutes as limiting federal courts' subject-matter jurisdiction. To that end, we reasoned in *Marshall* that "§ 3742(a) imposes a mandatory limit on our power, not a subject-matter

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jurisdiction limit on our power.” 954 F.3d at 827. Thus, § 1291 “remains the main source of our subject-matter jurisdiction” in this appeal. *Id.* at 829.

[REDACTED] contends that the district court erred as a matter of law in reducing his sentence by only 12 months, without first giving him the chance to present an argument that a greater reduction was warranted. He also argues that the district court erred in applying the relevant factors for determining the extent of the reduction. We reach only the former question on this appeal. It presents the legal issue of whether such a chance to present argument was required by law, and thus fits under § 3742(a)(1), which permits appellate review of a sentence that “was imposed in violation of law.” This conclusion is supported by *United States v. Grant*, 636 F. 3d 803, 809 (6th Cir. 2011) (en banc), where we held that § 3742(a)(1) permitted our review over Grant’s reduced sentence because he argued that “the methodology the district court used to impose his sentence was in violation of the law.” In that case, Grant argued that the district court “committed an error of law by misapprehending the [18 U.S.C. § 3553(a) sentencing] factors it was allowed to consider in deciding the Rule 35(b) motion.” *Id.* Because Grant challenged the methodology the district court used to reduce his sentence, not merely the extent of the reduction, we concluded that Grant’s appeal came within the scope of 18 U.S.C. § 3742(a)(1). *Id.* Other circuits have held that appellate review of a Rule 35(b) determination is within the scope of § 3742(a)(1) to review comparable legal issues. *See, e.g., United States v. Davis*, 679 F.3d 190, 194 (4th Cir. 2012) (whether a hearing was required); *United States v. Doe*, 351 F.3d 929, 932 (9th Cir. 2003) (whether improper factors were considered); *United States v. McDowell*, 117 F.3d 974, 978 (7th Cir. 1997) (same).

The district court erred as a matter of law in granting the Government’s Rule 35(b) motion and reducing [REDACTED]’s sentence by only 12 months without giving [REDACTED] an opportunity to respond to the Government’s motion. In granting the Government’s motion and deciding on the amount of reduction on the same day that the motion was filed, the court denied [REDACTED] an opportunity to provide his own recommendation and present argument and accompanying evidence regarding the sentence reduction that he believed was warranted for his substantial assistance. [REDACTED] asserts that he compiled evidence regarding the nature and value

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of his assistance to law enforcement in the investigation and prosecution of [REDACTED]. [REDACTED] also states that he obtained letters from correctional institution employees regarding the threat to his safety posed by his having aided law enforcement and about [REDACTED]'s rehabilitation in prison. In addition, [REDACTED] states that he has an affidavit from his wife about the hardship his family experienced during the investigation and prosecution of [REDACTED]. But [REDACTED] never had the opportunity to present this information to the district court.

We have implicitly approved of permitting substantial assisters to provide their own recommendation concerning the value of the assistance provided and to dispute the Government's description of the assistance. Moreover, we have never called into question the ability of substantial assisters to file a response to the Government's Rule 35(b) motion in district court when considering appeals in which this has occurred. *See, e.g., Grant*, 636 F.3d at 808. Also, we alluded in *United States v. Maxwell* to the fact that a substantial assister may file a response when we concluded that a court does not, merely by agreeing with the Government's assessment of the value of the assistance provided, thereby disavow its statutory discretion, "particularly when the defendant has not provided his own recommendation concerning the value of that assistance and does not dispute the government's description of his assistance." *See* 501 F. App'x 394, 396 (6th Cir. 2012).

Grant and *Maxwell* support if not compel the legal conclusion that a defendant must have the chance to file a response to a Rule 35(b) motion. Like *Grant*, [REDACTED] collected substantial evidence from the FBI and others demonstrating that the extent of his assistance, coupled with the threat to his personal safety and hardship to his family, warranted a greater reduction in light of the applicable sentencing factors. *Maxwell*, an unpublished opinion, does not preclude our holding that defendant must have the chance to argue in favor of a greater reduction. In *Maxwell* we rejected on the merits the assertion that the district court did not appreciate its authority to disagree with the government's requests. *Maxwell*, 501 F. App'x at 396. We then rejected Maxwell's argument that the district court had abused its discretion in its decision not to give a lower sentence. *Id.* The reasoning is perfectly consistent with requiring at least the chance to advocate a larger reduction. To the extent that *Maxwell* says anything about when a defendant is

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REDACTED OPINION

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not afforded an opportunity to object, the case is entirely distinguishable. The district court in *Maxwell* ruled on the Government's Rule 35(b) motion seven weeks after it was filed, during which time Maxwell filed no response. Shortly thereafter, Maxwell moved for reconsideration, which the district court did not rule on until eight weeks later. Thus, there is no indication that the district court simply declined to consider the input of the defendant. The district court provided Maxwell with ample opportunity to respond to the Government's motion. In contrast, in [REDACTED]'s case the district court issued its decision on the same day the Government filed its Rule 35(b) motion.

[REDACTED] was entitled to have the opportunity to express his position on the Government's motion through a response as long as the response was timely. In the Eastern District of Kentucky, the applicable local rules allow a party to file a response within 14 days, unless otherwise ordered by the court. *See Joint Ky. Crim. Prac. R. 47.1*. The opportunity to present his position by filing a response is especially important because "district courts are not required to hold hearings on Rule 35(b) motions." *United States v. Moran*, 325 F.3d 790, 794 (6th Cir. 2003). Accordingly, the district court erred in not adhering to the regular motions practice timeline and effectively precluding [REDACTED] from having the ability to respond to the Government's motion.

[REDACTED] has not shown, however, that the case should be reassigned to a different judge on remand. No bias has been shown by the district court's decision to reduce [REDACTED]'s sentence by only 12 months, or by the district court's denial of other unrelated motions, or by any comments that undermine the appearance of justice. Reassignment is an extraordinary power that should be rarely invoked. *See U.S. ex rel. Williams v. Renal Care Grp., Inc.*, 696 F.3d 518, 533 (6th Cir. 2012). We have full confidence that the district court on remand will give fair consideration to whatever defendant properly submits.

Accordingly, we vacate the district court's order, but deny the request for reassignment. We remand the case to the district court for further proceedings consistent with this opinion.

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REDACTED OPINION

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REDACTED DISSENT

BATCHELDER, Circuit Judge, dissenting. Because the majority remanded [REDACTED]'s appeal when it should have instead dismissed it, I respectfully dissent.

Under 18 U.S.C. § 3742(a)(1), [REDACTED] can appeal his sentence only if his reduced sentence was “imposed in violation of the law.” Absent such a violation, we are barred from granting [REDACTED] relief. *United States v. Marshall*, 954 F.3d 823, 826 (6th Cir. 2020) (“§ 3742(a) imposes a mandatory limit on our power”). I disagree with the majority that the district court violated the law by granting the government’s Federal Rule of Criminal Procedure 35(b) motion without providing [REDACTED] an opportunity to respond.

Under Rule 35(b), “upon the government’s motion . . . the court may reduce a [defendant’s] sentence” if that defendant provided substantial assistance in investigating or prosecuting another person. Fed. R. Crim. P. 35(b). The government is under no obligation to file a Rule 35(b) motion, and, if it does, the sentencing court is by no means required to grant that motion. *See United States v. Grant*, 636 F.3d 803, 816 (6th Cir. 2011) (en banc). Furthermore, a defendant has no right to move the court for a reduced sentence or to reply to the government’s motion. *See id.*; *United States v. McMahan*, 872 F.3d 717, 718 (5th Cir. 2017) (“On its face, Rule 35(b) contains no right to notice and a hearing.”). It follows that the constrained nature of Rule 35(b) proceedings—and the fact that a defendant faces no new threat of liberty loss—relieves the district court from administering adjudicatory formalities such as notifying the defendant of the government’s motion or permitting the defendant to respond. *See* Fed. R. Crim. P. 43(b)(3) (“[a] defendant need not be present . . . [where t]he proceeding involves the correction or reduction of sentence under Rule 35”); *McMahan*, 872 F.3d. at 721.

The majority concludes that both the Eastern District of Kentucky’s local rules and our precedents permit substantial assisters to provide their own reduction recommendations and dispute the government’s. But granting permission is a far cry from creating a right.

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REDACTED OPINION

United States v. [REDACTED]

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First, the Eastern District of Kentucky's applicable local criminal rule does not give a defendant a right to file a response motion—it merely outlines a defendant's time for filing such a motion. *See Joint Ky. Crim. Prac. R. 47.1* ("Unless otherwise ordered by the Court, a party opposing a motion must file a response within 14 days of service of the motion."). What is more, Local Rule 47.1, when "construed to be consistent with the Federal Rules of Criminal Procedure," seems inapplicable to unilateral motions such as those filed under Rule 35(b). *Joint Ky. Crim. Prac. R. 1.1*.

