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THE COURT: KELLY, WOULD YOU CALL THE CASE?

DEPUTY CLERK: YES, YOUR HONOR. CRIMINAL ACTION NUMBER 5:19-CR-26-TBR, UNITED STATES OF AMERICA VS. WENDELL BERNARD GREEN. WE'RE HERE FOR A CHANGE OF PLEA HEARING BY VIDEO ZOOM, YOUR HONOR.

THE COURT: GOOD MORNING, EVERYONE. THIS IS AN UNUSUAL WAY FOR US TO DO THIS, BUT IN LIGHT OF WHAT'S BEEN GOING ON WITH THE COVID-19 VIRUS, IT IS VERY EFFICIENT AND I HOPE A HELPFUL WAY TO EVERYONE TO GIVE TIMELY PROCESS TO ALL THAT'S GOING ON.

WHO'S PRESENT ON BEHALF OF THE UNITED STATES?

PROSECUTOR: LEIGH ANN DYCUS, YOUR HONOR.

THE COURT: AND FOR MR. GREEN?

DEFENSE COUNSEL: LAURA WYROSDICK, SIR. GOOD MORNING.

THE COURT: GOOD MORNING. THIS IS A CHANGE OF PLEA HEARING, AND I HAVE BEEN PROVIDED A COPY OF THE PLEA AGREEMENTS IN THIS MATTER.

MS. WYROSDICK, HAVE YOU EXPLAINED YOUR CLIENT'S RIGHTS TO HIM?

DEFENSE COUNSEL: YES, SIR. AND I'VE ALSO GOTTEN MR. GREEN'S PERMISSION TO DO THE PLEA BY VIDEO ZOOM.

MR. GREEN, IS THAT CORRECT?

THE DEFENDANT: YES, MA'AM, CORRECT.

THE COURT: MR. GREEN, I'M GOING -- YOU'RE GOING TO HAVE -- I'M GOING TO BE ASKING YOU SOME QUESTIONS, AND YOU HAVE

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TO BE UNDER OATH TO ANSWER THOSE QUESTIONS. SO IF YOU'D RAISE YOUR RIGHT HAND AT THIS TIME, THE COURT REPORTER WILL ADMINISTER AN OATH.

(DEFENDANT SWORN.)

THE COURT: YOU MAY LOWER YOUR HAND. MR. GREEN, DO YOU UNDERSTAND THAT NOW THAT YOU'VE BEEN PLACED UNDER OATH THAT IF YOU DO NOT ANSWER MY QUESTIONS TRUTHFULLY, YOU COULD BE PROSECUTED FOR FALSE SWEARING?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: WOULD YOU TELL ME YOUR FULL NAME, PLEASE, SIR?

THE DEFENDANT: WENDELL BERNARD GREEN.

THE COURT: HOW OLD ARE YOU, MR. GREEN?

THE DEFENDANT: FIFTY-ONE.

THE COURT: HOW FAR DID YOU GO IN SCHOOL?

THE DEFENDANT: GRADUATED. COMPLETED 12TH.

THE COURT: WHERE DID YOU ATTEND HIGH SCHOOL?

THE DEFENDANT: GORDON H. GARRETT IN NORTH CHARLESTON, SOUTH CAROLINA.

THE COURT: WHAT TYPE OF WORK HAVE YOU DONE?

THE DEFENDANT: I WAS A FORKLIFT DRIVER FOR A FEW YEARS, AND THEN I WENT ON TO A WASTE MANAGEMENT COMPANY. AND THEN I DID A FEW OTHER ODD, YOU KNOW, PART-TIME JOBS, BUT MAINLY A FORKLIFT DRIVER. AND I RECENTLY OBTAINED MY LONGSHOREMEN'S LICENSE -- WELL, CARD TO WORK DOWN AT THE DOCKS IN CHARLESTON

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SOUTH CAROLINA.

THE COURT: ARE YOU ABLE TO READ, RIGHT, SPEAK, AND
UNDERSTAND THE ENGLISH LANGUAGE?

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ENGLISH LANGUAGE?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: ARE YOU NOW UNDER THE INFLUENCE OF ALCOHOL
OR DRUGS?

THE DEFENDANT: NO, YOUR HONOR.

THE COURT: HAVE YOU EVER BEEN TREATED FOR A MENTAL
DISEASE OR BEEN A PATIENT IN A MENTAL HOSPITAL?

