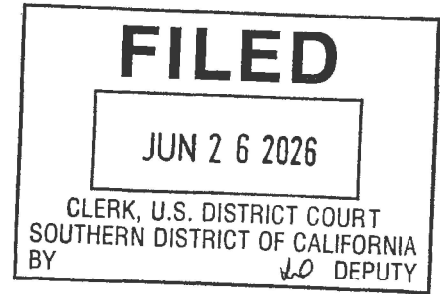


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7 **UNITED STATES DISTRICT COURT**  
8 **SOUTHERN DISTRICT OF CALIFORNIA**

9 UNITED STATES OF AMERICA,

Case No. 25-CR-817-RSH

10 Plaintiff,

PLEA AGREEMENT

11 v.


12 RANDAL VANCE (1)

13 Defendant.

14  
15  
16 IT IS HEREBY AGREED between the plaintiff, UNITED STATES OF  
17 AMERICA, through its counsel, Adam Gordon, United States Attorney, and  
18 Paul E. Benjamin and Dana L. Segal, Assistant United States Attorneys,  
19 and the defendant, RANDAL VANCE, with the advice and consent of Peter  
20 Blair, counsel for Defendant, as follows:

21 //  
22 //  
23 //  
24 //  
25 //

26  
27  
28 Plea Agreement

Def. Initials   
25-CR-817-RSH

I

THE PLEA

A. THE CHARGE

Defendant agrees to plead guilty to counts One, Two, Three, Four, and Six of the Indictment.

B. DEFENDANT AGREES NOT TO FILE ANY MOTIONS

In return for the concessions made by the Government herein, defendant agrees further as follows:

1. Defendant agrees to immediately contact the District Court and request that the trial date be converted to a status hearing and all other pending dates and deadlines be vacated.
2. Defendant will not file any substantive motions including those described in Fed. R. Crim. P. 12 and shall not file any motion or appeal as to bond in any Court more than 28 calendar days after the initial appearance in this matter; and,
3. Upon acceptance of Defendant's guilty plea by the District Court, and notwithstanding any preservation order(s) entered by the District Court, the Government need not hold or preserve any evidence seized in connection with this case; and
4. Upon acceptance of defendant's guilty plea by the District Court, Defendant will not oppose any motion by the Government to move that the Court lift or revoke any preservation order.

C. PRESERVATION OF EVIDENCE

Defendant agrees that, following entry of Defendant's guilty plea, the Government need not hold or preserve any evidence seized in connection with this case. If the court has issued a preservation order in connection with any seized evidence, Defendant will request that the Court lift or revoke the preservation order following entry of Defendant's guilty plea.

D. FORFEITURE

Defendant consents to the forfeiture allegations of the Indictment

1 and agrees to the forfeiture of all property(ies) seized in connection  
2 with this case, including the forfeiture of all property seized from  
3 codefendants. Defendant agrees to the forfeiture of the six firearms  
4 charged in Count 5 of the Indictment and the two firearms seized from  
5 co-defendant REBECCA VANCE's home. The forfeiture is more fully set  
6 forth in Section X below.

7 E. DISMISSAL OF REMAINING COUNT

8 The United States agrees to dismiss Count Five of the Indictment  
9 without prejudice after sentencing if Defendant complies with all terms  
10 of this plea agreement and to refrain from thereafter re-charging that  
11 offense unless Defendant breaches his obligations under this plea  
12 agreement. If Defendant breaches this plea agreement, the Government  
13 may reinstate Count Five or charge him again with that offense.

14 **II**

15 **NATURE OF THE OFFENSE**

16 A. ELEMENTS EXPLAINED

17 Defendant understands that the offense to which defendant is  
18 pleading guilty in has the following elements:

19 **Count One**

- 20 1. There was an agreement between two or more persons to use
- 21 minors to manufacture, distribute, or possess with intent to
- 22 distribute psilocybin; and
- 23 2. The defendant joined the agreement knowing of its purpose and
- 24 intending to help accomplish that purpose.

25 The elements of the underlying offense are:

- 26 1. The defendant knowingly hired, used, persuaded, coerced,
- 27 induced, enticed, or employed the minor to produce or

- 1 distribute psilocybin;
- 2 2. The defendant was at least 18 years of age; and
- 3 3. The specified minor was under the age of 18 years.

4 **Count Two**

- 5 1. There was an agreement between two or more persons to
- 6 distribute psilocybin; and
- 7 2. The defendant joined the agreement knowing of its purpose and
- 8 intending to help accomplish that purpose.

