

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF MISSISSIPPI

3 UNITED STATES OF AMERICA . Docket No. 1:08CR003  
4 Plaintiff . Oxford, Mississippi  
5 v. . January 7, 2008  
6 JOSEPH C. LANGSTON . 1:23 p.m.  
7 Defendant .  
8 . . . . .

9  
10 WAIVER OF INDICTMENT/FILING OF INFORMATION  
11 PLEA OF GUILTY TO COUNT ONE OF THE INFORMATION  
12 BEFORE THE HONORABLE MICHAEL P. MILLS  
13 U.S. CHIEF DISTRICT JUDGE

14 APPEARANCES:

15 For the Plaintiff: United States Attorney's Office  
16 Northern District of Mississippi  
17 BY: DAVE SANDERS, ESQ.  
18 BY: ROBERT NORMAN, ESQ.  
19 BY: THOMAS DAWSON, ESQ.  
20 900 Jefferson Avenue  
21 Oxford, Mississippi 38655-3608

22 For the Defendant: ANTHONY FARESE, ESQ.  
23 STEVE FARESE, ESQ.  
24 Farese, Farese & Farese  
25 122 Church Street  
Post Office Box 98  
Ashland, Mississippi 38603-0098

26 Court Reporter: Rita Davis Sisk  
27 911 Jackson Avenue, Room 369  
28 Oxford, Mississippi 38865  
29 (662) 281-3027

30 Proceedings recorded by mechanical stenography, transcript  
31 produced by computer.

1 (DISCUSSION IN CHAMBERS)

2 THE COURT: All right. This is the matter of *United*  
3 *States of America v. Joseph C. Langston*. And I understand that  
4 we have a waiver of indictment and a filing of information  
5 today. There is no -- Tom, do I need to do --

6 MR. DAWSON: This is a copy of the -- or the original  
7 of the waiver I needed to pass to counsel.

8 THE COURT: All right. There is no cause number at  
9 this time, is there, Ms. Pennebaker?

10 THE CLERK: No, sir.

11 THE COURT: And what will that number be? Do you  
12 have a number?

13 THE CLERK: No, sir, not yet.

14 THE COURT: The number that's on here is 1:08CR. But  
15 we will give it a sealed number following these proceedings.  
16 Is that correct?

17 THE CLERK: Yes, sir.

18 THE COURT: All right. Who's here from the  
19 Government?

20 MR. DAWSON: Tom Dawson, Your Honor, First Assistant  
21 U.S. Attorney, and Bob Norman, Assistant United States  
22 Attorney, and David A. Sanders, Assistant United States  
23 Attorney.

24 THE COURT: All right. And for the defendant?

25 MR. ANTHONY FARESE: Tony Farese and Steve Farese

1 from Ashland, Mississippi, Your Honor.

2 THE COURT: All right. (Indicating.)

3 MR. LANGSTON: I'm Shane Langston.

4 THE COURT: Are you an attorney of record in this  
5 case?

6 MR. LANGSTON: No, sir.

7 THE COURT: All right. Hit the door.

8 MR. LANGSTON: All right.

9 THE COURT: Are you ready to plead your client?

10 MR. ANTHONY FARESE: I am, Your Honor.

11 THE COURT: Would you administer the oath.

12 THE CLERK: (Oath administered.)

13 THE DEFENDANT: I do.

14 THE CLERK: Thank you.

15 THE COURT: All right. Will you state your full  
16 name, please.

17 THE DEFENDANT: Joseph Cash Langston.

18 THE COURT: And I'm told, Mr. Langston, that you wish  
19 to plead guilty to a charge set forth in the information; is  
20 that correct?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Do you understand that you've not been  
23 indicted on this charge?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: And that means that a grand jury has not

1 heard any evidence and decided whether you should be brought to  
2 trial for this, and you have a right to have a grand jury to  
3 consider the evidence against you. Do you understand that?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: And the only thing that I know of that  
6 has happened is that a U.S. Attorney has signed an affidavit  
7 charging you with a crime. Do you understand that?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Has he signed a waiver?

10 MR. DAWSON: Yes, sir, he has.

11 THE COURT: All right. If you would, present it. Is  
12 this it?

13 MR. DAWSON: Yes, sir.

14 THE COURT: All right. Let that waiver be filed  
15 under seal.

16 MR. DAWSON: At this time, Your Honor, in view of the  
17 waiver, we would ask the Court for leave to file the  
18 information.

19 THE COURT: You may. Let it also be filed under  
20 seal.

21 All right, Mr. Langston, before accepting your plea, there  
22 are a number of questions that I must ask you. If you desire  
23 to consult with your attorney at any time, please let me know.  
24 Okay?