THE DEFENDANT: NO, YOUR HONOR.

THE COURT: HAVE YOU CONSUMED ANY ALCOHOL OR DRUGS IN
THE LAST 24 HOURS?

THE DEFENDANT: NO, YOUR HONOR.

THE COURT: HAVE YOU BEEN TREATED FOR ADDICTION TO
DRUGS OR ALCOHOL?

THE DEFENDANT: NO, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND WHAT IS HAPPENING HERE
TODAY?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: WHAT IS YOUR UNDERSTANDING OF WHAT IS
HAPPENING TODAY?

THE DEFENDANT: MY UNDERSTANDING IS THAT I'VE
REACHED -- I'M CHANGING MY INITIAL PLEA OF NOT GUILTY TO GUILTY.

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THAT'S MY UNDERSTANDING.

THE COURT: MS. WYROSDICK, DO YOU HAVE ANY DOUBT AS TO YOUR CLIENT'S COMPETENCE TO ENTER A PLEA OF GUILTY TODAY?

DEFENSE COUNSEL: NO DOUBT AS TO HIS COMPETENCE. HE'S ALWAYS BEEN VERY INTELLIGENT IN HIS QUESTIONS AND HIS UNDERSTANDING OF THE CASE, SIR.

THE COURT: THE COURT FINDS THAT MR. GREEN IS COMPETENT TO PLEAD ON THE CRIME OF WHICH HE HAS BEEN ACCUSED.

HAVE YOU HAD AN AMPLE OPPORTUNITY TO DISCUSS THIS CASE WITH YOUR ATTORNEY?

THE DEFENDANT: YES, I HAVE, YOUR HONOR.

THE COURT: ARE YOU FULLY SATISFIED WITH THE ADVICE YOUR ATTORNEY THAT HAS GIVEN YOU?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THAT YOU HAVE THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT EVERY STAGE OF THESE PROCEEDINGS AGAINST YOU AND THAT IF YOU CAN'T AFFORD AN ATTORNEY, THE COURT WILL APPOINT AN ATTORNEY TO REPRESENT YOU FREE OF CHARGE?

THE DEFENDANT: YES, I DO, SIR.

THE COURT: DO YOU UNDERSTAND THAT YOU HAVE A RIGHT TO A TRIAL BY JURY BUT IF I ACCEPT YOUR PLEA OF GUILTY TODAY, THERE WILL BE NO JURY TRIAL?

THE DEFENDANT: YES, YOUR HONOR, I DO.

THE COURT: DO YOU UNDERSTAND IF THERE WAS A JURY

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TRIAL, YOU WOULD BE PRESUMED INNOCENT AND THAT THE GOVERNMENT WOULD HAVE THE BURDEN OF PROVING YOU GUILTY BEYOND A REASONABLE DOUBT?

THE DEFENDANT: YES, YOUR HONOR, I DO.

THE COURT: DO YOU UNDERSTAND IF THERE WAS A TRIAL, YOU WOULD BE PRESUMED INNOCENT AND THAT THE GOVERNMENT WOULD HAVE THE BURDEN OF PROVING YOU GUILTY BEYOND A REASONABLE DOUBT?

THE DEFENDANT: YES, I DO, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THAT IF THERE WAS A TRIAL, YOUR ATTORNEY COULD CROSS-EXAMINE ANY WITNESS CALLED BY THE UNITED STATES?

THE DEFENDANT: YES, I DO, YOUR HONOR.

THE COURT: DO YOU ALSO UNDERSTAND THAT YOUR ATTORNEY COULD SUBPOENA WITNESSES TO BE HERE AND COULD PRESENT YOUR SIDE OF THE CASE TO THE COURT AND TO THE JURY?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND IF THERE WAS A TRIAL, YOU WOULD HAVE THE RIGHT TO TESTIFY IF THAT'S WHAT YOU WANTED TO DO?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU ALSO UNDERSTAND THAT YOU WOULD HAVE THE RIGHT NOT TO TESTIFY?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THAT IF YOU ELECTED NOT TO TESTIFY, THE COURT WOULD INSTRUCT THE JURY THAT THEY COULD