Second, our precedents do not obligate the district court to permit a Rule 35(b) response. To be sure, I agree with the majority that we have approved of permitting substantial assisters to provide their own recommendation. *See Grant*, 636 F.3d at 808. But, by the same token, we have never held that a defendant has an absolute right to respond to the government's Rule 35(b) motion. In fact, we have affirmed district courts that have ruled without considering a Rule 35(b) response, especially when the defendant neither "dispute[s] the accuracy of the of the government's description of his post-sentencing assistance nor allege[s] that he provided additional assistance that the district court should consider." *United States v. Maxwell*, 501 F. App'x 394, 397 (6th Cir. 2012).

Given the highly discretionary nature of Rule 35(b) proceedings and the lack of authority proscribing a district court from ruling without a defendant's Rule 35(b) response, I cannot agree that the district court violated the law. I would dismiss [REDACTED]'s appeal for want of an appealable issue.

APPENDIX D
GOVERNMENTS MOTION TO REDUCE SENTENCE

**SEE APPENDIX G SEALED ENTRYS IN THE
LOWER COURTS TO REVIEW DOCUMENT**

APPENDIX E

SENTENCING MEMORANDUM

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION – LEXINGTON
14-CR-74-DCR

UNITED STATES OF AMERICA)
Plaintiff,)
)
-v-) **RESENTENCING MEMORANDUM**
)
JEFFREY S. WINGATE)
Defendant.)

Jeffrey S. Wingate (“Wingate” or “Defendant”) respectfully requests that this Honorable Court reduce his sentence to time served based on the nature and value of his assistance to law enforcement in the investigation and prosecution of Sandy Parsons (“Parsons”). Wingate and fellow inmate John Thompson (“Thompson”) compiled evidence regarding their assistance to law enforcement that was not allowed to be presented prior to this Court’s Order granting the Government’s Rule 35(b) motion and reducing Wingate’s sentence by only twelve (12) months (an 8% reduction). The evidence herein shows that Wingate and Thompson did more than merely convince Sandy Parsons to confess to his role in the murder of Erica Parsons (“Erica”), and as a result, Defendant’s contention is that he should receive a sentence of time served.

STATEMENT IN SUPPORT OF A TIME SERVED SENTENCE

District Courts are not required to hold hearings on Rule 35(b) motions. In proceedings under Rule 35, the District Court need not, under ordinary circumstances, hear oral argument or hold a hearing, *United States v. Krueger*, 454 F.2d 1154, 1155 (9th Cir. 1972). While there may be extraordinary situations in which it would be an abuse of discretion to deny a hearing, see *United States v. Ginzburg*, 398 F.2d 52, 54-56 (3d Cir. 1968), such cases

involve disputed issues of fact which could be material to the sentencing process. In the instant case, there are disputed issues of fact which are material to the sentencing process. Disputed facts in the case of a murdered child are extraordinary situations that this court should take into consideration when determining the value of Wingate's assistance in the Erica Parsons missing child/murder case.

HISTORY

On April 24, 2015, the United States District Court for the Eastern District of Kentucky, Central Division at Lexington, entered judgment against Wingate based on his guilty plea to one count of possession with intent to distribute Oxycodone. Wingate was sentenced to a term of 150 months of federal imprisonment.

Commencing on the date of his arrest, Wingate consistently acknowledged full responsibility for his crime. In addition, from the date of his arrest onward, Wingate fully cooperated with law enforcement and has continued to do so throughout the course of his incarceration.

At the time of sentencing, Wingate was a resident of Kentucky. However, Wingate was designated to serve his sentence at the Federal Correctional Institution at Butner, North Carolina ("FCI Butner").

At FCI Butner, Wingate was housed with fellow inmate Parsons. Although Parsons was then serving a 96-month prison sentence for fraud, he was also a suspect in the probable murder of his adopted daughter, Erica.

When Wingate arrived at FCI Butner and met Parsons in late April 2015, Erica was classified as a missing child. Erica had not been seen since late 2011¹. However, the FBI and other law enforcement lacked proof that Erica was dead. The FBI and other law enforcement also lacked proof that Parsons had physically harmed or killed Erica.

Shortly after his arrival at FCI Butner, Wingate, along with Thompson, became a confidant of Parsons. Wingate and Thompson intentionally befriended and protected Parsons from harm in hopes of uncovering information from Parsons concerning Erica's disappearance and probable murder. Beginning in August 2015, Wingate met with and assisted the FBI and other law enforcement in the investigation of Parsons for the suspected murder of Erica.

On August 27, 2015, Wingate was interviewed by law enforcement at FCI Butner. (DE 580, page 2) During that interview, Wingate told the authorities that Parsons had said, "If you ever want to get rid of a body, hogs is the way to go" and that "it was easy to kill someone without leaving evidence." (DE 580, page 2) Wingate informed law enforcement that he believed he and Thompson could obtain additional information from Parsons about Parsons's involvement in the disappearance and suspected murder of his adopted daughter, Erica. (DE 580, page 2)

Under significant risk of personal harm, Wingate engaged in a continued course of action to persuade Parsons to tell the truth about what happened to Erica. (DE 580, page 2) On August 11, 2016 and again on August 16, 2016, Parsons confessed to law enforcement, including FBI Special Agent Tara Thomas, that he and his wife, Casey Parsons, killed Erica and disposed of her body. (DE 580, page 2) On both occasions, Parsons described the steps that he and his wife undertook to accomplish the murder and the body disposal. (DE 580, pages 3-4) Parsons also

¹ Although the FBI suspected Parsons and his wife, Casey Parsons, were involved in the disappearance of Erica, they had no significant evidence.

took law enforcement to the location where Erica's body was buried, and authorities uncovered Erica's remains. (DE 580, page 4)

During his interviews with the FBI and other law enforcement, Parsons stated that his "Kentucky guys" - that is, Wingate and Thompson - had told him that he needed to tell the truth about what had happened to Erica. (DE 580, page 2)

According to FBI Special Agent Tara Thomas, Parsons "was clear that his decision to be truthful with law enforcement was due in part to the encouragement he received from Jeff Wingate and John Thompson." (DE 580, page 4) Government authorities, including United States Attorney Robert M. Duncan, Jr. and Assistant United States Attorney Kevin C. Dicken, likewise concluded that Parsons's confession to Erica's murder was due at least in part to Wingate and Thompsons' efforts. (DE 580, page 3)

In March 2018, a grand jury in Rowan County, North Carolina, indicted Parsons and his wife on several charges relating to the death of Erica, including first-degree murder, concealment of death, and obstruction of justice. (DE 580, page 4) On August 2, 2019, Casey Parsons pleaded guilty to state charges in Rowan County Superior Court and was sentenced to life imprisonment. (DE 580, page 4) Parsons's trial was scheduled for April 2020, in which the State was seeking the death penalty. (DE 580, page 4) Parsons ultimately pled guilty and is currently serving a 44-year sentence for his role in the murder of his adopted daughter, Erica.

On September 4, 2019, the Government filed a Motion to Reduce Sentence Based upon Substantial Assistance ("Motion to Reduce Sentence"), pursuant to Fed. R. Crim. P. 35(b). (DE 580) In its Motion to Reduce Sentence, the Government stated that Parsons's "confession on August 11 and 16, 2016, to murdering and concealing the body of his adoptive daughter Erica Parsons was the key to solving the crime and having a prosecutable case." (DE 580, page 4)

The Government further took the position that Wingate and Thompsons' "efforts to encourage Sandy Parsons to be truthful certainly constitute 'substantial assistance' in the investigation of an offense committed by another person." (DE 580, pages 4-5) As a result, the Government recommended that the District Court "enter an amended judgment reducing Wingate's and Thompson's sentences of imprisonment by 12 to 18 months." (DE 580, page 5)

THE EVIDENCE WINGATE HAS COMPILED SUPPORTS A SENTENCE REDUCTION TO TIME SERVED

A. MEETING WITH LAW ENFORCEMENT

On August 27, 2015, Wingate was interviewed by law enforcement at FCI Butner. To be more specific, the FBI agents gave him the difficult task of creating separation between Sandy and Casey Parsons in hopes that they would turn on each other about what really happened to Erica.

B. COURSE OF CONDUCT AND ACCOMPANYING HARDSHIPS

Wingate and Thompson engineered a perfectly executed ruse that duped Parsons into filing for divorce for two reasons: (1) to have solid proof that they fulfilled their end of the bargain with the FBI by creating separation between the Parsons and (2) so, the FBI could use the divorce application as leverage to extract information and a confession from either Parsons.