9 The elements of the underlying offense are:

- 10 1. The defendant knowingly distributed psilocybin; and
- 11 2. The defendant knew that it was psilocybin or some other
- 12 federally controlled substance.

13 **Counts Three and Four**

- 14 1. The defendant knowingly distributed psilocybin to the
- 15 specified minor;
- 16 2. The defendant knew that it was psilocybin or some other
- 17 federally controlled substance;
- 18 3. The defendant was at least eighteen years of age; and
- 19 4. The specified minor was under twenty-one years of age.

20 **Count Six**

- 21 1. There was an agreement between two or more persons to obstruct
- 22 justice
- 23 2. The defendant became a member of the conspiracy knowing of at
- 24 least one of its objects and intending to help accomplish it;
- 25 and
- 26 3. One of the members of the conspiracy performed at least one
- 27 overt act for the purpose of carrying out the conspiracy.

28

1 The elements of the underlying offense are:

- 2 1. The defendant influenced, obstructed, or impeded, or tried to
- 3 influence, obstruct, or impede the due administration of
- 4 justice; and
- 5 2. The defendant acted corruptly, or by threats or force, or by
- 6 any threatening communication, with the intent to obstruct
- 7 justice.

8  
9 ELEMENTS UNDERSTOOD AND ADMITTED - FACTUAL BASIS

10 Defendant has fully discussed the facts of this case with defense  
11 counsel. Defendant has committed each of the elements of the crime and  
12 admits that there is a factual basis for this guilty plea. The following  
13 facts are true and undisputed:

14 **COUNTS 1 AND 2**

- 15 1. Beginning on a date unknown and continuing up to and including
- 16 October 4, 2024, in the Southern District of California and
- 17 elsewhere, there was an agreement between Defendant RANDAL
- 18 VANCE and others, including co-defendants REBECCA VANCE and
- 19 KEIR CEBALLOS-RIVERA to distribute psilocybin.
- 20 2. Defendant knew the agreement had an unlawful object or
- 21 purpose. Defendant joined the agreement with the intent to
- 22 further its unlawful object or purpose.
- 23 3. Beginning on a date unknown and continuing up to and including
- 24 October 4, 2024, in the Southern District of California and
- 25 elsewhere, there was an agreement between Defendant RANDAL
- 26 VANCE and others, including CEBALLOS-RIVERA, to use and
- 27 employ minors to produce and distribute psilocybin.

28

1 4. Defendant knew the agreement had an unlawful object or  
2 purpose. Defendant joined the agreement with the intent to  
3 further its unlawful object or purpose.

4 5. In furtherance of these conspiracies, Defendant and CEBALLOS-  
5 RIVERA grew, harvested, and processed psilocybin mushrooms in  
6 a business they controlled in Fallbrook, California.  
7 Defendant and CEBALLOS-RIVERA maintained those premises for  
8 the manufacturing and distribution of psilocybin.

9 6. In furtherance of these conspiracies, Defendant employed and  
10 his two sons, Minor 1 and Minor 2, in the psilocybin growing  
11 operation, beginning when they were no older than 11 and 9  
12 years old respectively. Defendant made the two minors harvest  
13 and process the psilocybin mushrooms.

14 7. Defendant admits he supervised and directed CEBALLOS-RIVERA,  
15 Minor 1, and Minor 2.

16 8. In furtherance of the conspiracy, Defendant maintained two  
17 websites, psillyrabbit.com and psillyrabbitmushrooms.com, as  
18 well as the Instagram page psillyrabbitca to market and sell  
19 psilocybin. Defendant sold whole dried and freeze-dried  
20 psilocybin mushrooms over the Internet as well as chocolates  
21 containing psilocybin and capsules containing pure  
22 psilocybin.

23 9. In furtherance of the conspiracy, Defendant mailed packages  
24 containing psilocybin outside the Southern District of  
25 California to customers who had purchased the drugs through  
26 his website. Defendant also sold psilocybin in person to local  
27 customers.

1 10. In furtherance of the conspiracy, Defendant stored large  
2 amounts of psilocybin at his home in Bonsall, California, in  
3 the forms of psilocybin mushrooms, psilocybin chocolates, and  
4 pure psilocybin capsules.

5 11. In furtherance of the conspiracy, Defendant provided  
6 psilocybin capsules for Minor 1 to sell to his friends. At  
7 the time, Minor 1 was 12 years old.