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DRAW NO INFERENCE OF GUILT FROM THE FACT THAT YOU HAD NOT TESTIFIED?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THAT YOU HAVE THE RIGHT TO PLEAD NOT GUILTY AND THE RIGHT TO PERSIST IN THAT PLEA AND THAT YOU HAVE NO OBLIGATION TO PLEAD GUILTY TODAY UNLESS THAT IS WHAT YOU WANT TO DO?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: IF YOU DO PLEAD GUILTY TODAY, DO YOU UNDERSTAND THAT YOU WILL HAVE TO GIVE UP YOUR RIGHT NOT TO TESTIFY AGAINST YOURSELF SINCE I WILL ASK YOU TO TELL ME WHAT YOU DID THAT MAKES YOU GUILTY OF THE CHARGES AGAINST YOU?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: THE COURT FINDS THAT MR. GREEN UNDERSTANDS HIS CONSTITUTIONAL RIGHTS.

DO YOU WAIVE THOSE RIGHTS AT THIS TIME, MR. GREEN?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DEFENDANT HAS WAIVED HIS RIGHTS.

HAVE YOU RECEIVED A COPY OF THE INDICTMENT WHICH SETS FORTH THE CHARGES AGAINST YOU IN THIS CASE?

THE DEFENDANT: YES, I HAVE, SIR.

THE COURT: HAVE YOU REVIEWED THAT INDICTMENT?

THE DEFENDANT: YES, SIR. YES, I HAVE.

THE COURT: AND HAVE YOU DISCUSSED THAT INDICTMENT WITH YOUR ATTORNEY?

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THE DEFENDANT: YES, I HAVE, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THE CHARGES AGAINST YOU
IN THIS CASE?

THE DEFENDANT: I DO, SIR.

THE COURT: NEVERTHELESS, MS. DYCUS, WOULD YOU OUTLINE
THE CHARGES AGAINST THE DEFENDANT AS SET FORTH --

PROSECUTOR: I WILL, YOUR HONOR.

THE COURT: PARDON?

PROSECUTOR: I WILL, YOUR HONOR.

THE COURT: OKAY.

PROSECUTOR: IN THE INDICTMENT, MR. GREEN WAS CHARGED
PURSUANT TO TITLE 21, UNITED STATES CODE, SECTIONS 841(A)(1) AND
841(B)(1)(B)(VII). TODAY, HE WOULD BE PLEADING GUILTY TO AN
AMENDED -- A LESSER INCLUDED, AND THAT WOULD BE A VIOLATION OF
TITLE 21, UNITED STATES CODE, SECTION 841(A)(1) AND
841(B)(1)(C).

THE PENALTIES FOR THE CRIME FOR WHICH HE WILL PLEAD GUILTY
TODAY WOULD BE -- THERE IS NO MANDATORY MINIMUM. THE MAXIMUM
TERM OF IMPRISONMENT WOULD BE 20 YEARS, A MAXIMUM FINE OF
\$1 MILLION, AND A TERM OF SUPERVISED RELEASE OF NOT LESS THAN 3
YEARS, NO MORE THAN LIFE.

THE COURT: DID THE UNITED STATES ACCURATELY SET FORTH
THE CHARGES AGAINST YOUR CLIENT, MS. WYROSDICK?

DEFENSE COUNSEL: YES, SIR. THE AMENDED CHARGES THAT
HE'S PLEADING TO, YES, SIR.

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THE COURT: DO YOU UNDERSTAND THOSE AMENDED CHARGES TO WHICH YOU'RE PLEADING TO, MR. GREEN?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THAT IN ADDITION TO THE PUNISHMENT -- IMPRISONMENT YOU MAY BE SUBJECT TO, AS OUTLINED BY THE UNITED STATES, THAT IF YOU'RE PLACED ON SUPERVISED RELEASE AND VIOLATE A TERM OR CONDITION OF THAT SUPERVISED RELEASE, YOU COULD BE SENT BACK TO PRISON FOR THAT?

THE DEFENDANT: YES, I DO, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THE COURT WILL ASSESS A \$100 SPECIAL PENALTY ASSESSMENT IN THIS CASE, SOMETHING LIKE COURT COSTS? DO YOU UNDERSTAND THAT?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: ARE YOU PRESENTLY ON PROBATION OR PAROLE?

THE DEFENDANT: NO, SIR.

THE COURT: HAS ANYONE THREATENED YOU OR ANYONE CLOSE TO YOU OR FORCED YOU IN ANY WAY TO PLEAD GUILTY HERE TODAY?