Wingate and Thompson enlisted their families to help them create separation between the Parsons. Wingate and Thompson, with the help of their families, convinced Parsons that a new and better life was awaiting him in Kentucky only if he would tell the truth about Erica's disappearance. Wingate and Thompson carved out a situation where Parsons would marry Thompson's sister, live and work on Wingate's son-in-law's farm when he was released. At this snap shot in time Parsons was comfortable with his release date and excited about the idea of moving to Kentucky and starting a new life.

Wingate's wife provided specifics from a conversation with her husband in which he told her that Parsons had confessed to him that Casey Parsons murdered Erica (See Exhibit A attached hereto, Affidavit of Jan S. Wingate). It was a detailed account of the murder, transporting the body and place of burial near Parsons mother's home in South Carolina where her remains were later found. Parsons also gave Wingate a detailed account of the horrific abuse and torture Erica endured during her short-tortured life at the hands of her adoptive parents. Wingate forwarded the information to Lead FBI Agent Tara Cataldo.

Agent Cataldo found the information Wingate and Thompson provided law enforcement to be truthful and creditable. In return, Agent Cataldo wrote a letter to the Bureau of Prisons requesting they relocate Wingate and Thompson to a lower security prison. (See Exhibit B attached hereto, Letter from Tara Cataldo dated 7/20/2017) Ultimately, the Bureau of Prisons chose not relocate Wingate and Thompson.

Wingate and Thompson continued to live in the same institution where it was known by other inmates and staff that they welcomed a child murderer into their family and that they were government informants. Wingate's time in prison was far more difficult than it would have been had he not become involved in the Erica murder investigation.

C. FCI BUTNER EMPLOYEE'S DECLARATIONS CONCERNING THE THREAT TO WINGATE'S PERSONAL SAFETY

Jeffery Wade ("Wade"), BOP Correctional Counselor declared, "Looking back at the whole situation I do believe that Mr. Wingate and his friend J.T. did put themselves in danger by showing support and friendship to Sandy Parsons." Defending a known child murderer no doubt put Wingate in harm's way. The torture and abuse Erica went through was horrific to say the least. Wade said that Wingate and Thompsons' roles in providing information gathered from Parsons and the role their families played were invaluable in bringing justice to Erica and the

general public. Wade has previously indicated that there was no number too great to put a value on the substantial assistance that Wingate and J.T. provided in solving the murder of Erica. (See attached Exhibit C, Letter from J. Wade, undated)

Kim Fereza, a Correctional Systems Officer at FCI Butner, previously indicated that Wingate was a vital player in a local investigation of a missing child in the state of North Carolina that was a much publicized case. She said the case went from a missing child case to an actual child murder case due to the substantial assistance that Wingate was able to provide to the FBI. She also said that if it weren't for Wingate, this unfortunate, high profile, missing child/murder case would still be unsolved today. She went even further by memorializing that Wingate, in reality, put his life on the line by providing substantial assistance to the FBI in the case of Erica. (See Exhibit D attached hereto, Memorandum from Kim Fereza dated 11/15/2019) The Bureau of Prisons has admitted to the great risk Wingate and Thompson assumed with respect to their own personal safety in providing substantial assistance to law enforcement during the murder investigation of Erica.

3553(a) FACTORS

Wingate was making strong progress in life during his late 30's and 40's. He worked long and hard and built several small businesses out of nothing. He developed an automobile sales company as well as two car washes. When not working, he invested in the lives of his family and friends, did volunteer work for his church, cared for his elderly father- in- law, provided assistance to a friend struggling with addiction as indicated in his Presentence Investigation Report. While in prison, he had a meticulous record with very few disciplinary infractions and took and completed many educational, vocational and other courses offered within the BOP.

Currently, Wingate is living at home with his wife and complying with all of the conditions of home confinement while recovering from multiple surgeries.

THE BUREAU OF PRISONS DEEMED WINGATE ELIGIBLE FOR HOME CONFINEMENT

Wingate is a qualified candidate under Section 12003 of the “CARES ACT”. His underlying health conditions and post-conviction rehabilitation provided the Warden and the Director of the Bureau of Prisons with a merciful path that allowed him to finish the remaining 37 months of his federal sentence from home.

Wingate was not on home confinement at the time the government prepared its Rule 35(b) motion. However, The Bureau of Prisons determined that Wingate was in the class of vulnerable prisoners who met the criteria for compassionate release.

SUBSTANTIAL ASSISTANCE

The substantial assistance Wingate provided the FBI and other law enforcement in the investigation and prosecution of fellow prisoner, Parsons, merits a greater reduction than the twelve (12) months he originally received. The evidence shows that without the substantial assistance that Wingate provided to law enforcement during the investigation into the Erica disappearance, her remains likely would have never been found. Without the remains of Erica, she would have had no voice and law enforcement would have had a difficult time piecing together her death.

In the Sixth Circuit, Rule 35(b) motions for reduction of previously imposed sentences are governed by the same standards as those established for sentence reductions under the Federal Sentencing Guidelines, specifically U.S.S.G. § 5K1.1. *Moran*, 325 F.3d at 793; *Griggs*, 2010 WL 3655645, at *1.

U.S.S.G. § 5K1.1 provides:

Upon motion of the government stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who has committed an offense, the court may depart from the guidelines in accordance with the below reasons:

(a) The appropriate reduction shall be determined by the court for reasons stated that may include, but are not limited to, consideration of the following:

- (1) the court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the government's evaluation of the assistance rendered;
- (2) the truthfulness, completeness, and reliability of any information or testimony provided by the defendant;
- (3) the nature and extent of the defendant's assistance;
- (4) any injury suffered, or any danger or risk of injury to the defendant or his family resulting from his assistance;
- (5) the timeliness of the defendant's assistance.

In the present case, each of these factors weigh in favor of a reduction in Wingate's sentence of imprisonment that exceeds the 12-month reduction received.

Significance and Usefulness of Assistance

The first factor identified by the Federal Sentencing Guidelines for consideration in deciding whether and to what extent to reduce a defendant's sentence of imprisonment is "the court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the government's evaluation of the assistance rendered, and in this case, the additional evidence Wingate has presented herein. U.S.S.G. § 5K1.1(a)(1). In this case, the

Government represented to the District Court that Parsons's "confession on August 11 and 16, 2016, to murdering and concealing the body of his adoptive daughter Erica Parsons was the key to solving the crime and having a prosecutable case." (DE 580, page 4) Thus, the Government placed a high value on the significance and usefulness of Wingate and Thompsons' assistance. In this case "it is highly unlikely that authorities would have found out about" Erica's murder if it were not for Wingate's assistance in uncovering and revealing the crime to law enforcement, and his assistance should be considered sufficiently unusual as to warrant a greater than usual reduction in sentence.

Prior to Wingate's intervention here, the FBI and other law enforcement were unable to establish anything beyond the mere fact that Erica was a child who had been missing for several years. (DE 580, pages 2-3) The FBI and other law enforcement lacked proof that Erica was dead. (DE 580, page 2) Although authorities suspected that Parsons had murdered Erica, they were unable to establish that Parsons had physically harmed Erica in any way. (DE 580, pages 2-3) If it were not for Wingate's intervention, it is likely that the FBI and other law enforcement would have remained unable to prove that Erica was not just missing but had actually been murdered by Parsons and his wife. (DE 580, pages 2-4) Wingate was under no compulsion to risk investigating and disclosing Parsons as Erica's murderer to the FBI and other law enforcement. Despite this, Wingate and Thompson voluntarily undertook - at significant threat to their own personal safety - the necessary step of enlisting their families who were dedicated, paying their attorneys and exhausting their own travel resources to carve out a situation for Parsons that would ultimately create separation between he and his wife that resulted in a confession. (DE 580, pages 2-4)

At least partly as a result of Wingate and Thompsons' actions, Parsons's wife pleaded guilty to state charges arising from Erica's death and was sentenced to life imprisonment. (DE 580, page 4) Parsons eventually pled guilty to his role in murdering Erica and was sentenced to 44 years in state prison. The unusual and highly valuable nature of Wingate and Thompsons' voluntary assistance in uncovering and solving a missing child/murder investigation serves to warrant a greater than usual reduction under Rule 35(b).

Truthfulness, Completeness, and Reliability of Information

The second factor to be considered under U.S.S.G. § 5K1.1(a)(2) for the reduction of a defendant's federal prison sentence is the "truthfulness, completeness, and reliability of any information or testimony provided by the defendant[.]" The Government's Motion to Reduce Sentence indicates that Wingate and Thompson fully cooperated in the investigation of Parsons to the best of their ability and provided truthful, complete, and reliable information to the FBI and other law enforcement. (DE 580, pages 2-4)

As explained above, Wingate and Thompson voluntarily agreed to assist the FBI and other law enforcement in their investigation of Parsons for the suspected murder of his adopted daughter, Erica. (DE 580, pages 2-3) Due at least in part to the information that Wingate and Thompson provided to these authorities, the FBI and other law enforcement were able to extract a full confession from Parsons wherein he admitted that he and his wife murdered Erica. (DE 580, pages 2-4) In addition, authorities were able to recover Erica's remains. (DE 580, page 4)

The results of this investigation underscore the fact that the information Wingate and Thompson provided to the FBI and other law enforcement was completely truthful, accurate, and reliable.

