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UNITED STATES OF AMERICA  
7

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 JAMES CHARLES RIVERA,  
14 Defendant.  
15

Case No. 21-CR-3382 AJB

**PLEA AGREEMENT**

16 IT IS HEREBY AGREED between the plaintiff, UNITED STATES OF AMERICA,  
17 through its counsel, Randy S. Grossman, United States Attorney, and Owen  
18 Roth, Assistant United States Attorney, and defendant, JAMES CHARLES  
19 RIVERA, with the advice and consent of Knut S. Johnson, counsel for  
20 defendant, as follows:

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Def. Initials JR

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I

THE PLEA

A. THE CHARGE

Defendant agrees to plead guilty to the Superseding Indictment in Criminal Case No. 21-CR-3382 AJB (the "Indictment") charging Defendant as follows:

Count 1

Beginning on a date unknown, and continuing to and until October 20, 2021, within the Southern District of California and elsewhere, defendant JAMES CHARLES RIVERA, did knowingly and intentionally conspire and agree with other persons, known and unknown, to distribute anabolic steroids, including but not limited to Anadrol, Anavar (Oxandrolone), Choriomon (hCG), Dianabol (Methandrostenolone), Halotestin, Proviron (Mesterolone), Sustanon, Test E (Testosterone), Tiromel, Turinabol (Dehydrochloro-methyltestosterone), Winstrol (Stanozolol), Schedule III Controlled Substances, and masking agents; all in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(E), and 846).

Count Two

Beginning on a date unknown, and continuing to and until October 20, 2021, within the Southern District of California and elsewhere, defendant JAMES CHARLES RIVERA, did knowingly and intentionally conspire and agree with other persons, known and unknown, to conduct financial transactions affecting interstate or foreign commerce that were the proceeds of specified unlawful activities, to wit: conspiracy to manufacture and to distribute controlled substances, manufacture of controlled substances, and distribution of controlled substances, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity and intending

1 to promote the carrying on of the specified unlawful activity; all in  
2 violation of Title 18, United States Code, Sections 1956(h) and  
3 1956(a)(1)(A)(i).

4 B. PRE-TRIAL DISPOSITION

5 Defendant agrees that, following entry of Defendant's guilty plea,  
6 the Government need not hold or preserve any evidence seized in  
7 connection with this case. Furthermore, if the court has issued a  
8 preservation order in connection with any seized evidence, the Defendant  
9 agrees to jointly request that the Court lift or revoke the preservation  
10 order following entry of defendant's guilty plea.

11 Defendant agrees further as follows: Upon acceptance of Defendant's  
12 guilty plea by the District Court, and notwithstanding any preservation  
13 order(s) entered by the District Court, the Government need not hold or  
14 preserve any evidence seized in connection with this case, including but  
15 not limited to:

- 16 a. Any cellular devices, computers, tablets, and other  
17 hardware or software programs;  
18 b. Any vehicle(s); and  
19 c. Any controlled substance(s), except sample amounts for  
20 confirmatory testing.

21 C. FORFEITURE

22 Defendant consents to the forfeiture allegations of the Indictment  
23 and consents to the forfeiture of all properties seized in connection  
24 with the case. The attached forfeiture addendum shall govern forfeiture  
25 in this case.

1 II

2 NATURE OF THE OFFENSES

3 A. ELEMENTS EXPLAINED

4 Defendant understands that the offenses to which Defendant is  
5 pleading guilty have the following elements:

6 Count One

- 7 1. Beginning on a date unknown and continuing through October 20,  
8 2021, there was an agreement between two or more persons to  
9 distribute federally controlled substances; and  
10 2. Defendant joined in the agreement knowing of its purpose and  
11 intending to help accomplish that purpose.

12 Count Two

- 13 1. Beginning on a date unknown and continuing through October 20,  
14 2021, there was an agreement between two or more persons to commit  
15 money laundering; and  
16 2. Defendant joined the conspiracy knowing of its purpose and  
17 intending to help accomplish it.