THE DEFENDANT: NO, YOUR HONOR.

THE COURT: I'VE BEEN HANDED THESE WRITTEN PLEA AGREEMENTS IN THIS MATTER. AS I SAID A MOMENT AGO, HAVE YOU READ AND REVIEWED THESE WRITTEN PLEA AGREEMENTS?

THE DEFENDANT: YES, I HAVE, YOUR HONOR.

THE COURT: HAVE YOU DISCUSSED THEM WITH YOUR ATTORNEY?

THE DEFENDANT: YES, I HAVE, YOUR HONOR.

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THE COURT: DO YOU UNDERSTAND ALL THE TERMS AND CONDITIONS OF THESE WRITTEN PLEA AGREEMENTS?

THE DEFENDANT: YES, I DO, YOUR HONOR.

THE COURT: DO YOU AGREE WITH ALL THE TERMS AND CONDITIONS OF THESE WRITTEN PLEA AGREEMENTS?

THE DEFENDANT: YES, I DO, YOUR HONOR.

THE COURT: DID YOU VOLUNTARILY SIGN THESE WRITTEN PLEA AGREEMENTS?

THE DEFENDANT: NO, SIR, NOT VOLUNTARY. I WILLINGLY.

THE COURT: YOU WILLING -- DID YOU WILLINGLY SIGN THESE WRITTEN PLEA AGREEMENTS?

THE DEFENDANT: YES, SIR.

THE COURT: OKAY. NOW, WHAT'S THE DIFFERENCE BETWEEN VOLUNTARY AND WILLING TO YOU? I WANT TO MAKE SURE THAT YOU'RE DOING THIS ON YOUR OWN.

THE DEFENDANT: OKAY. VOLUNTARILY WOULD BE LIKE I'M REALLY NOT -- IT'S NOT ON MY OWN. WILLINGLY WOULD BE UPON MY OWN JUDGMENT, MY OWN UNDERSTANDING OF IT. VOLUNTARILY WOULD BE MORE OR LESS LIKE -- CERTAINLY NOT BEING FORCED, BUT KIND OF LIKE COERCED INTO DOING IT AND REALLY NOT REALLY WANTING TO DO IT BUT JUST VOLUNTARY.

DEFENSE COUNSEL: BUT NO ONE FORCED YOU, DID THEY, MR. GREEN?

THE DEFENDANT: NO, SIR -- I MEAN, NO, MA'AM, NOBODY DID.

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THE COURT: SO YOU HAVEN'T BEEN FORCED IN ANY WAY TO DO THIS, AND YOU'RE DOING THIS OF YOUR OWN WILL? IS THAT WHAT YOUR TELLING ME?

THE DEFENDANT: YES, YOUR HONOR, OF MY OWN WILL.

THE COURT: OKAY. THE UNITED STATES OUTLINE THE SUBSTANCE OF THE PLEA AGREEMENT, PLEASE.

PROSECUTOR: I WILL, YOUR HONOR.

THIS PLEA IS PURSUANT TO RULE 11(C)(1)(A) AND (B) OF THE FEDERAL RULES OF CRIMINAL PROCEDURE.

PARAGRAPH 1 OUTLINES THE CHARGES IN THE INDICTMENT, ALSO SETS FORTH A NOTICE OF FORFEITURE. THERE WERE FIVE CELLULAR PHONES AND \$55 IN UNITED STATES CURRENCY THAT WERE SEIZED.

PARAGRAPH 3 SETS FORTH THE AMENDED CHARGE -- AND, AGAIN, THAT'S A ONE-COUNT INDICTMENT -- SETS FORTH THE AMENDED CHARGE HE WOULD BE PLEADING GUILTY TO, TITLE 21, UNITED STATES CODE, SECTION 841(A)(1) AND 841(B)(1)(C).

WE'VE GONE OVER THE PENALTIES.

PARAGRAPH 8, MR. GREEN UNDERSTANDS THAT OUR OFFICE HAS AN OBLIGATION TO FULLY APPRISE THE DISTRICT COURT AND THE PROBATION OFFICE OF ALL FACTS PERTINENT TO THE SENTENCING PROCESS.

PARAGRAPH 9, WE AGREE THAT THERE IS NO RESTITUTION IN THIS CASE.

PARAGRAPH 10, HE ACKNOWLEDGES LIABILITY FOR A SPECIAL PENALTY ASSESSMENT IN THE AMOUNT OF \$100.