Nature and Extent of Assistance

The third factor of consideration concerning the potential reduction of a defendant's sentence of imprisonment is the nature and extent of the defendant's assistance to law enforcement in the investigation and prosecution of another. *See U.S.S.G. § 5K1.1(a)(3)*. In this case, the Government documented the nature and extent of Wingate and Thompsons' assistance in the Parsons investigation and prosecution in its Motion to Reduce Sentence. (DE 580, pages 2-4.)

As stated in the Government's Motion, FBI Special Agent Tara Thomas reported that Parsons "was clear that his decision to be truthful with law enforcement was due in part to the encouragement he received from Jeff Wingate and John Thompson." (DE 580, page 4.) Parsons was unaware at that time he had been duped by Wingate and Thompson and law enforcement. Other Government authorities, including United States Attorney Robert M. Duncan, Jr. and Assistant United States Attorney Kevin C. Dicken, likewise represented to the District Court that Parsons's confession that he and his wife murdered their adopted daughter, Erica, was due at least in part to Wingate's efforts. (DE 580, page 3.) Thus, the Government concluded that Parsons's "confession on August 11 and 16, 2016, to murdering and concealing the body of his adoptive daughter Erica Parsons was the key to solving the crime and having a prosecutable case." (DE 580, page 4.)

If it were not for Wingate and Thompsons' assistance, it is highly unlikely that the FBI or other law enforcement ever would have been able to establish that Erica had been murdered. Criminal charges would likely never have been brought against Parsons or his wife arising from Erica's death, including murder, concealment of death, and obstruction of justice. (DE 580, pages 2-4) The voluntary nature and the extent of Wingate and Thompsons' assistance in the

investigation and prosecution of Parsons for the murder of his adopted daughter, Erica, suggest that Wingate should be entitled to a greater-than-usual reduction of his sentence.

Risk of Danger or Injury to Defendant

The fourth factor to be considered in reducing a defendant's term of imprisonment is whether the defendant's assistance in the investigation or prosecution of a crime placed him at risk of danger or injury. *See U.S.S.G. § 5K1.1(a)(4)*. Here, it is apparent that Wingate acted at great personal risk when he adopted a course of conduct while in federal prison to protect and gain the trust of a fellow inmate and to persuade that inmate to confess to the FBI and other law enforcement that he and his wife murdered their adopted daughter.

There was the potential that other inmates or staff would have inflicted bodily harm against Wingate for his role in assisting law enforcement by befriending a suspected child abuser and killer.

Timeliness of Assistance

The fifth factor listed in U.S.S.G. § 5K1.1(a)(5) concerning a reduction in a defendant's sentence of imprisonment is the timeliness of the defendant's assistance to law enforcement in the investigation or prosecution of another. Here, Wingate and Thompson intentionally and knowingly instituted a course of conduct to become confidants of Parsons soon after they arrived at FCI Butner in late April 2015. (DE 580, pages 1-3.) In August 2015, Wingate told law enforcement at FCI Butner about statements Parsons had made which indicated that Parsons had murdered his adopted daughter, Erica. (DE 580, page 2.) At that time, Wingate represented to law enforcement that he believed he could obtain from Parsons additional information concerning Parsons's acts that caused Erica's disappearance and murder. (DE 580, page 2) One

year later in August 2016 Parsons confessed to the FBI and other law enforcement that he and his wife murdered Erica. (DE 580, page 2)

The timeliness of Wingate and Thompsons' intervention is another factor that weighs in favor of a reduction in sentence beyond the 12-month reduction. *See U.S.S.G. § 5K1.1(a)(5).*

Other Factors Affecting Valuation

From the date of his arrest onward, Wingate consistently acknowledged full responsibility for the commission of the federal drug offense. In addition, Wingate has fully cooperated with law enforcement at all times from the date of his arrest forward.

Wingate has worked hard to rehabilitate his life in a very positive manner during his time spent in prison. BOP Counselor Jeffrey Wade said based on Wingate's behavior and record he would be an asset to society. (See Exhibit E attached hereto, letters from J. Wade, undated) Wingate worked two jobs and took approximately 1300 hours of BOP programing and training and successfully received correspondence certificates in paralegal studies, criminal law and civil litigation. (See Exhibit F attached hereto, Certificates and Transcripts)

The government in its motion for a Rule 35(b) apparently did not consider or provide the Court with supporting evidence reflecting Wingate's present respect for the law and his capacity to conform with the law. The withheld information includes the FBI's report of its interviews with Wingate that pertained to the Parsons investigation; a letter from FBI Special Agent Tara Thomas concerning Wingate's assistance in the investigation of Parsons; letters from various FCI Butner employees concerning the threat to his own personal safety that Wingate assumed in aiding the FBI and other law enforcement to accumulate evidence against Parsons for the murder of his adopted daughter, Erica, and Wingate's rehabilitation in prison; and an affidavit from

Wingate's wife, Jan, concerning the course of conduct and accompanying hardships that the Wingate and Thomas families underwent in the investigation and prosecution of Parsons.

In addition, it is evident that Wingate does not pose a threat to society. The Bureau of Prisons deemed Wingate worthy of home confinement approximately four years before his release date. Moreover, Wingate's voluntary efforts to aid the FBI and other law enforcement in the resolution of the missing child/murder case of Parsons's adopted daughter, Erica, reflect an intent by Wingate to be an asset to society.

CONCLUSION

Wingate respectfully requests that this Honorable Court consider the government's motion and the additional evidence presented concerning the value of his substantial assistance to law enforcement in the missing child/murder investigation of thirteen-year-old Erica Parsons and reduce his sentence to time served.

Respectfully submitted this 5th day of May, 2021.

EDMISTEN & WEBB LAW

/s/ William W. Webb, Jr.
William W. Webb, Jr.
118 St. Mary's Street
2nd Floor
Raleigh, NC 27605
(919) 831-8700
woodywebbjr@ew-law.com

CERTIFICATE OF SERVICE

This is to certify that the undersigned attorney has served a copy of the foregoing ***Resentencing Memorandum*** via electronic mail, addressed as follows:

Kevin C. Dicken
Kevin.Dicken@usdoj.gov

Robert M. Duncan, Jr.
USAKYE.ECFCrимLex@usdoj.gov

David C. Kiebler
David.Kiebler@usdoj.gov

David Y. Olinger, Jr.
USAKYE.ECFCrимLex@usdoj.gov

U. S. Attorney's Office
260 W Vine Street
Suite 300
Lexington KY 40507-1612

This the 5th day of May, 2021.

EDMISTEN & WEBB LAW

/s/ William W. Webb, Jr.
William W. Webb, Jr.
118 St. Mary's Street
2nd Floor
Raleigh, NC 27605
(919) 831-8700
woodywebbjr@ew-law.com

Affidavit of Jan S. Wingate

My name is Jan Swope Wingate. I am the wife of Jeffery S, Wingate. I am over the age of 18, and of sound mind and competent to write this affidavit.

In May of 2015 my husband Jeffrey Wingate arrived at Butner Federal Medical corrections facility to serve a one hundred fifty months Federal Prison sentence for possession with intent to distribute oxycodone. My husband's cellmate was Sandy Parsons. A suspect in the high-profile missing child case of Erica Parsons. Erica Parsons was the thirteen year old North Carolina girl whose short tortured life captured national attention on Dr. Phil and Nancy Grace.

Jeff Wingate and John Thompson intentionally made themselves confidants of Sandy Parsons, befriending and protecting him from harm in hopes of uncovering information as to Erica's whereabouts and potentially receive a sentence reduction. In August of 2015 my husband was placed in the shoe because he was involved in an altercation in the prison TV room involving Sandy Parsons.

While in the shoe, my husband was interviewed by FBI agents about his cell mate Sandy Parsons. The agents believed Sandy's loyalty to his wife Casey Parsons was the only obstacles preventing them from finding out the truth about what happened to Erica Parsons. The agents ask my husband to create separation between Sandy and Casey Parsons.

After speaking with my husband, I reached out to John Thompson's wife Sabrina Thompson. We agreed to work together to assist our husbands in creating separation between the Parsons and receive sentence reduction for our husbands Jeff and John. I retained North Carolina attorney Woody Webb and Sabrina Thompson retained a separate attorney to help us navigate through the process of implementing our plan and communicate with the FBI.

