

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

FILED

APR 15 2010

DAVID CREWS, CLERK
BY MS [Signature]
Deputy

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:10CR 32-SA

MICHAEL SHANE MINICH

PLEA AGREEMENT

The United States Attorney hereby proposes to the Court a plea agreement to be filed in this cause under Rule 11(c) of the Federal Rules of Criminal Procedure. Defendant has read and fully understands this plea agreement and approves same, realizing that the plea agreement is subject to acceptance or rejection by the Court. The plea agreement is as follows:

1. **GUILTY PLEA:** The defendant agrees to plead guilty under oath to Count(s) One, Two, Three, and Four of the Information which charges the defendant, while acting under color of the laws of the state of Mississippi, did willfully deprive individuals of a right secured and protected by the Constitution of the United States, specifically the right to be free of unreasonable search and seizure by conducting traffic stops and secretly removing cash from their wallets, in violation of Title 18, United States Code, Section 242, misdemeanors which each carry maximum possible penalties of 1 year imprisonment, 1 year of supervised release, \$100,000 fine, and a special assessment of \$25.

2. **OTHER CHARGES:** The United States agrees not to charge the defendant with any other offenses arising from or related to the above charges.

3. RESTITUTION: The defendant understands that the Court may order restitution in accordance with the provisions of 18 U.S.C. § 3663 for all offenses committed and specifically agrees that restitution is not limited to the counts of conviction.

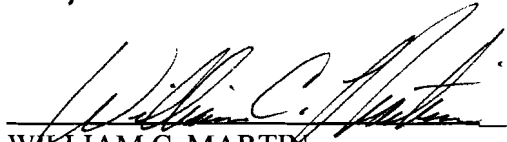
4. OTHER AUTHORITIES: This agreement does not bind any prosecuting authority of any state or any other federal district, nor does it bind the Attorney General of the United States with regard to any matter, criminal or civil, involving federal tax laws. Nor does this agreement bind the United States or any of its departments or agencies with regard to any civil or administrative actions or remedies.

5. VIOLATIONS OF THIS AGREEMENT: If defendant violates this agreement, all statements made pursuant hereto will be admissible against defendant, who hereby waives the provisions of Rule 11(f) of the Federal Rules of Criminal Procedure and Rule 410 of the Federal Rules of Evidence. Defendant may also, in that event, be prosecuted for all federal offenses, including perjury and false statements relating to this plea agreement.

6. ACKNOWLEDGMENTS: Defendant further agrees to make no attempt at any time, now or in the future, to regain possession of his Mississippi Law Enforcement Professional Certification issued by the Mississippi Department of Public Safety Office of Standards and Training. Apart from being advised of the applicability of the U.S. Sentencing Guidelines, and other than as set forth elsewhere in the plea documents, no promise or representation whatsoever has been made to defendant as to what punishment the Court might impose if it accepts the pleas of guilty. Upon filing of this plea agreement, the United States Probation Service may at once conduct a presentence investigation and submit a presentence report to the Court for immediate consideration at or before the pleas of guilty are offered in open court. Defendant agrees that the Court may cancel the trial and continue all proceedings in the case until such date as the Court

may set for consideration of the plea agreement, the pleas of guilty, and imposition of sentence. This agreement fully reflects all promises, agreements, and understandings between the defendant and the United States Attorney. The defendant's agreement is knowing, free, and voluntary, and not the product of force, threat, or coercion. The defendant is pleading guilty because defendant is in fact guilty.

This the 22nd day of FEBRUARY, 20 10.



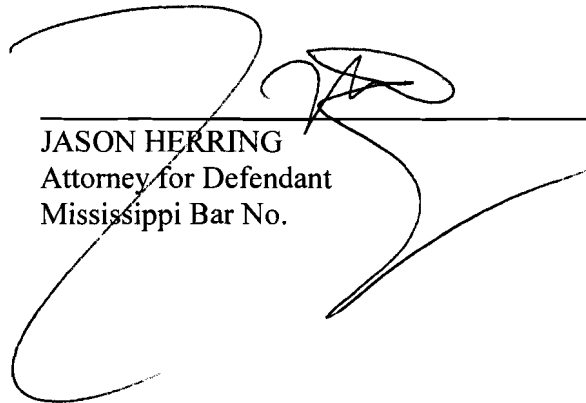
WILLIAM C. MARTIN
Acting United States Attorney

AGREED AND CONSENTED TO:



MICHAEL SHANE MINICH
Defendant

APPROVED:



JASON HERRING
Attorney for Defendant
Mississippi Bar No.