18 B. ELEMENTS UNDERSTOOD AND ADMITTED - FACTUAL BASIS

19 Defendant has fully discussed the facts of this case with defense  
20 counsel. Defendant has committed each element of the crimes and admits  
21 that there is a factual basis for this guilty plea. The following facts  
22 are true and undisputed:

- 23 1. Beginning on a date unknown and continuing up to and including  
24 October 20, 2021, within the Southern District of California, and  
25 elsewhere, there were agreements between Defendant and others to  
26 knowingly manufacture and distribute controlled substances, in  
27 particular steroids; to recoup the proceeds of that distribution  
28 activity; and to use proceeds to continue the manufacture and

1 distribution. Defendant knowingly participated in that activity  
2 knowing of the purposes of the agreements and intending to help  
3 accomplish them.

4 2. Defendant was a merchant on the "dark web," distributing steroids  
5 and related pharmaceuticals under the moniker, "JuicePal."  
6 Defendant advertised on dark-web steroids forums and maintained a  
7 website that accepted orders for steroids and pharmaceutical  
8 products used to mitigate the effects of steroid use and as masking  
9 agents. Defendant advertised dozens of these products and accepted  
10 payment via both cash and virtual currency. Defendant accepted and  
11 fulfilled thousands of orders during the period of the conspiracy,  
12 and advertised that he had hundreds of satisfied customers. For  
13 purposes of this plea agreement, Defendant agrees that he sold more  
14 than 60,000 units of steroids that are controlled on Schedule III  
15 of the Controlled Substances Act schedules.

16 3. Defendant accepted and fulfilled orders in at least forty-three  
17 states of the United States, and in Canada, the United Kingdom,  
18 Germany, Australia, and in locations in the European Union.  
19 Defendant accepted orders in the Southern District of California  
20 and had those orders fulfilled. Among others, Defendant admits that  
21 customers who placed and received orders included at least one  
22 professional bodybuilder.

23 4. In connection with this activity, Defendant worked with at least  
24 four co-conspirators in the United States to conduct domestic  
25 production and distribution of steroids. Defendant instructed at  
26 least two co-conspirators on how to encapsulate powder steroids,  
27 and how to compound raw steroids powders into liquid steroids and  
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1 to package the liquid steroids in vials. Defendant also provided  
2 these co-conspirators with manufacturing equipment.

3 5. Defendant ordered steroids powders from China, and ordered  
4 materials necessary for production and distribution of steroids  
5 (syringes, vials, encapsulation capsules, etc.) and provided them  
6 to the co-conspirators who conducted manufacturing. Co-conspirators  
7 responsible for bulk manufacturing shipped packages of finished  
8 products to co-conspirators responsible for distribution using the  
9 U.S. Postal Service. Co-conspirators who manufactured steroids for  
10 Defendant also shipped orders to customers directly, at his  
11 direction. The co-conspirators fulfilled customer orders, shipping  
12 packages of steroids and related pharmaceuticals using the Postal  
13 Service. Packages shipped to customers were branded as "JuicePal"  
14 products, as labels on vials of steroids and packages of pills, and  
15 as stickers in the packages shipped to customers.

16 6. Defendant accepted orders via his dark web merchant website and  
17 provided the orders to his domestic co-conspirators to fulfill.  
18 These co-conspirators, acting at Defendant's direction, mailed  
19 packages to customers. Customers, in turn, paid Defendant with  
20 virtual currency, or by mailing cash to the co-conspirators. When  
21 the co-conspirators received cash from customers, Defendant had  
22 them remit it to him, and often kept a portion as compensation for  
23 their participation in the scheme. Defendant and his co-  
24 conspirators carried out this distribution scheme by using a series  
25 of P.O. Boxes that they opened and operated using false  
26 identification.

27 7. Defendant agrees that the Government can prove the scheme took in  
28 no less than 450.974 BTC (Bitcoin). Defendant further agrees that

1 during the period of the scheme, the value of Bitcoin was as low  
2 as \$3,183 per BTC (in December 2018) and as high as \$60,883.80 (in  
3 October 2021). Defendant further agrees the Government can prove  
4 he expended between \$250,001 and \$549,999, in cash, to promote and  
5 further the distribution scheme. Defendant used proceeds from the  
6 scheme to perpetuate the steroids distribution activity. Among  
7 other things, Defendant used proceeds from the scheme to pay for  
8 advertising and marketing of the merchant website on the dark web;  
9 to pay co-conspirators for their participation in the scheme; to  
10 pay for ingredients to produce steroids; to pay for shipping costs;  
11 and other costs inherent in the production and distribution scheme.  
12 For purposes of this plea agreement, the parties agree that  
13 Defendant expended between \$250,001 and \$549,999 of proceeds to  
14 promote and further the distribution scheme.