To back up what our husbands were telling Sandy Parsons in prison, Sabrina Thompson and I arranged to meet Sandy with our families on the same dates in the prison visitation room. We talked with Sandy during a picture taking event and convinced him a new and better life was awaiting him in Kentucky only if he would tell the truth about Erica's disappearance. We created a world where Sandy Parsons could potentially marry one of Sabrina's family members that we arranged him to meet in prison visitation and they could live and work on my son in laws farm when he was released. Sandy Parsons was sold on the idea.

My husband informed me of what he remembered of Sandy Parsons confession to him about Casey Parsons murdering Erica. Jeff also mailed a letter of what Sandy said in his confession to Attorney Woody Webb. It was a detailed account of the murder, transporting the body, and place of burial. Sandy Parsons also gave a detailed account of the horrific abuse and torture Erica endured during her short life at the hands of her adoptive parents.

FBI agent Tara Cataldo Thomas found the information my husband provided truthful and creditable. In return Agent Cataldo Thomas wrote a letter to the BOP requesting Jeff be placed in a lower security prison.

My husband mailed a signed divorce application against Casey to Attorney Woody Webb to pass on to the FBI. Sabrina Thompson's family stayed in email and phone contact with Sandy. He eventually led authorities to Erica's decomposed body. Sandy's confession was a direct result of our family's commitment to bring justice to Erica Parsons and receive a worthy sentence reduction for our husbands.

Tyler Harbor befriended my husband while in prison. Mr. Harbor discussed the law with Jeff daily. Upon Mr. Harbor's release from prison he returned to Washington DC to reestablish his political career. I stayed in contact with him due to the fact he is well versed in Law. I reached out to him when Attorney Woody Webb was unable to get the BOP's cooperation to place my husband in a lower security prison. Mr. Harbor asked my husband to give his perspective from prison and do an op-ed on how the First Step Act would help society be successful helping inmates reenter society. After my husband submitted his writing Mr. Harbor emailed me congratulating my husband for being part of the push to get Senator Mitch McConnell to bring the bill to the floor for a senate vote. Mr. Harbor stated that Senator Mitch McConnell promised to support the FBI's request to relocate my husband to a lower security Prison and get him out of the institution and environment that had been created by protecting Sandy Parsons.

In March of 2019, Tyler Harbor informed me that Mitch McConnell would not honor or support the FBI's request to relocate my husband to a lower security level prison. At this point my husband and I began pushing Attorney Woody Webb to ask lead prosecutor Rob Duncan Jr. for a sentence reduction for Jeff due to the result of our work.

In June of 2019, Prison officials wrote letters to the Hon. Danny C. Reeves and lead prosecutor Rob Duncan JR. assessing my husband's behavior and record. It went as far as to say Jeff would now be an asset to society. The letter states he provided substantial assistance with the information he provided to federal authority in the Erica Parsons case that started out as a missing persons case and ended as a murder case. In another letter addressed to whom it may concern, prison officials addressed the role our families played to bring closure to the murder of Erica Parsons as invaluable to her and the general public. The prison official stated, "There is no number to great to put a value on the substantial assistance that Jeff Wingate and John Thompson provided in solving the murder of Erica Parsons.

In August of 2019 Attorney Woody Webb contacted lead prosecutor Rob Duncan JR. about Jeff's substantial assistance in solving the murder of Erica Parsons. Taking into consideration the letters from the prison officials in the Bureau of Prisons, Agent Tara Cataldo Thomas, and the FBI's admission that Sandy Parsons confessed only because of the "Kentucky Boys". Lead Prosecutor Rob Duncan JR. recommended a twelve- eighteen month sentence reduction for my husband Jeff Wingate and John Thompson.

On September 3, 2019 the same day, without giving opportunity for our council to argue for a greater reduction, the Hon. Danny C. Reeves reduced Jeff Wingate's and John Thompson's

sentence at the low end of twelve months. In my husbands case, he received an eight percent reduction from 150 months to 138 months. After good time calculations, the net result was a ten month reduction.

In Erica Parsons case, she had our families, with over ten participants that were dedicated, paying our own attorneys thousands collectively, exhausting our own resources to create a world to Sandy Parsons that would create separation between he and his wife that resulted in a confession the FBI admittedly could not have gotten on their own.

Sabrina Thompson, my daughter Ashlea Culbertson and I are elementary school teachers. We are law abiding citizens. What our families collectively did to bring closure to the Erica Parsons case was an attempt to help our husbands receive a worthy sentence reduction. The United States of America, the Hon. Danny C. Reeves, and Senator Mitch McConnell placed a value of ten months on the revealing of who murdered Erica Parsons. I believe what we did in North Carolina was worth more than that.

I swear the above statements are true and correct to the best of my knowledge. Signed this 31 day of October 2019



Jan S. Wingate

Sworn and witnessed between me on this day of Oct -31 2019 in the county of Montgomery in the state of Kentucky.



Notary Public

My commission expires on 3-6-23 N.P. ID # 014914

"B"



U.S. Department of Justice
Federal Bureau of Investigation

In Reply, Please Refer to
File No.

7915 Microsoft Way
Charlotte, NC 28273
July 20, 2017

Butner Low FCI
Old NC Highway 75
Butner, NC 27509

Re: Inmate Jeffery S. Wingate Register Number: 07609-032

Dear Warden Lloyd:

My name is Tara Cataldo, and I am a Federal Bureau of Investigation Special Agent working out of the Greensboro, North Carolina, Resident Agency. For the past few years, Jeffrey Wingate has provided the FBI with information regarding a missing child case. The case recently became a murder investigation when we were able to locate the body of the missing child. Mr. Wingate was housed with one of the suspects, the father of the child. Another agent met with Mr. Wingate during our investigation, and subsequently Mr. Wingate provided the FBI with details and information about the father. Throughout the course of the investigation, he continued to send us information through his attorney in an effort to assist us with the case. As this case is still ongoing, there is the possibility that the FBI may need to meet with Mr. Wingate at some point in the future. I believe he has been completely truthful with the FBI in all of his communications.

If you deem a transfer to the prison camp appropriate, I would have no objection. In fact, I would support such a transfer as it will provide the FBI with easier access to Mr. Wingate in the event the FBI needs to meet with him again.

Feel free to contact me if you have any questions or concerns, and I appreciate your consideration of this information. Please feel free to call if you have any questions, telephone (336) 855-2672.

Sincerely,

A handwritten signature in black ink, appearing to read "Tara Cataldo".

Tara Cataldo
Special Agent, Greensboro Resident Agency



U.S. Department of Justice
Federal Bureau of Prisons

Low Security Correctional Institution

Butner, North Carolina

To whom it may concern,

On September 30, 2016 I awoke as usual to go to work. As I was getting ready I was looking at the news. It was at that time that I discovered that an inmate and his wife which was also at another Federal Prison were suspects in the murder of Erica Parsons. The inmates name was Sandy Parsons and he was an inmate at FMC Butner at the time. Since FMC Butner is an administrative custody facility it houses everything from out custody inmates to max custody inmates. When I got to work that morning I immediately notified the Operations Lieutenant of what I saw on television that morning. I knew that if one of the inmates with a life sentence from a USP saw the same thing I saw he would be in grave danger due to the fact that they described in detail on television the horror this child went through. At the time I didn't know the roll that Mr. Jeffrey Wingate and his friend J.T. played in getting Sandy Parsons to admit the horrific deeds he and his family put this little girl through. After we started looking into Sandy Parsons phone calls and e-mails it was apparent that he also had a girlfriend that he would call on the phone but he also communicated with his wife via e-mail through his TRULINCS account. Even though I did not know Mr. Wingate at the time I could tell through Sandy Parson's communications that someone inside was influencing him to at the least put everything on his wife. Looking back at the whole situation I do believe that Mr. Wingate and his friend J.T. did put themselves in danger by showing support and friendship to Sandy Parsons. While I was stationed at FMC Butner we had several inmates that did bodily harm up to murdering their cellmate at facilities prior to arriving at FMC Butner for sexually abusing a child. And the torture and abuse this young girl went through was horrific to say the least. I am glad that I was able to play a part in save guarding Sandy Parsons so that he can face justice for the crimes he committed and that Mr. Wingate and his friend J.T. were able to convince him to reveal the location of her remains. Their role in providing information gathered from Sandy Parsons and the role that their families played to bring this to an end is invaluable to the justice to that little girl and the general public. There is no number too great to put a value on the substantial assistance that Mr. Wingate and J.T. provided in solving the murder of Erica Parsons.


J. Wade, Correctional Counselor
U.S. Department Of Justice
Federal Bureau Of Prisons
Federal Correctional Complex
P.O. Box 999
Butner, N.C. 27509
919-575-5000



Federal Correctional Complex
P.O. Box 999
Butner, NC 27509-0999
Ph. 919-575-5000 EXT. 1107
Fax 919-575-5075
Attn: Records Office

Date: November 15, 2019

To: Whom it may concern

Subject: WINGATE, Jeffery S

Reg. No.: 07609-032

/s/ Kim Fereza

From: Kim Fereza, Correctional Systems Officer, LSCI
kfereza@bop.gov

I am writing this memorandum on behalf of the subject

Mr. Wingate has been a very helpful person and asset to the inmate community here at the Low Security Correctional Institution. He has been willing to help out our inmate community with issues that may be a little more complex than some of them can understand. He has been that "bridge" to easily explain what his fellow inmates are needing so that their case can be reviewed in an efficient manner. In turn, he has been able to explain to them what they may need to do in regards to their own needs.