PARAGRAPH 11, AT THE TIME OF SENTENCING, THE UNITED STATES

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WILL AMEND COUNT 1 TO A VIOLATION OF TITLE 21, UNITED STATES CODE, SECTION 841(B)(1)(C); WE WOULD RECOMMEND A SENTENCE OF IMPRISONMENT AT THE LOWEST END OF THE APPLICABLE GUIDELINE RANGE; WE WOULD AGREE THAT A FINE AT THE LOWEST END OF THE GUIDELINE RANGE IS APPROPRIATE; HE WOULD GET THE FULL THREE-LEVEL REDUCTION FOR ACCEPTANCE OF RESPONSIBILITY; AND WE WOULD DEMAND FORFEITURE OF ALL OF THE ITEMS COVERED IN THE NOTICE OF FORFEITURE.

PARAGRAPH 13, MR. GREEN IS AWARE OF HIS RIGHT TO APPEAL HIS CONVICTION BUT GIVES UP THAT RIGHT UNLESS BASED ON CLAIMS OF INEFFECTIVE ASSISTANCE OF COUNSEL OR PROSECUTORIAL MISCONDUCT.

PARAGRAPH 14 OUTLINES ADDITIONAL FORFEITURE PROVISIONS, STATING THAT HE GIVES UP ANY INTEREST HE HAS IN THE FIVE CELL PHONES OR \$55 THAT WERE SEIZED.

PARAGRAPH 18, MR. GREEN AGREES NOT TO PURSUE OR INITIATE ANY CIVIL CLAIMS OR SUITS AGAINST THE UNITED STATES, ITS AGENCIES, OR EMPLOYEES, WHETHER OR NOT PRESENTLY KNOWN TO THE DEFENDANT, ARISING OUT OF THIS INVESTIGATION OR PROSECUTION OF THE OFFENSES COVERED BY THE AGREEMENT.

PARAGRAPH 22, IT IS UNDERSTOOD THAT PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 11(C)(1)(A) AND (C)(1)(B) THAT THE RECOMMENDATIONS OF THE UNITED STATES ARE NOT BINDING ON THE COURT. IN OTHER WORDS, THE COURT IS NOT BOUND BY THE SENTENCING RECOMMENDATION, AND MR. GREEN WOULD HAVE NO RIGHT TO WITHDRAW HIS GUILTY PLEA IF THE COURT DECIDED NOT TO ACCEPT THE

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RECOMMENDATIONS SET FORTH IN THIS AGREEMENT.

AND, YOUR HONOR, PARAGRAPH 24 STATES THAT THIS DOCUMENT AND
THE SUPPLEMENTAL PLEA AGREEMENT, WHICH DOES NOT CHANGE THE TERMS
OF THE AGREEMENT, ARE THE ONLY AGREEMENTS BETWEEN THE PARTIES.

THE COURT: MS. WYROSDICK, HAS THE UNITED STATES
ACCURATELY SET FORTH THE TERMS AND CONDITIONS OF THE PLEA
AGREEMENT AND THE PLEA SUPPLEMENT?

DEFENSE COUNSEL: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THOSE TERMS AND
CONDITIONS, MR. GREEN?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: HAVE ANY PROMISES BEEN MADE TO YOU TO
CAUSE YOU TO CHANGE YOUR PLEA OTHER THAN WHAT ARE STATED IN THE
WRITTEN PLEA AGREEMENTS?

THE DEFENDANT: NO, SIR.

THE COURT: HAVE YOU TALKED TO YOUR ATTORNEY ABOUT HOW
THE ADVISORY SENTENCING GUIDELINES MAY APPLY TO YOUR CASE?

THE DEFENDANT: YES, I HAVE, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THE COURT IS THE PARTY
THAT WILL DETERMINE WHAT YOUR ADVISORY SENTENCING GUIDELINES
SHOULD BE?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND UNDER SOME
CIRCUMSTANCES, THE COURT MAY IMPOSE A PENALTY THAT IS MORE
SEVERE OR LESS SEVERE THAN THE SENTENCE CALLED FOR BY THE

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ADVISORY SENTENCING GUIDELINES?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND THAT PAROLE HAS BEEN ABOLISHED AND IF YOU'RE SENTENCED TO PRISON, YOU WILL NOT BE RELEASED ON PAROLE?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND IF I DO NOT ACCEPT YOUR PLEA AGREEMENT AT THE TIME OF SENTENCING OR IF YOU RECEIVE A SENTENCE THAT IS MORE SEVERE THAN THAT WHICH YOU EXPECT, YOU'LL STILL BE BOUND BY YOUR PLEA AND HAVE NO RIGHT TO WITHDRAW IT?

