



U.S. Department of Justice

Ronald C. Machen Jr.  
United States Attorney

*District of Columbia*

*Judiciary Center  
555 Fourth St., N.W.  
Washington, D.C. 20530*

March 12, 2013

Janet Mitchell, Esquire  
Galit Lipa, Esquire

Public Defender Service for the District of Columbia

re: U.S. v. Felicia Jones, 2012 CF1 022297

Dear Counsel:

This letter is to confirm the plea offer for your client, Felicia Jones. The offer will remain open until close of business on March 18, 2013. However, the government reserves the right to revoke this offer any time prior to your client pleading guilty in court in conformance with the offer. If your client accepts the terms and conditions set forth below, please execute and have your client execute, the attachments to this letter in the spaces provided. Upon my receipt of the letter and executed attachments this letter, with the executed attachments, will become the plea agreement between your client and the Office of the United States Attorney for the District of Columbia. The terms of the offer are as follows.

Defendant's Obligations

1. Your client agrees to admit guilt and enter a plea of guilty to voluntary manslaughter (unarmed), as a lesser included offense of the sole charge in the indictment, in violation of D.C. Code §§ 22-2105. Your client understands that this offense carries a maximum penalty of 30 years in prison, followed by a period of supervised release of up to five years.
2. You and your client agree not to seek a sentence of less than five years of incarceration, and agree not to seek to have any portion of the sentence of incarceration suspended in whole or in part such that the period of incarceration immediately imposed becomes less than five years. You and your client further agree not to seek, post-sentencing, any reduction of the sentence actually imposed, provided the sentence actually imposed is equal to or less than six years of incarceration.
3. In entering the plea of guilty called for by this agreement, your client agrees to waive certain rights afforded him by the Constitution of the United States and/or by statute, as follows:



- (a) Your client understands that the Fifth Amendment to the Constitution guarantees him the privilege against making incriminating statements. By entering the plea of guilty called for by this agreement, your client knowingly and voluntarily waives, i.e., gives up, her privilege against self-incrimination.
- (b) Your client also understands that by entering a plea of guilty, she waives the following rights: (i) to be tried by a jury, or by a judge sitting without a jury, and to require the government to prove your client guilty beyond a reasonable doubt; (ii) to be assisted by an attorney at trial; (iii) to present evidence in his defense; and (iv) to confront and cross-examine witnesses against him.
- (c) Your client further understands and agrees that the guilty plea entered under this agreement may not be withdrawn because of the harshness of the sentence imposed. Such a motion to withdraw shall constitute a breach of this agreement.
- (d) You and your client have discussed rule 11(e)(6) of the Federal Rules of Criminal Procedure and rule 11(e)(6) of the Superior Court Rules of Criminal Procedure, which ordinarily restrict the admissibility, in both civil and criminal proceedings, of statements made in the course of plea proceedings or plea discussions, if the guilty plea is later withdrawn. Your client knowingly and voluntarily waives or gives up the rights which arise under these rules. As a result of this waiver, your client understands that if the guilty plea is subsequently withdrawn, any statements which your client has made pursuant to this agreement would be admissible against your client for any purpose in any criminal or civil proceeding.

#### Government's Obligations

4. In return for your client's specific performance of all obligations under this agreement, the government agrees to the following.

- (a) The government agrees that it will not further prosecute your client in connection with the events of this case.
- (b) The government agrees that, at sentencing, it will not ask for a sentence greater than six years of incarceration followed by five years of supervised release.

#### General Obligations

4. If the government determines that your client has failed to comply with any provision of this agreement, or has committed any crime during the pendency of this agreement, the government may, in its sole discretion, be released from its obligations under this agreement in

its entirety by notifying your client, through counsel, in writing. Your client understands that, should he breach any provision of this agreement, irrespective of whether the government elects to be released from its obligations under this agreement your client shall be fully subject to criminal prosecution for any and all crimes that your client has committed.