8 12. In furtherance of the conspiracy, Defendant provided  
9 psilocybin to co-defendant REBECCA VANCE for her to  
10 distribute to others.

11 13. On October 4, 2024, law enforcement seized 92.53 kilograms  
12 (204 pounds) of wet mushrooms and 24.04 kilograms (53 pounds)  
13 of dried mushrooms from Defendant's place of business. Law  
14 enforcement also seized 11.34 kilograms (25 pounds) of dried  
15 mushrooms and 52 grams (.11 pounds) of pure psilocybin in  
16 capsules from Defendant's home in Bonsall. Defendant admits  
17 that all of these were possessed in furtherance of the  
18 conspiracy and were intended to be distributed in furtherance  
19 of the conspiracy.

20 14. Defendant possessed six firearms at the Bonsall home: a Glock  
21 34 pistol, a Walther P22 pistol, a Henry Survival AR7 rifle,  
22 a Smith and Wesson revolver, an H&R Model 900 revolver, and  
23 a Browning 30-06 rifle.

24 **COUNTS 3 AND 4**

25 1. No later than October 2023, Defendant began dosing Minor 1  
26 and Minor 2 with psilocybin capsules every other day. At the  
27 time, Minor 1 was 11 years old and Minor 2 was 9 years old.

- 2. By March 27, 2024, Defendant dosed Minor 1 and Minor 2 with psilocybin capsules every day.
- 3. Defendant dosed Minor 1 and Minor 2 with psilocybin on March 27, 2024.

**COUNT 6**

- 1. Beginning on or about October 5, 2024, and continuing to at least October 7, 2024, there was an agreement between Defendant RANDAL VANCE and co-defendants REBECCA VANCE and CEBALLOS-RIVERA to obstruct justice by destroying evidence of the drug conspiracies.
- 2. Defendant knew the agreement had an unlawful object or purpose. Defendant joined the agreement with the intent to further its unlawful object or purpose.
- 3. In furtherance of the conspiracy, Defendant called the co-defendants from jail to get them to take down the websites he had used to distribute psilocybin. He also instructed them to contact co-conspirators and have them delete messages from encrypted messaging applications so those messages would be removed from Defendant's phone so they could not be read by law enforcement. Defendant did so in an effort to destroy evidence that could be used to investigate and prosecute him and his co-conspirators.
- 4. In furtherance of the conspiracy, REBECCA VANCE and CEBALLOS-RIVERA did as instructed; the websites were taken down and the messages were deleted by the co-conspirator.

III

PENALTIES

Defendant understands that the crimes to which defendant is pleading guilty carry the following penalties:

**Counts One, Three, and Four:**

- A. a mandatory minimum of one year in prison and a maximum of 40 years in prison;
- B. a maximum \$2,000,000 fine;
- C. a mandatory special assessment of \$100 per count;
- D. a term of supervised release of at least 6 years and up to life. Failure to comply with any condition of supervised release may result in revocation of supervised release, requiring Defendant to serve in prison, upon revocation, all or part of the statutory maximum term of supervised release;
- E. forfeiture of all property, real and person, which constitutes or is derived from proceeds of the offense, and all property, real and personal, which was used to facilitate or was intended to be used to facilitate the commission of the offense; and,
- F. possible ineligibility for certain federal benefits.

**Count Two:**

- A. a maximum of 20 years in prison;
- B. a maximum \$1,000,000 fine;
- C. a mandatory special assessment of \$100 per count;
- D. a term of supervised release of at least 3 years and up to life. Failure to comply with any condition of supervised release may result in revocation of supervised release, requiring Defendant to serve in prison, upon revocation, all or part of the statutory maximum term of supervised release;
- E. forfeiture of all property, real and person, which constitutes or is derived from proceeds of the offense, and all property, real and personal, which was used to facilitate or was intended to be used to facilitate the commission of the offense; and,

*RV*

1 F. possible ineligibility for certain federal benefits.

2 **Count Six**

- 3 A. a maximum of 10 years in prison;
- 4 B. a maximum \$250,000 fine;
- 5 C. a mandatory special assessment of \$100 per count; and
- 6 D. a term of supervised release of up to 3 years. Failure to
- 7 comply with any condition of supervised release may result in
- 8 revocation of supervised release, requiring Defendant to
- 9 serve in prison, upon revocation, all or part of the statutory
- maximum term of supervised release.