THE DEFENDANT: YES, YOUR HONOR.

THE COURT: DO YOU UNDERSTAND NO ONE CAN MAKE A PROMISE THAT BINDS THE COURT?

THE DEFENDANT: I DO, YOUR HONOR.

THE COURT: MR. GREEN, IN PARAGRAPH 3 OF THE PLEA AGREEMENT, IT SETS FORTH A FACTUAL BASIS FOR YOUR PLEA. IT STARTS OFF BY SAYING, THE DEFENDANT WILL ENTER A VOLUNTARY PLEA OF GUILTY TO AN AMENDED COUNT 1 IN THIS CASE, A VIOLATION OF TITLE 21, UNITED STATES CODE, SECTION 841(A) (1) AND 841(B) (1) (C). DEFENDANT WILL PLEAD GUILTY BECAUSE HE IS, IN FACT, GUILTY OF THE CHARGE.

THE PARTIES AGREE TO THE FOLLOWING FACTUAL BASIS FOR HIS PLEA: ON OR ABOUT DECEMBER 3, 2018, IN THE WESTERN DISTRICT OF KENTUCKY, LYON COUNTY, KENTUCKY, WENDELL BERNARD GREEN KNOWINGLY AND INTENTIONALLY POSSESSED WITH INTENT TO DISTRIBUTE LESS THAN

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100 GRAMS OR MORE OF A MIXTURE OR SUBSTANCE CONTAINING A
DETECTABLE AMOUNT OF MARIJUANA.

IS ALL I READ THERE TRUE AND ACCURATE, SIR?

THE DEFENDANT: YES. IT'S ACCURATE, YOUR HONOR, YES.

THE COURT: AND DID YOU DO THE THINGS YOU SAID YOU DID
THERE?

THE DEFENDANT: YES, I DID, YOUR HONOR.

PROSECUTOR: YOUR HONOR, IF I MAY.

THE COURT: YES.

PROSECUTOR: IN THE FACTUAL BASIS, I THINK YOU READ
GRAMS. IT WAS LESS THAN 100 KILOGRAMS.

THE COURT: I'M SORRY. IT IS LESS THAN 100 KILOGRAMS.
IS THAT TRUE AND ACCURATE, SIR?

THE DEFENDANT: THAT'S TRUE AND ACCURATE, YOUR HONOR,
YES.

THE COURT: I MISTAKENLY SAID THAT A MOMENT AGO.
THANK YOU.

DEFENSE COUNSEL: AND JUST ONE MORE THING. IT SAYS
LESS THAN 100 KILOGRAMS OR MORE. IT WAS LESS THAN 100
KILOGRAMS.

PROSECUTOR: THAT'S CORRECT.

THE COURT: ALL RIGHT. SO "MORE" REALLY SHOULDN'T BE
THERE PROBABLY.

DEFENSE COUNSEL: YES, SIR.

PROSECUTOR: YES, SIR.

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THE COURT: DO YOU UNDERSTAND THAT, SIR?

THE DEFENDANT: YES, I DO, YOUR HONOR.

THE COURT: OKAY. ANYTHING FURTHER ON BEHALF OF THE UNITED STATES?

PROSECUTOR: NO, YOUR HONOR.

THE COURT: ON BEHALF OF THE DEFENDANT?

DEFENSE COUNSEL: NO. I'D JUST LIKE TO THANK THE COURT AND ALL THE COURT PERSONNEL FOR AGREEING TO DO THIS BY VIDEOCONFERENCE FOR MR. GREEN'S SAKE.

THE COURT: LET ME FINISH BY NOTING THAT IN THE CASE OF UNITED STATES OF AMERICA VS. WENDELL BERNARD GREEN, CRIMINAL ACTION NUMBER 5:19-CR-26, MR. GREEN, HOW DO YOU PLEAD AS TO COUNT 1 OF THE INDICTMENT IN THAT CASE?

THE DEFENDANT: I PLEAD GUILTY, YOUR HONOR.