I am also aware that Mr. Wingate has been a vital player in a local investigation of a missing child in our state that was a very publicized case. The case went from a missing child case to an actual child murder case due to the substantial assistance that Mr. Wingate was able to provide to the FBI, based on being housed with the said inmate that was the father of the missing/murdered child. If it weren't for Mr. Wingate, this unfortunate high profile, child missing/murder case may still be unresolved today. Mr. Wingate, in reality, put his life on the line by providing substantial assistance to the FBI on the case of Erica Parsons (Erica's father was Sandy Parsons who was an inmate here at the Low Security Correctional Institution and housed with Mr. Wingate).



U.S. Department of Justice
Federal Bureau of Prisons

Low Security Correctional Institution

Butner, North Carolina

*The Honorable Danny C. Reeves
U.S. District Court
101 Barr Street
Lexington, KY 40507*

To The Honorable Danny C. Reeves,

I am writing this letter in reference to inmate Jeffrey S. Wingate 07609-032. Mr. Wingate has worked hard to rehabilitate his life in a very positive manner. He currently has two jobs and has always been punctual and very professional in his work. He also takes courses and classes as needed to stay current in his programming and training. He is a very neat and organized person that handles himself well with others. He has only had two small infractions over the last 4 years in which Mr. Wingate was accused of being in an unauthorized area and being absent from an assignment. Mr. Wingate was sanctioned for the infractions and has apologized on several occasions. Mr. Wingate has always been very polite and well-mannered with all staff as well as his peers from which he is highly respected. Mr. Wingate has been very successful in assisting other inmates in their appeals to the courts and has been instrumental with the information he provided to federal authorities in a recent case that started as a missing person and ended up as a murder case. In my opinion, based on Mr. Wingate's behavior and record, Mr. Wingate would be an asset to society. He has maintained strong family ties and has created a plan for his success upon release that will insure that he is not a repeat offender.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Wade".

*Jeffrey Wade, Correctional Counselor Wake B Unit
United States Department of Justice
Federal Bureau of Prisons
Low Security Correctional Institution
P.O. Box 999
Butner, N. C. 27509
Ph. 919-575-5000
Fax. 919-575-5076*



U.S. Department of Justice
Federal Bureau of Prisons

Low Security Correctional Institution

Butner, North Carolina

*Robert M. Duncan Jr.
United States District Attorney
U.S. Attorney's Office, Eastern District of Kentucky
260 W. Vine Street, Suite 300
Lexington, KY 40507-1612*

To Mr. Robert M. Duncan, U.S. District Attorney,

I am writing this letter in reference to inmate Jeffrey S. Wingate 07609-032. Mr. Wingate has worked hard to rehabilitate his life in a very positive manner. He currently has two jobs and has always been punctual and very professional in his work. He also takes courses and classes as needed to stay current in his programming and training. He is a very neat and organized person that handles himself well with others. He has only had two small infractions over the last 4 years in which Mr. Wingate was accused of being in an unauthorized area and being absent from an assignment. Mr. Wingate was sanctioned for the infractions and has apologized on several occasions. Mr. Wingate has always been very polite and well-mannered with all staff as well as his peers from which he is highly respected. Mr. Wingate has been very successful in assisting other inmates in their appeals to the courts and has been instrumental with the information he provided to federal authorities in a recent case that started as a missing person and ended up as a murder case. In my opinion, based on Mr. Wingate's behavior and record, Mr. Wingate would be an asset to society. He has maintained strong family ties and has created a plan for his success upon release that will insure that he is not a repeat offender.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Wade".

*Jeffrey Wade, Correctional Counselor Wake B Unit
United States Department of Justice
Federal Bureau of Prisons
Low Security Correctional Institution
P.O. Box 999
Butner, N. C. 27509
Ph. 919-575-5000*



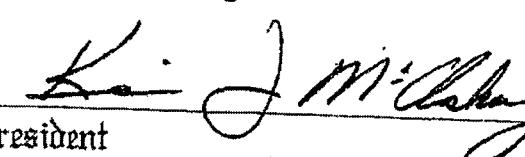
Confers this Certificate of
Legal Assistant/Paralegal
with Distinction upon
Jeffrey Wingate

*who has fulfilled all the requirements prescribed by the School and is entitled
to all of the honors, rights and privileges thereunto appertaining.*

In Testimony Whereof this recognition of achievement is

Given this 3rd day of January 2018





President


Valerie L. Scholle B.S., M.Ed.
Director of Education



BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

Student Transcript
31 Lesson Paralegal Studies Certificate Program

915 Clock Hours

Student: Jeffrey Wingate 07609-032
Address: F.C.I. Butner Law
 PO Box 999
 Butner NC 27509

Student Number: 08036387

Enrollment Date: 07/24/2017

Completion Date: 01/03/2018

Text/Subject	Date Completed	Grade	Text/Subject	Date Completed	Grade
Lesson: 1			Lesson: 8		
• Introduction To Law	08/08/2017	100	• Law of Private Corporations	11/22/2017	100
• Contracts Part I	08/08/2017	100	• Law of Partnerships Part I	11/22/2017	100
• Contracts Part II	08/08/2017	100	• Law of Partnerships Part II	11/22/2017	100
• Contracts Part III	08/08/2017	95	Lesson: 9		
Lesson: 2			• Constitutional Law Part I	11/22/2017	100
• Law of Torts Part I	09/11/2017	100	• Constitutional Law Part II	11/22/2017	75
• Law of Torts Part II	09/11/2017	95	Lesson: 10		
• Law of Torts Part III	09/11/2017	100	• Constitutional Law Part III	11/22/2017	100
• Law of Torts Part IV	09/11/2017	95	Lesson: 11		
Lesson: 3			• Legal Research Part I	01/02/2018	100
• Criminal Law Part I	11/03/2017	100	Lesson: 12		
• Criminal Law Part II	11/06/2017	100	• Legal Research Part II	09/11/2017	100
Lesson: 4			Lesson: 13		
• Real Property Part I	09/11/2017	100	• Employability Skills	12/21/2017	95
• Real Property Part II	09/11/2017	100	Lesson: 14		
Lesson: 5			• Ethics	12/21/2017	100
• Real Property Part III	11/03/2017	100			
• Real Property Part IV	11/03/2017	100			
Lesson: 6					
• Pleadings in Civil Action Part I	11/03/2017	100			
• Pleadings in Civil Action Part II	11/06/2017	100			
• Practice in Civil Actions	11/06/2017	100			
• Criminal Procedure	11/06/2017	100			
Lesson: 7					
• Wills Part I	11/07/2017	100			
• Wills Part II	11/07/2017	95			
• Trusts	11/07/2017	90			

Student Average: 98.06%

**** FINAL ****

This Document Issued: 01/03/2018

Blackstone Career Institute

By: Valerie L. Bebelle B.S., M.Ed.
 Registrar



A Direct Learning Systems School

Phone: 610-871-0031 • 800-826-9238 • Fax: 610-871-0034
 email: info@blackstone.edu • www.blackstone.edu



Awards this Certificate in
Criminal Law
upon

Jeffrey Wingate

*who has fulfilled all the requirements prescribed by the School and is entitled
to all of the honors, rights and privileges thereunto appertaining.*

In Testimony Whereof this recognition of achievement is

Given this 27th Day of February 2018



K. J. McCloskey
President
Valerie L. Schrie B.S., M.Ed.
Director of Education



BLACKSTONE CAREER INSTITUTE

1011 BROOKSIDE ROAD, SUITE 300, P.O. BOX 3717, ALLENTOWN, PA 18106-3717

Student Transcript Criminal Law Certificate course

Student: Jeffrey Wingate 07609-032
Address: F.C.I. Butner Low
 PO Box 999
 Butner NC 27509

Student Number: 87037286

Enrollment Date: 01/02/2018

Completion Date: 02/27/2018

Text/Subject	Date Completed	Grade
Lesson: 1		
• CRIMINAL LAW EXAM #1 The Criminal Justice System Basic Principles of Criminal Law	02/26/2018	90
• CRIMINAL LAW EXAM #2 Types of Offenses Investigation of Criminal Behavior	02/26/2018	100
• CRIMINAL LAW EXAM #3 The Prosecutor's Role in Initiating... Defending the Accused	02/26/2018	90
• CRIMINAL LAW EXAM #4 Discovery and Disclosure Legal Defenses	02/26/2018	95
• CRIMINAL LAW EXAM #5 The Nature of Criminal Trials Preparation for the Trial	02/26/2018	100
• CRIMINAL LAW EXAM #6 Sentencing Appeals	02/26/2018	95