10 **IV**

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

12 Defendant understands that this guilty plea waives the right to:

- 13 A. Continue to plead not guilty and require the Government to
- 14 prove the elements of the crime beyond a reasonable doubt;
- 15 B. A speedy and public trial by jury;
- 16 C. The assistance of counsel at all stages of trial;
- 17 D. Confront and cross-examine adverse witnesses;
- 18 E. Testify and present evidence and to have witnesses testify
- 19 on behalf of defendant; and,
- 20 F. Not testify or have any adverse inferences drawn from the
- 21 failure to testify.

22 **V**

23 **DEFENDANT ACKNOWLEDGES NO PRETRIAL RIGHT TO BE**  
24 **PROVIDED WITH IMPEACHMENT AND AFFIRMATIVE DEFENSE INFORMATION**

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

Plea Agreement

10

Def. Initials RV

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

9  
10 **VI**  
11 **DEFENDANT'S REPRESENTATION THAT GUILTY**  
12 **PLEA IS KNOWING AND VOLUNTARY**

13 Defendant represents that:

- 14 A. Defendant has had a full opportunity to discuss all the facts  
15 and circumstances of this case with defense counsel and has  
16 a clear understanding of the charges and the consequences of  
17 this plea. By pleading guilty, Defendant may be giving up,  
18 and rendered ineligible to receive, valuable government  
19 benefits and civic rights, such as the right to vote, the  
20 right to possess a firearm, the right to hold office, and the  
21 right to serve on a jury. The conviction in this case may  
22 subject Defendant to various collateral consequences,  
23 including but not limited to revocation of probation, parole,  
24 or supervised release in another case; debarment from  
25 government contracting; and suspension or revocation of a  
26 professional license, none of which can serve as grounds to  
27 withdraw Defendant's guilty plea.
- 28 B. No one has made any promises or offered any rewards in return  
for this guilty plea, other than those contained in this  
agreement or otherwise disclosed to the Court.
- C. No one has threatened Defendant or Defendant's family to  
induce this guilty plea.
- D. Defendant is pleading guilty because Defendant is guilty and  
for no other reason.

VII

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

This plea agreement is limited to the United States Attorney's Office for the Southern District of California and cannot bind any other federal, state or local prosecuting, administrative, or regulatory authorities, although the Government will bring this plea agreement to the attention of other authorities if requested by the defendant.

VIII

**APPLICABILITY OF SENTENCING GUIDELINES**

The sentence imposed will be based on the factors set forth in 18 U.S.C. § 3553(a). In imposing the sentence, the sentencing judge must consult the United States Sentencing Guidelines (Guidelines) and take them into account. Defendant has discussed the Guidelines with defense counsel and understands that the Guidelines are only advisory, not mandatory. The Court may impose a sentence more severe or less severe than otherwise applicable under the Guidelines, up to the maximum in the statute of conviction. The sentence cannot be determined until a presentence report is prepared by the U.S. Probation Office and defense counsel and the Government have an opportunity to review and challenge the presentence report. Nothing in this plea agreement limits the Government's duty to provide complete and accurate facts to the district court and the U.S. Probation Office.

IX

**SENTENCE IS WITHIN SOLE DISCRETION OF JUDGE**

This plea agreement is made pursuant to Federal Rule of Criminal Procedure 11(c)(1)(B). The sentence is within the sole discretion of

*BV*

1 the sentencing judge who may impose the maximum sentence provided by  
2 statute. It is uncertain at this time what Defendant's sentence will  
3 be. The Government has not made and will not make any representation  
4 about what sentence Defendant will receive. Any estimate of the probable  
5 sentence by defense counsel is not a promise and is not binding on the  
6 Court. Any recommendation by the Government at sentencing also is not  
7 binding on the Court. If the sentencing judge does not follow any of  
8 the parties' sentencing recommendations, Defendant will not withdraw  
9 the plea.

10 X

11 **PARTIES' SENTENCING RECOMMENDATIONS**

12 A. SENTENCING GUIDELINE CALCULATIONS

13 Although the parties understand that the Guidelines are only  
14 advisory and just one of the factors the Court will consider under 18  
15 U.S.C. § 3553(a) in imposing a sentence, the parties will jointly  
16 recommend the following Base Offense Level, Specific Offense  
17 Characteristics, Adjustments and Departures.