THE COURT: EXCUSE ME. THE INDICTMENT AS AMENDED IN YOUR PLEA AGREEMENT, HOW DO YOU PLEAD?

THE DEFENDANT: I PLEAD GUILTY, YOUR HONOR.

THE COURT: THE COURT FINDS THAT THERE'S CLEARLY A FACTUAL BASIS FOR THE PLEA, THAT YOU UNDERSTAND YOUR CONSTITUTIONAL RIGHTS, THAT YOU UNDERSTAND THE CONSEQUENCES OF WAIVING YOUR CONSTITUTIONAL RIGHTS, AND THAT YOU'RE DOING THIS WILLINGLY AND VOLUNTARILY, AND THERE'S CLEARLY A FACTUAL BASIS FOR THE PLEA.

ANYTHING FURTHER ON BEHALF OF THE UNITED STATES?

PROSECUTOR: NO, YOUR HONOR. THANK YOU.

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THE COURT: ANYTHING FURTHER, MS. WYROSDICK?

DEFENSE COUNSEL: NO, SIR. THANK YOU.

THE COURT: THANK YOU ALL.

DEPUTY CLERK: SENTENCING DATE.

THE COURT: YES. WE'RE GOING TO DO THAT -- GIVE ME THAT DATE AGAIN, KELLY.

DEPUTY CLERK: AUGUST THE 19TH AT 10:30. IS THAT OKAY WITH EVERYONE'S SCHEDULE?

PROSECUTOR: YES.

DEPUTY CLERK: AUGUST THE 19TH AT 10:30?

PROSECUTOR: YES.

DEFENSE COUNSEL: YES.

THE COURT: AND WE'LL BE FILING THE PLEA AGREEMENT AND PLEA SUPPLEMENT; IS THAT CORRECT?

DEPUTY CLERK: YES, SIR.

THE COURT: ALL RIGHT. ANYTHING FURTHER?

PROSECUTOR: NO, YOUR HONOR.

THE COURT: ALL RIGHT.

DEFENSE COUNSEL: YOUR HONOR, MAY I ASK A QUESTION, SIR?

THE COURT: YES, MA'AM.

DEFENSE COUNSEL: ON THE 19TH, IS THAT GOING TO BE A VIDEO OR IN-PERSON IN PADUCAH?

THE COURT: IN AUGUST?

DEFENSE COUNSEL: YES, SIR.

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THE COURT: IT WILL PROBABLY BE IN PERSON, BUT IF --
QUITE FRANKLY, IF HE AGREES TO IT AND DOESN'T WANT IT TO BE IN
PERSON, WE CAN DO IT BY VIDEO ALSO, BUT HE HAS TO AGREE TO IT.

DEFENSE COUNSEL: THE ONLY REASON I'M SAYING THAT IS
BECAUSE ON THE 19TH, I ALSO HAVE VETERANS TREATMENT COURT, AND
THAT'S IN LOUISVILLE.

DEPUTY CLERK: WE CAN DO IT ON THE 20TH OR -- IF
MS. DYCUS CAN, WE CAN DO IT THE 18TH, THE 20TH --

DEFENSE COUNSEL: THE 20TH IS BETTER, PLEASE.

PROSECUTOR: THAT'S FINE.

DEPUTY CLERK: OKAY. THE 20TH AT 10:30.

DEFENSE COUNSEL: THANK YOU.

THE COURT: LIKE I SAID, WE'LL SCHEDULE IT FOR IN
PERSON. I THINK WE'LL BE -- I'M PRETTY SURE WE'RE GOING TO BE
DOING THOSE BEFORE THEN. BUT IF HE WANTS TO DO IT BY VIDEO, IF
HE AGREES TO THAT, WE CAN ALSO DO IT THAT WAY, LIKE WE DONE
TODAY.

DEFENSE COUNSEL: THANK YOU, SIR.

DEPUTY CLERK: I WILL PUT IT IN PERSON IN THE ORDER,
AND THEN AS WE GET CLOSER, WE CAN CHANGE IT, BECAUSE I HAVE TO
MAKE ALL THOSE ARRANGEMENTS.

THE COURT: ANYTHING ELSE BY ANYBODY?

DEFENSE COUNSEL: NO, SIR.

PROSECUTOR: NO, SIR.

THE COURT: THANK YOU ALL.

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