15 **III**

16 **PENALTIES**

17 The crime to which Defendant is pleading guilty carries the  
18 following penalties:

19 Count One

- 20 A. A maximum of 10 years in prison  
21 B. A maximum \$500,000 fine  
22 C. A mandatory special assessment of \$100 per count  
23 D. A term of supervised release of at least two years and as long as  
24 for life. Failure to comply with any condition of supervised  
25 release may result in revocation of supervised release, requiring  
26 Defendant to serve in prison, upon revocation, all or part of the  
27 statutory maximum term of supervised release.

1 E. forfeiture of all property, real or personal, involved in such  
2 offense, or any property traceable to such property.

3 Count Two

- 4 A. a maximum of 20 years in prison;  
5 B. a maximum \$500,000 fine or twice the value of the property  
6 involved in the transaction, whichever is greater;  
7 C. a mandatory special assessment of \$100 per count.  
8 D. a term of supervised release of not more than five years.  
9 Failure to comply with any condition of supervised release may  
10 result in revocation of supervised release, requiring  
11 Defendant to serve in prison, upon revocation, all or part of  
12 the statutory maximum term of supervised release.  
13 E. forfeiture of all property, real or personal, involved in such  
14 offense, or any property traceable to such property.

15 **IV**

16 **DEFENDANT'S WAIVER OF TRIAL RIGHTS**

17 **AND UNDERSTANDING OF CONSEQUENCES**

18 This guilty plea waives defendant's right at trial to:

- 19 A. Continue to plead not guilty and require the Government to  
20 prove the elements of the crime beyond a reasonable doubt;  
21 B. A speedy and public trial by jury;  
22 C. The assistance of counsel at all stages of trial;  
23 D. Confront and cross-examine adverse witnesses;  
24 E. Testify and present evidence and to have witnesses testify on  
25 behalf of defendant; and  
26 F. Not testify or have any adverse inferences drawn from the  
27 failure to testify.  
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**DEFENDANT ACKNOWLEDGES NO PRETRIAL RIGHT TO BE  
PROVIDED WITH IMPEACHMENT AND AFFIRMATIVE DEFENSE INFORMATION**

Any information establishing the factual innocence of defendant known to the undersigned prosecutor in this case has been turned over to defendant. The Government will continue to provide such information establishing the factual innocence of defendant.

If this case proceeded to trial, the Government would be required to provide impeachment information for its witnesses. In addition, if defendant raised an affirmative defense, the Government would be required to provide information in its possession that supports such a defense. By pleading guilty, defendant will not be provided this information, if any, and defendant waives any right to this information. Defendant will not attempt to withdraw the guilty plea or file a collateral attack on the existence of this information.

VI

**DEFENDANT'S REPRESENTATION THAT GUILTY  
PLEA IS KNOWING AND VOLUNTARY**

Defendant represents that:

A. Defendant has had a full opportunity to discuss all the facts and circumstances of this case with defense counsel and has a clear understanding of the charges and the consequences of this plea. By pleading guilty, defendant may be giving up, and rendered ineligible to receive, valuable government benefits and civic rights, such as the right to vote, the right to possess a firearm, the right to hold office, and the right to serve on a jury. The conviction in this case may subject defendant to various collateral consequences, including but

1 not limited to revocation of probation, parole, or supervised  
2 release in another case; debarment from government  
3 contracting; and suspension or revocation of a professional  
4 license, none of which can serve as grounds to withdraw  
5 Defendant's guilty plea;

6 B. No one has made any promises or offered any rewards in return  
7 for this guilty plea, other than those contained in this  
8 agreement or otherwise disclosed to the court;

9 C. No one has threatened defendant or defendant's family to  
10 induce this guilty plea; and,

11 D. Defendant is pleading guilty because defendant is guilty and  
12 for no other reason.

13 **VII**

14 **AGREEMENT LIMITED TO U.S. ATTORNEY'S OFFICE,**  
15 **SOUTHERN DISTRICT OF CALIFORNIA**

16 This plea agreement is limited to the United States Attorney's  
17 Office for the Southern District of California, and cannot bind any  
18 other authorities in any type of matter, although the Government will  
19 bring this plea agreement to the attention of other authorities if  
20 requested by defendant.