Student Average: 95.00%

**** FINAL ****

This Document Issued: 02/27/2018

Blackstone Career Institute

By: Valerie L. Bebile B.S., M.Ed.
Registrar



A Direct Learning Systems School

Phone: 610-871-0031 • 800-826-9228 • Fax: 610-871-0034
 email: info@blackstone.edu • www.blackstone.edu

Blackstone Career Institute

Est. 1890

Awards this Certificate in

Civil Litigation

upon

Jeffrey Wingate

*who has fulfilled all the requirements prescribed by the School and is entitled
to all of the honors, rights and privileges thereunto appertaining.*

In Testimony Whereof this recognition of achievement is

Given this 14th day of August 2018



K. J. McCloskey
President

Valerie L. Scholle B.S., M.Ed.
Director of Education

Certificate of Completion

Jeffrey Wingate

*having satisfactorily completed the
10-hour **Each One, Reach One** Mentorship Training Program at
Federal Correctional Complex - Butner, N.C. is designated an
Each One Reach One Mentor*

on this 14th day of August in the year 2019


A. Sharf, M.S.
Psychology Intern





Individualized Reentry Plan - Program Review (Inmate Copy)

Dept. of Justice / Federal Bureau of Prisons
Plan is for inmate: WINGATE, JEFFREY S 07609-032

SEQUENCE: 01949990

Team Date: 03-24-2020

Facility: LEX LEXINGTON FMC Proj. Rel. Date: 03-31-2024
Name: WINGATE, JEFFREY S Proj. Rel. Mthd: GCT REL
Register No.: 07609-032 DNA Status: BUF03485 / 06-01-2015
Age: 57
Date of Birth: 10-29-1962

Detainers

Detaining Agency	Remarks
NO DETAINER	

Current Work Assignments

Facl	Assignment	Description	Start
LEX	CNTRL PK 3	ORD CNTRL PK 1:00-9:00PM #187	03-06-2020

Current Education Information

Facl	Assignment	Description	Start
LEX	ESL HAS	ENGLISH PROFICIENT	06-03-2015
LEX	GED HAS	COMPLETED GED OR HS DIPLOMA	06-03-2015

Education Courses

SubFacl	Action	Description	Start	Stop
BUF		PSYCHOLOGY SEMINAR	05-23-2019	CURRENT
BUF		DAP-EACH ONE REACH ONE MENTOR	05-31-2019	CURRENT
LEX M	C	HEALTH CORE TOPIC RPP1	03-03-2020	03-03-2020
BUF	C	ADV PRINCIPLES CNTRD LVNG	03-27-2019	01-07-2020
BUF	C	MEDICINE BALL COURSE	10-11-2019	12-06-2019
BUF	C	RE-ENTRY STRATEGIES CLASS	04-30-2019	06-13-2019
BUF	C	WRITING LIFE STORIES	01-24-2019	03-14-2019
BUF	C	7 HABITS	03-19-2019	03-20-2019
BUF	C	PSE/CORRESPONDENCE(SEE	01-03-2018	02-27-2018
BUF	C	PSE/CORRESPONDENCE(SEE	07-24-2017	01-03-2018
BUF	C	(V)ADOBE ADVANCED-CAI	07-01-2016	09-30-2016
BUF	C	(V)PHOTOSHOP LEVEL 2-CAI	07-01-2016	09-30-2016
BUF	C	(V)PHOTOSHOP WEB DESIGN-CAI	07-01-2016	09-30-2016
BUF	C	(V)PHOTOSHOP LEVEL 1-CAI	07-01-2016	09-30-2016
BUF	C	(A)MSO EXCEL 2-CAI	07-01-2016	09-30-2016
BUF	C	(A)MSO WORD 1-CAI	07-01-2016	09-30-2016
BUF	C	(A)MSO EXCEL 1-CAI	07-01-2016	09-30-2016
BUF	C	(A)INTERNET FIREFOX-CAI	07-01-2016	09-30-2016
BUF	C	(A) ADVANCED TYPING	07-01-2016	09-30-2016
BUF	C	(A)KEYBOARDING-CAI	07-01-2016	09-30-2016
BUF	C	INTRO TO LEXIS/NEXIS ELL RSCH	07-15-2016	08-12-2016
BUF	C	ENTREPRENEURSHIP T 6:30-8:30	07-11-2016	08-30-2016
BUF	C	INTERPERSONAL COMM. SKILLS	04-11-2016	05-31-2016
BUF	C	ANGER MGT CLASS	09-01-2015	11-03-2015
BUF	C	DAY CLASS FOR DRUG EDUCATION	06-22-2015	07-01-2015

Discipline History (Last 6 months)

Hearing Date	Prohibited Acts
** NO INCIDENT REPORTS FOUND IN LAST 6 MONTHS **	

Current Care Assignments

Assignment	Description	Start
CARE1-MH	CARE1-MENTAL HEALTH	06-04-2015
CARE3	UNSTABLE, COMPLEX CHRONIC CARE	11-27-2019

Current Medical Duty Status Assignments

Assignment	Description	Start
LOWER BUNK	LOWER BUNK REQUIRED	03-09-2020

BUFHF 531.01 *
PAGE 001 OF 001 *

INMATE HISTORY
EDUCATION

* 06-04-2019
* 13:45:02

REG NO.: 07609-032 NAME....: WINGATE, JEFFREY S
CATEGORY: EDC FUNCTION: PRT FORMAT: EDUCATION

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
BUF	ADV PRINCIPLES CNTRD LVNG	03-27-2019	CURRENT				
BUF	WRITING LIFE STORIES	01-24-2019	CURRENT				
BUF	PSYCHOLOGY SEMINAR	05-23-2019	CURRENT				
BUF	DAP-EACH ONE REACH ONE MENTOR	05-31-2019	CURRENT				
BUF	7 HABITS	03-19-2019	03-20-2019	P	C	P	18
BUF	PSE/CORRESPONDENCE (SEE REVIEW)	01-03-2018	02-27-2018	P	C	P	60
BUF	PSE/CORRESPONDENCE (SEE REVIEW)	07-24-2017	01-03-2018	P	C	P	915
BUF	(V) ADOBE ADVANCED-CAI	07-01-2016	09-30-2016	P	C	P	10
BUF	(V) PHOTOSHOP LEVEL 2-CAI	07-01-2016	09-30-2016	P	C	P	10
BUF	(V) PHOTOSHOP WEB DESIGN-CAI	07-01-2016	09-30-2016	P	C	P	5
BUF	(V) PHOTOSHOP LEVEL 1-CAI	07-01-2016	09-30-2016	P	C	P	10
BUF	(A) MSO EXCEL 2-CAI	07-01-2016	09-30-2016	P	C	P	30
BUF	(A) MSO WORD 1-CAI	07-01-2016	09-30-2016	P	C	P	30
BUF	(A) MSO EXCEL 1-CAI	07-01-2016	09-30-2016	P	C	P	30
BUF	(A) INTERNET FIREFOX-CAI	07-01-2016	09-30-2016	P	C	P	20
BUF	(A) ADVANCED TYPING	07-01-2016	09-30-2016	P	C	P	25
BUF	(A) KEYBOARDING-CAI	07-01-2016	09-30-2016	P	C	P	25
BUF	INTRO TO LEXIS/NEKIS ELL RSCH	07-15-2016	08-12-2016	P	C	P	16
BUF	ENTREPRENEURSHIP T 6:30-8:30	07-11-2016	08-30-2016	P	C	P	16
BUF	INTERPERSONAL COMM. SKILLS	04-11-2016	05-31-2016	P	C	P	16
BUF	ANGER MGT CLASS	09-01-2015	11-03-2015	P	C	P	10
BUF	DAY CLASS FOR DRUG EDUCATION	06-22-2015	07-01-2015	P	C	P	12

1258 + Current

G0000

TRANSACTION SUCCESSFULLY COMPLETED

Certificate of Completion

This certifies that

Jeff Wingate

Has successfully completed the required course of study approved by the
Department of Education for:

Re-Entry Strategies

J. Coy

ACE Coordinator

June 13, 2019

Date



Individualized Reentry Plan - Program Review (Inmate Copy)

Dept. of Justice / Federal Bureau of Prisons
Plan is for inmate: WINGATE, JEFFREY S 07609-032

SEQUENCE: 01949990

Team Date: 03-24-2020

Facility: LEX LEXINGTON FMC Proj. Rel. Date: 03-31-2024

Name: WINGATE, JEFFREY S Proj. Rel. Mthd: GCT REL

Register No.: 07609-032 DNA Status: BUF03485 / 06-01-2015

Age: 57

Date of Birth: 10-29-1962

Detainers

Detaining Agency	Remarks
NO DETAINER	

Current Work Assignments

Fac	Assignment	Description	Start
LEX	CNTRL PK 3	ORD CNTRL PK 1:00-9:00PM #187	03-06-2020