- |    |  |                 |
|----|--|-----------------|
| 18 | 1. Base Offense Level                          | 26              |
| 19 | [\$ 2D1.2(a)(3)]                               |                 |
| 20 | 2. Firearm Possessed [\$2D1.1(b)(1)]           | +2 <sup>1</sup> |
| 21 | 3. Mass-Marketing by Computer [\$ 2D1.1(b)(7)] | +2              |
| 22 | 4. Maintaining Drug Premises [\$ 2D1.1(b)(12)] | +2              |
| 23 | 5. Use of a Minor [\$2D1.1(B)(16)]             | +2              |
| 24 | 6. Obstruction of Justice [\$3C1.1]            | +2              |
| 25 | 7. Aggravated Role [\$3B1.1(c)]                | +2              |
| 26 | 8. Acceptance of Responsibility [\$3E1.1]      | -3              |

27 B. ACCEPTANCE OF RESPONSIBILITY

28 Despite paragraph A above, the Government need not recommend an  
adjustment for Acceptance of Responsibility if Defendant engages in

29 <sup>1</sup> The parties may argue as to the applicability of this enhancement.  
Both parties may present evidence in support of their position on this  
enhancement, including facts not included in the Factual Basis above.

1 conduct inconsistent with acceptance of responsibility including, but  
2 not limited to, the following:

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

11 C. FURTHER ADJUSTMENTS OR VARIANCES UNDER 18 U.S.C. § 3553

12 Defendant may request or recommend additional downward  
13 adjustments, departures, or variances from the Sentencing Guidelines  
14 under 18 U.S.C. § 3553. The Government will oppose any such downward  
15 adjustments, departures or variances not set forth in Section X,  
16 paragraph A above.

17 D. NO AGREEMENT AS TO CRIMINAL HISTORY CATEGORY

18 The parties have no agreement as to the defendant's Criminal  
19 History Category.

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

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

1 F. PARTIES' RECOMMENDATIONS REGARDING CUSTODY

2 The United States agrees to recommend no more than the low end of  
3 the Guidelines as calculated by the United States with a -2 variance  
4 for a combination of circumstances under \$3553.

5 G. SPECIAL ASSESSMENT/FINE/FORFEITURE

6 1. Special Assessment

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

13 2. Fine

14 The parties have no agreement as to a fine and the Government may  
15 recommend that Defendant pay a monetary fine to be paid forthwith at  
16 the time of sentencing. The Government may also recommend an additional  
17 fine to cover the cost of imprisonment, supervised release or probation,  
18 pursuant to 18 U.S.C. § 3572(a)(6).

19 3. Forfeiture

20 The Defendant consents to the forfeiture allegations of the  
21 Indictment. The Defendant further agrees to the to the criminal,  
22 administrative and/or civil forfeiture of all properties seized in  
23 connection with this case (including but not limited to all U.S.  
24 currency, vehicles, electronic devices, firearms and ammunition, and  
25 any other seized items) which the Defendant agrees are subject to  
26 forfeiture to the United States pursuant to Title 21, United States  
27 Code, Sections 853(a)(1), 853(a)(2), 881, and Title 18, United States  
28

1 Code, Section 924(d)(1), and Title 28, United States Code, Section  
2 2461(c). Defendant consents and agrees to the immediate entry of  
3 order(s) of forfeiture as the Government deems necessary. Defendant  
4 agrees that upon execution of this plea agreement the Defendant's  
5 interest(s) in any and all seized properties is terminated. Defendant  
6 waives all rights to receive notices of any and all forfeitures.  
7 Defendant agrees that by signing this plea agreement he/she is  
8 immediately withdrawing any claims in pending administrative or civil  
9 forfeiture proceedings to properties seized in connection with this  
10 case. Defendant agrees to execute all documents requested by the  
11 Government to facilitate or complete the forfeiture process(es).  
12 Defendant further agrees not to contest, or to assist any other person  
13 or entity in contesting, the forfeiture of property seized in connection  
14 with this case. Contesting or assisting others in contesting the  
15 forfeiture shall constitute a material breach of the plea agreement,  
16 relieving the Government of all its obligations under the agreement  
17 including but not limited to its agreement to recommend an adjustment  
18 for Acceptance of Responsibility. Defendant further waives the  
19 requirements of Federal Rules of Criminal Procedure 32.2 and 43(a)  
20 regarding notice of the forfeiture in the charging instrument,  
21 announcement of the forfeiture at sentencing, and incorporation of the  
22 forfeiture in the judgment. Defendant understands that the forfeiture  
23 of assets is part of the sentence that may be imposed in this case and  
24 waives any failure by the Court to advise defendant of this, pursuant  
25 to Rule 11(b)(1)(J), at the time the Court accepts the guilty plea(s).  
26 Defendant further agrees to waive all constitutional and statutory  
27 challenges (including direct appeal, habeas corpus, or any other means)