21 **VIII**

22 **APPLICABILITY OF SENTENCING GUIDELINES**

23 The sentence imposed will be based on the factors set forth in  
24 18 U.S.C. § 3553(a). In imposing the sentence, the sentencing judge  
25 must consult the United States Sentencing Guidelines (Guidelines) and  
26 take them into account. Defendant has discussed the Guidelines with  
27 defense counsel and understands that the Guidelines are only advisory,  
28 not mandatory. The Court may impose a sentence more severe or less

1 severe than otherwise applicable under the Guidelines, up to the maximum  
2 in the statute of conviction. The sentence cannot be determined until  
3 a presentence report is prepared by the U.S. Probation Office and defense  
4 counsel and the Government have an opportunity to review and challenge  
5 the presentence report. **Defendant agrees to request that a presentence**  
6 **report be prepared.** Nothing in this plea agreement limits the  
7 Government's duty to provide complete and accurate facts to the district  
8 court and the U.S. Probation Office.

9 **IX**

10 **SENTENCE IS WITHIN SOLE DISCRETION OF JUDGE**

11 This plea agreement is made pursuant to Federal Rule of Criminal  
12 Procedure 11(c)(1)(B). The sentence is within the sole discretion of  
13 the sentencing judge who may impose the maximum sentence provided by  
14 statute. It is uncertain at this time what defendant's sentence will  
15 be. The Government has not made and will not make any representation  
16 as to what sentence defendant will receive. Any estimate of the probable  
17 sentence by defense counsel is not a promise and is **not binding on the**  
18 **Court.** Any recommendation made by the Government at sentencing is also  
19 not binding on the Court. If the sentencing judge does not follow any  
20 of the parties' sentencing recommendations, defendant will not withdraw  
21 the plea.

22 **X**

23 **PARTIES' SENTENCING RECOMMENDATIONS**

24 A. **SENTENCING GUIDELINE CALCULATIONS**

25 Although the Guidelines are only advisory and just one factor the  
26 Court will consider under 18 U.S.C. § 3553(a) in imposing a sentence,  
27 the parties will jointly recommend the following Base Offense Level,  
28 Specific Offense Characteristics, Adjustments, and Departures:

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Count One

- 1. Base Offense Level [2D1.1(a) & (c)(10)] 20
- 2. Use of Interactive Computer Service [2D1.1(b)(7)] +2
- 3. Dist. of Steroids & Masking Agents [2D1.1(b)(8)] +2
- 4. Dist. to Professional Athlete [2D.1.1(b)(9)] +2
- 5. Maintain Premises to Manufacture [2D1.1(b)(12)] +2
- 6. Leader / Organizer of Organization [3B1.1(a)] +4
- 7. Acceptance of Responsibility [3E1.1] -3
- 8. Waiver of Appeal / Collateral Attack [5K2.0] -3

Count Two

- 1. Base Offense Level [2S1.1(a)(2)] 8
- 2. Loss Amount [2B1.1] +14
- 3. Knowledge of Drug Proceeds [2S1.1(b)(1)] +6
- 4. Conviction Under 18 U.S.C. § 1956 [2S1.1.(b)(2)] +2
- 5. Leader / Organizer of Organization [3B1.1(a)] +4
- 6. Acceptance of Responsibility [3E1.1] -3
- 7. Waiver of Appeal / Collateral Attack [5K2.0] -3

The parties further agree that pursuant to Chapter 3, Part D of the U.S. Sentencing Guidelines, the counts of conviction "group," with the effect of adding two levels to the adjusted guidelines calculation. The adjusted guidelines score for Count 1 is 26. The adjusted guidelines score for Count 2 is 28. Accordingly, the parties agree that the applicable adjusted guidelines score is 30.