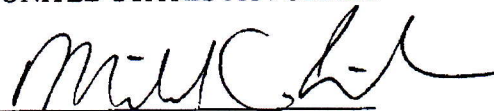
5. This agreement binds only the United States Attorney's Office for the District of Columbia. It does not bind any other United States Attorney's Office or any other federal, state or local prosecuting authority.

6. This letter, with attachments, sets forth the complete plea agreement between your client and the United States Attorney's Office for the District of Columbia. This agreement supersedes all prior understandings, promises, agreements or conditions, if any, between this office and your client. No promises, agreements or conditions have been entered into other than those set forth in this letter. There can be no valid addition or alteration to this agreement unless the addition or alteration is made on the record in open court or made in a writing signed by all of the parties.

Respectfully,

RONALD C. MACHEN JR.  
UNITED STATES ATTORNEY

by:



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att.

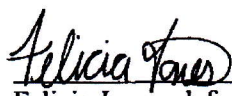


Defendant's Acceptance

I have read or had read to me each of the five pages constituting this plea agreement and have discussed the agreement with my attorneys. I fully understand this agreement and agree to it, intending to be legally bound. I have not been threatened or coerced in any manner. I am not under the influence of anything that could interfere with my ability to understand this agreement fully.

I reaffirm that absolutely no promises, agreements, understandings, or conditions have been made or entered into in connection with my decision to plead guilty, except those set forth in this written plea agreement. I am satisfied with the legal services provided to me by my attorney in connection with this plea agreement and matters related to it.


date: 3.12.13

  
\_\_\_\_\_  
Felicia Jones, defendant

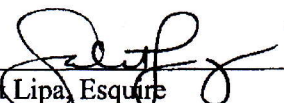
Attorneys' Acknowledgment

We have read each of the five pages constituting this plea agreement. We have fully reviewed and discussed the provisions of the agreement with our client, defendant Felicia Jones, and we are satisfied that our client understands all of its terms and conditions. These pages accurately and completely set forth the entire plea agreement. We concur with our client's decision to plead guilty.

date: 3.12.13

  
\_\_\_\_\_  
Janet Mitchell, Esquire  
Public Defender Service for the District of Columbia  
Counsel for defendant Felicia Jones

date: 3.12.13

  
\_\_\_\_\_  
Galit Lipa, Esquire  
Public Defender Service for the District of Columbia  
Co-counsel for defendant Felicia Jones

Proffer of Facts

Had this case proceeded to trial, the government would have proven the following beyond a reasonable doubt.

Beginning at about 7 p.m., on October 20, 2011, defendant Felicia Jones and decedent Jodie Ward were together inside 1134 Eaton Road, S.E., Washington, D.C., a two-story row house that was the residence of the defendant at the time. The decedent was there as a guest. No one else was in the house.


At approximately 10:30 p.m., the decedent, who was high on PCP, began to violently ransack and damage the upstairs rooms. Shortly thereafter, there was a confrontation between the defendant and the decedent. During the confrontation the defendant stabbed in the decedent in the left ear with a kitchen knife. The stab wound was a substantial factor in the causing the decedent's death several minutes later.

At the time she stabbed the decedent, the defendant believed she was in danger of suffering serious bodily injury and also believed that stabbing the decedent was necessary to defend herself against this danger. However, both of these beliefs were unreasonable.

Defendant's Acknowledgment

I have read and discussed the government's proffer of facts with one or both of my attorneys, Janet Mitchell, Esquire, and Galit Lipa, Esquire. I agree and acknowledge by my signature that the proffer is true and correct.


date: 3.12.13

  
\_\_\_\_\_  
Felicia Jones, defendant


Attorneys' Acknowledgment

We have read each of the five pages constituting this plea agreement. We have fully reviewed and discussed the provisions of the agreement with our client, defendant Felicia Jones, and we are satisfied that our client understands all of its terms and conditions. These pages accurately and completely set forth the entire plea agreement. We concur with our client's decision to plead guilty.

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Janet Mitchell, Esquire  
Public Defender Service for the District of Columbia  
Counsel for defendant Felicia Jones

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