Current Education Information

Fac	Assignment	Description	Start
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LEX	GED HAS	COMPLETED GED OR HS DIPLOMA	06-03-2015

Education Courses

SubFac	Action	Description	Start	Stop
BUF		PSYCHOLOGY SEMINAR	05-23-2019	CURRENT
BUF		DAP-EACH ONE REACH ONE MENTOR	05-31-2019	CURRENT
LEX M	C	HEALTH CORE TOPIC RPP1	03-03-2020	03-03-2020
BUF	C	ADV PRINCIPLES CNTRD LVNG	03-27-2019	01-07-2020
BUF	C	MEDICINE BALL COURSE	10-11-2019	12-06-2019
BUF	C	RE-ENTRY STRATEGIES CLASS	04-30-2019	06-13-2019
BUF	C	WRITING LIFE STORIES	01-24-2019	03-14-2019
BUF	C	7 HABITS	03-19-2019	03-20-2019
BUF	C	PSE/CORRESPONDENCE(SEE	01-03-2018	02-27-2018
BUF	C	PSE/CORRESPONDENCE(SEE	07-24-2017	01-03-2018
BUF	C	(V)ADOBE ADVANCED-CAI	07-01-2016	09-30-2016
BUF	C	(V)PHOTOSHOP LEVEL 2-CAI	07-01-2016	09-30-2016
BUF	C	(V)PHOTOSHOP WEB DESIGN-CAI	07-01-2016	09-30-2016
BUF	C	(V)PHOTOSHOP LEVEL 1-CAI	07-01-2016	09-30-2016
BUF	C	(A)MSO EXCEL 2-CAI	07-01-2016	09-30-2016
BUF	C	(A)MSO WORD 1-CAI	07-01-2016	09-30-2016
BUF	C	(A)MSO EXCEL 1-CAI	07-01-2016	09-30-2016
BUF	C	(A)INTERNET FIREFOX-CAI	07-01-2016	09-30-2016
BUF	C	(A) ADVANCED TYPING	07-01-2016	09-30-2016
BUF	C	(A)KEYBOARDING-CAI	07-01-2016	09-30-2016
BUF	C	INTRO TO LEXIS/NEXIS ELL RSCH	07-15-2016	08-12-2016
BUF	C	ENTREPRENEURSHIP T 6:30-8:30	07-11-2016	08-30-2016
BUF	C	INTERPERSONAL COMM. SKILLS	04-11-2016	05-31-2016
BUF	C	ANGER MGT CLASS	09-01-2015	11-03-2015
BUF	C	DAY CLASS FOR DRUG EDUCATION	06-22-2015	07-01-2015

Discipline History (Last 6 months)

Hearing Date	Prohibited Acts
** NO INCIDENT REPORTS FOUND IN LAST 6 MONTHS **	

Current Care Assignments

Assignment	Description	Start
CARE1-MH	CARE1-MENTAL HEALTH	06-04-2015
CARE3	UNSTABLE, COMPLEX CHRONIC CARE	11-27-2019

Current Medical Duty Status Assignments

Assignment	Description	Start
LOWER BUNK	LOWER BUNK REQUIRED	03-09-2020

BUFHF 531.01 *
PAGE 001 OF 001 *

INMATE HISTORY
EDUCATION

* 05-04-2019
* 13:45:02

REG NO.: 076C9-032 NAME....: WINGATE, JEFFREY S
CATEGORY: EDC FUNCTION: PRT FORMAT: EDUCATION

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
BUF	ADV PRINCIPLES CNTRD LVNG	03-27-2019	CURRENT				
BUF	WRITING LIFE STORIES	01-24-2019	CURRENT				
BUF	PSYCHOLOGY SEMINAR	05-23-2019	CURRENT				
BUF	DAP-EACH ONE REACH ONE MENTOR	05-31-2019	CURRENT				
BUF	7 HABITS	03-19-2019	03-20-2019	P	C	P	18
BUF	PSE/CORRESPONDENCE (SEE REVIEW)	01-03-2018	02-27-2018	P	C	P	60
BUF	PSE/CORRESPONDENCE (SEE REVIEW)	07-24-2017	01-03-2018	P	C	P	915
BUF	(V) ADOBE ADVANCED-CAI	07-01-2016	09-30-2016	P	C	P	10
BUF	(V) PHOTOSHOP LEVEL 2-CAI	07-01-2016	09-30-2016	P	C	P	10
BUF	(V) PHOTOSHOP WEB DESIGN-CAI	07-01-2016	09-30-2016	P	C	P	5
BUF	(V) PHOTOSHOP LEVEL 1-CAI	07-01-2016	09-30-2016	P	C	P	10
BUF	(A) MSO EXCEL 2-CAI	07-01-2016	09-30-2016	P	C	P	30
BUF	(A) MSO WORD 1-CAI	07-01-2016	09-30-2016	P	C	P	30
BUF	(A) MSO EXCEL 1-CAI	07-01-2016	09-30-2016	P	C	P	30
BUF	(A) INTERNET FIREFOX-CAI	07-01-2016	09-30-2016	P	C	P	30
BUF	(A) ADVANCED TYPING	07-01-2016	09-30-2016	P	C	P	20
BUF	(A) KEYBOARDING-CAI	07-01-2016	09-30-2016	P	C	P	25
BUF	INTRO TO LEXIS/NEXIS ELL RSCH	07-15-2016	08-12-2016	P	C	P	16
BUF	ENTREPRENEURSHIP T 6:30-8:30	07-11-2015	08-30-2016	P	C	P	16
BUF	INTERPERSONAL COMM. SKILLS	04-11-2016	05-31-2016	P	C	P	16
BUF	ANGER MGT CLASS	09-01-2015	11-03-2015	P	C	P	10
BUF	DAY CLASS FOR DRUG EDUCATION	06-22-2015	07-01-2015	P	C	P	12

1258 + Current

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TRANSACTION SUCCESSFULLY COMPLETED

Blackstone Career Institute

Est. 1890

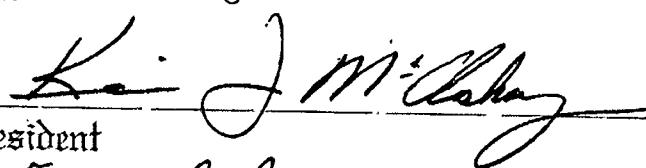
Awards this Certificate in
Criminal Law
upon
Jeffrey Wingate

*who has fulfilled all the requirements prescribed by the School and is entitled
to all of the honors, rights and privileges thereunto appertaining.*

In Testimony Whereof this recognition of achievement is

Given this 27th Day of February 2018





President



Valerie L. Behrle B.S., M.Ed.
Director of Education

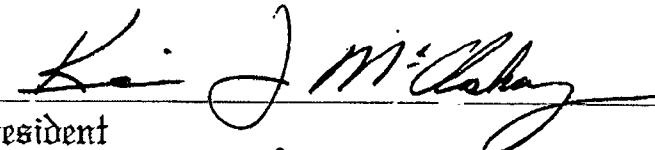


Confers this Certificate of
Legal Assistant/Paralegal
with Distinction upon
Jeffrey Wingate

*who has fulfilled all the requirements prescribed by the School and is entitled
to all of the honors, rights and privileges thereunto appertaining.*

In Testimony Whereof this recognition of achievement is

Given this 3rd day of January 2018



President


Valerie L. Schrie B.S., M.Ed.
Director of Education



APPENDIX F

ORDER DENYING REHEARING

No. 21-5575

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA,)
)
 Plaintiff-Appellee,)
)
 v.)
)
 [Redacted],)
)
 Defendant-Appellant.)
)

FILED
Mar 30, 2022
DEBORAH S. HUNT, Clerk

O R D E R

BEFORE: BATCHELDER, MOORE, and ROGERS, Circuit Judges.

The court received a petition for rehearing en banc. The original panel has reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered upon the original submission and decision of the case. The petition was then circulated to the full court. No judge has requested a vote on the suggestion for rehearing en banc.

Therefore, the petition is denied.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

Appendix F

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: March 30, 2022

Jeffrey S. Wingate
122 Holly Hills
Mt. Sterling, KY 40353

Re: Case No. 21-5575, *USA v. Jeffrey Wingate*
Originating Case No.: 5:14-cr-00074-2

Dear Mr. Wingate,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Beverly L. Harris
En Banc Coordinator
Direct Dial No. 513-564-7077

cc: Mr. Kevin C. Dicken
Mr. John Patrick Grant
Mr. Charles P. Wisdom Jr.

Enclosure