B. ACCEPTANCE OF RESPONSIBILITY

Despite paragraph A above, the Government need not recommend an adjustment for Acceptance of Responsibility if defendant engages in conduct inconsistent with acceptance of responsibility including, but not limited to, the following:

- 1 1. Fails to truthfully admit a complete factual basis as
- 2 stated in the plea at the time the plea is entered, or
- 3 falsely denies, or makes a statement inconsistent with,
- 4 the factual basis set forth in this agreement;
- 5 2. Falsely denies prior criminal conduct or convictions;
- 6 3. Is untruthful with the Government, the Court or probation
- 7 officer; or
- 8 4. Breaches this plea agreement in any way.

9 C. FURTHER ADJUSTMENTS AND SENTENCE REDUCTIONS  
10 INCLUDING THOSE UNDER 18 U.S.C. § 3553

11 Defendant may request or recommend additional downward adjustments,  
12 departures, or variances from the Sentencing Guidelines under 18 U.S.C.  
13 § 3553, provided, however, that Defendant may only seek a sentence  
14 consistent with the terms of Section X.F of this plea agreement. The  
15 Government will oppose any downward adjustments, departures, or  
16 variances not set forth in Section X, paragraph A above.

17 D. NO AGREEMENT AS TO CRIMINAL HISTORY CATEGORY

18 The parties have no agreement as to defendant's Criminal History  
19 Category, except that, if defendant is determined to be a Career  
20 Offender, the parties agree that defendant is automatically a Criminal  
21 History Category VI pursuant to USSG § 4B1.1(b).

22 E. "FACTUAL BASIS" AND "RELEVANT CONDUCT" INFORMATION

23 The facts in the "factual basis" paragraph of this agreement are  
24 true and may be considered as "relevant conduct" under USSG § 1B1.3 and  
25 as the nature and circumstances of the offense under 18 U.S.C.  
26 § 3553(a)(1).

1 F. PARTIES' RECOMMENDATIONS REGARDING CUSTODY

2 Provided that Defendant is in Criminal History Category I, the  
3 parties will make a joint recommendation of 96 months in custody. They  
4 will not recommend a fine, but will recommend the applicable mandatory  
5 special assessments. If Defendant is in Criminal History Category II or  
6 above, the Government may recommend as much as the low end of the  
7 applicable guidelines range, and Defendant may seek any sentence.

8 G. SPECIAL ASSESSMENT AND FINE

9 The parties will jointly recommend that defendant pay a special  
10 assessment in the amount of \$100.00 per felony count of conviction to  
11 be paid forthwith at time of sentencing. The special assessment shall  
12 be paid through the office of the Clerk of the District Court by bank  
13 or cashier's check or money order made payable to the "Clerk,  
14 United States District Court."

15 The parties will not recommend imposition of a fine due to  
16 defendant's limited financial prospects and because the cost of  
17 collection, even taking into account the Inmate Responsibility Program,  
18 likely would exceed the amounts that could reasonably be expected to be  
19 collected.

20 H. SUPERVISED RELEASE

21 The Government is free to recommend a period of supervised release.  
22 If the Court imposes a term of supervised release, Defendant will not  
23 seek to reduce or terminate early the term of supervised release until  
24 defendant has served at least two-thirds of the term of supervised  
25 release and has fully paid and satisfied any special assessments, fine,  
26 criminal forfeiture judgment and restitution judgment.

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**XI**

**DEFENDANT WAIVES APPEAL AND COLLATERAL ATTACK**

Defendant waives (gives up) all rights to appeal and to collaterally attack every aspect of the conviction and sentence. The only exception is that defendant may collaterally attack the conviction or sentence on the basis that defendant received ineffective assistance of counsel.

**XII**

**BREACH OF THE PLEA AGREEMENT**

Defendant and defendant's attorney know the terms of this agreement and shall raise, before the sentencing hearing is complete, any claim that the Government has not complied with this agreement. Otherwise, such claims shall be deemed waived (that is, deliberately not raised despite awareness that the claim could be raised), cannot later be made to any court, and if later made to a court, shall constitute a breach of this agreement.