28

1 to any forfeiture carried out in accordance with this agreement,  
2 including any claim that the forfeiture constitutes an excessive fine  
3 or punishment under the United States Constitution. Defendant agrees to  
4 take all steps as requested by the United States to pass clear title to  
5 forfeitable assets to the United States and to testify truthfully in  
6 any judicial forfeiture proceeding. Defendant agrees that the  
7 forfeiture provisions of this plea agreement are intended to, and will,  
8 survive defendant, notwithstanding the abatement of any underlying  
9 criminal conviction after the execution of this agreement. The  
10 forfeitability of any particular property pursuant to this agreement  
11 shall be determined as if defendant had survived, and that determination  
12 shall be binding upon defendant's heirs, successors and assigns until  
13 the agreed forfeiture, including any agreed money judgment amount, is  
14 collected in full.

15 **XI**

16 **DEFENDANT WAIVES APPEAL AND COLLATERAL ATTACK**

17 Defendant waives all rights to appeal and to collaterally attack  
18 every aspect of the conviction and sentence. This waiver includes, but  
19 is not limited to, any argument that the statute of conviction or  
20 Defendant's prosecution is unconstitutional and any argument that the  
21 facts of this case do not constitute the crime charged. The only  
22 exception is Defendant may collaterally attack the conviction or  
23 sentence on the basis that Defendant received ineffective assistance of  
24 counsel. If Defendant appeals, the Government may support on appeal the  
25 sentence or restitution order actually imposed.

26  
27  
28

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:

1. Failing to plead guilty pursuant to this agreement;
2. Filing any substantive motions;
3. Failing to fully accept responsibility as established in Section X, paragraph B, above;
4. Failing to appear in court;
5. Attempting to withdraw the plea;
6. Failing to abide by any court order related to this case;
7. 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
8. Engaging in additional criminal conduct from the time of arrest until the time of sentencing.

If Defendant breaches this plea agreement, Defendant will not be able to enforce any provisions, and the Government will be relieved of all its obligations under this plea agreement. For example, the

1 Government may proceed to sentencing but recommend a different sentence  
2 than what it agreed to recommend above. Or the Government may pursue  
3 any charges including those that were dismissed, promised to be  
4 dismissed, or not filed as a result of this agreement (Defendant agrees  
5 that any statute of limitations relating to such charges is tolled  
6 indefinitely as of the date all parties have signed this agreement;  
7 Defendant also waives any double jeopardy defense to such charges). In  
8 addition, the Government may move to set aside Defendant's guilty plea.  
9 Defendant may not withdraw the guilty plea based on the Government's  
10 pursuit of remedies for Defendant's breach.

11 Additionally, if Defendant breaches this plea agreement: (i) any  
12 statements made by Defendant, under oath, at the guilty plea hearing  
13 (before either a Magistrate Judge or a District Judge); (ii) the factual  
14 basis statement in Section II.B in this agreement; and (iii) any  
15 evidence derived from such statements, are admissible against Defendant  
16 in any prosecution of, or any action against, Defendant. This includes  
17 the prosecution of the charge(s) that is the subject of this plea  
18 agreement or any charge(s) that the prosecution agreed to dismiss or  
19 not file as part of this agreement, but later pursues because of a  
20 breach by the Defendant. Additionally, Defendant knowingly,  
21 voluntarily, and intelligently waives any argument that the statements  
22 and any evidence derived from the statements should be suppressed,  
23 cannot be used by the Government, or are inadmissible under the United  
24 States Constitution, any statute, Rule 410 of the Federal Rules of  
25 Evidence, Rule 11(f) of the Federal Rules of Criminal Procedure, and  
26 any other federal rule.

27  
28

XIII

CONTENTS AND MODIFICATION OF AGREEMENT

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

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*RV*

XIV

DEFENDANT AND COUNSEL FULLY UNDERSTAND AGREEMENT

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

XV

DEFENDANT SATISFIED WITH COUNSEL

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

ADAM GORDON  
United States Attorney

6/23/26

*Paul Benjamin*

DATED

PAUL E. BENJAMIN  
Assistant U.S. Attorney

6/21/26

*[Signature]*

DATED

PETER BLAIR  
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" SECTION ABOVE ARE TRUE.

6-21-2026

*[Signature]*

DATED

RANDAL VANCE  
Defendant