Defendant breaches this agreement if defendant violates or fails to perform any obligation under this agreement. The following are non-exhaustive examples of acts constituting a breach:

- A. Failing to plead guilty pursuant to this agreement;
- B. Failing to fully accept responsibility as established in Section X, paragraph B, above;
- C. Failing to appear in court;
- D. Attempting to withdraw the plea;
- E. Failing to abide by any court order related to this case;
- F. Appealing (which occurs if a notice of appeal is filed) or collaterally attacking the conviction or sentence in violation of Section XI of this plea agreement; or

1 G. Engaging in additional criminal conduct from the time of  
2 arrest until the time of sentencing.

3 If defendant breaches this plea agreement, defendant will not be  
4 able to enforce any provisions, and the Government will be relieved of  
5 all its obligations under this plea agreement. For example, the  
6 Government may proceed to sentencing but recommend a different sentence  
7 than what it agreed to recommend above. Or the Government may pursue  
8 any charges including those that were dismissed, promised to be  
9 dismissed, or not filed as a result of this agreement (defendant agrees  
10 that any statute of limitations relating to such charges is tolled  
11 indefinitely as of the date all parties have signed this agreement;  
12 defendant also waives any double jeopardy defense to such charges). In  
13 addition, the Government may move to set aside defendant's guilty plea.  
14 Defendant may not withdraw the guilty plea based on the Government's  
15 pursuit of remedies for defendant's breach.

16 Additionally, if defendant breaches this plea agreement: (i) any  
17 statements made by defendant, under oath, at the guilty plea hearing  
18 (before either a Magistrate Judge or a District Judge); (ii) the factual  
19 basis statement in Section II.B in this agreement; and (iii) any evidence  
20 derived from such statements, are admissible against defendant in any  
21 prosecution of, or any action against, defendant. This includes the  
22 prosecution of the charge(s) that is the subject of this plea agreement  
23 or any charge(s) that the prosecution agreed to dismiss or not file as  
24 part of this agreement, but later pursues because of a breach by the  
25 Defendant. Additionally, defendant knowingly, voluntarily, and  
26 intelligently waives any argument that the statements and any evidence  
27 derived from the statements should be suppressed, cannot be used by the  
28 Government, or are inadmissible under the United States Constitution,



1 any statute, Rule 410 of the Federal Rules of Evidence, Rule 11(f) of  
2 the Federal Rules of Criminal Procedure, and any other federal rule.

3 **XIII**

4 **CONTENTS AND MODIFICATION OF AGREEMENT**

5 This plea agreement embodies the entire agreement between the  
6 parties and supersedes any other agreement, written or oral. No  
7 modification of this plea agreement shall be effective unless in writing  
8 signed by all parties.

9 **XIV**

10 **DEFENDANT AND COUNSEL FULLY UNDERSTAND AGREEMENT**

11 By signing this agreement, defendant certifies that defendant has  
12 read it (or that it has been read to defendant in defendant's native  
13 language). Defendant has discussed the terms of this agreement with  
14 defense counsel and fully understands its meaning and effect.

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XV

**DEFENDANT SATISFIED WITH COUNSEL**

Defendant has consulted with counsel and is satisfied with counsel's representation. This is defendant's independent opinion, and defendant's counsel did not advise defendant about what to say in this regard.

Respectfully Submitted,

RANDY S. GROSSMAN  
United States Attorney

01/19/2023

DATED

*Owen Roth*

OWEN ROTH  
Assistant U.S. Attorney

January 18, 2023

DATED

*Randy S. Johnson*

KNUT S. JOHNSON  
Defense Counsel

**IN ADDITION TO THE FOREGOING PROVISIONS TO WHICH I AGREE, I SWEAR UNDER PENALTY OF PERJURY THAT THE FACTS IN THE "FACTUAL BASIS" PARAGRAPH ABOVE ARE TRUE.**

*1/18/23*

DATED

*James Charles Rivera*

JAMES CHARLES RIVERA  
Defendant

Rev. 6/8/2021 cek/bq