25 THE DEFENDANT: Yes, sir.

1           **THE COURT:** Do you understand that you're under oath  
2 and any answers to these questions are subject to the penalties  
3 of perjury, that is, making a false statement under oath if you  
4 do not answer them truthfully?

5           **THE DEFENDANT:** Yes, sir.

6           **THE COURT:** What is your full name?

7           **THE DEFENDANT:** Joseph Cash Langston.

8           **THE COURT:** How old are you?

9           **THE DEFENDANT:** I'm 50 years old.

10          **THE COURT:** How far did you go in school?

11          **THE DEFENDANT:** I have a juris doctorate degree.

12          **THE COURT:** Are you presently under the influence of  
13 any drugs, medicine, or alcohol?

14          **THE DEFENDANT:** No, sir.

15          **THE COURT:** Do you think you fully understand what is  
16 happening here today?

17          **THE DEFENDANT:** Yes, sir.

18          **THE COURT:** Mr. Farese, you have talked with your  
19 client both today and earlier, I presume. Is that correct?

20          **MR. ANTHONY FARESE:** That is correct, Your Honor.

21          **THE COURT:** Do you have any questions regarding his  
22 competency to enter a plea?

23          **MR. ANTHONY FARESE:** Absolutely not.

24          **THE COURT:** Does the Government have any questions as  
25 to his competency to enter a plea?

1           **MR. DAWSON:** We do not, Your Honor.

2           **THE COURT:** All right. I find this defendant is  
3 competent to enter a plea.

4           Have you had ample opportunity to discuss your case with  
5 your attorney?

6           **THE DEFENDANT:** Yes, sir.

7           **THE COURT:** Are you fully satisfied with your  
8 attorney's representation of you?

9           **THE DEFENDANT:** Yes, sir.

10          **THE COURT:** Do you believe that he has competently  
11 represented your best interests in this matter?

12          **THE DEFENDANT:** Yes, sir.

13          **THE COURT:** Do you understand that under the  
14 Constitution and laws of the United States you're entitled to a  
15 trial by jury?

16          **THE DEFENDANT:** Yes, sir.

17          **THE COURT:** Do you understand that at trial you would  
18 be presumed innocent and the Government would be required to  
19 prove you guilty beyond a reasonable doubt before you could be  
20 found guilty; and you would not be required to prove your  
21 innocence?

22          **THE DEFENDANT:** Yes, sir.

23          **THE COURT:** Do you further understand that in the  
24 course of the trial witnesses for the Government would have to  
25 come into Court and testify in your presence; your attorney

1 could cross-examine the witnesses for the Government; and he  
2 could also call other witnesses to testify on your behalf?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Are you aware that if you wished to  
5 testify yourself in your own defense you would have that right  
6 do so, but if you chose not to testify no inference or  
7 suggestion of guilt would be drawn by you so choosing?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: If you plead guilty here today and if I  
10 accept your plea, do you understand that you're going to waive  
11 your right to trial and the other rights that I just discussed  
12 with you?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: That means that there will not be a  
15 trial, and I will enter a judgment of guilty and sentence you  
16 on the basis of your guilty plea after considering the  
17 presentence report. Do you understand that?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Having discussed these rights with you,  
20 is it still your desire to plead guilty to this information?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Have you received a copy of the charge  
23 against you?

24 THE DEFENDANT: Yes, I have.

25 THE COURT: And you understand what you're charged

1 with?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: If I understand it, you're charged with  
4 on or about January of 2006 through March of 2007 of conspiring  
5 with Richard "Dickie" Scruggs, Steven A. Patterson, and others  
6 not named as defendants to commit offenses against the United  
7 States under Section 666(a)(2)(b) and Section 2 of Title 18 of  
8 the United States Code. Are you familiar with that?

9 THE DEFENDANT: Yes, I am.

10 THE COURT: And you understand that that's what  
11 you're charged with?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Before you could be found guilty of this  
14 charge, the Government would have to prove certain elements  
15 against you beyond a reasonable doubt. I'm going to ask the  
16 U.S. Attorney to read the elements into the record, please.

17 MR. DAWSON: May it please the Court, there are five  
18 elements to this crime. First, that the particular judge  
19 involved in the information was an agent of a subdivision of  
20 the judicial branch of the state government of Mississippi.  
21 Second, that during any one-year period specified in the  
22 information, the subdivision of the judicial branch of the  
23 state government of Mississippi received benefits in excess of  
24 \$10,000 under a federal program involving some sort of federal  
25 assistance.



1 Third, that during any such one-year period, the defendant  
2 offered, gave, or agreed to offer or give anything of value to  
3 a judicial agent of the state of Mississippi. Fourth, that by  
4 such offering, giving, or agreement to give something of value,  
5 the defendant intended to influence or reward the judicial  
6 agent in connection with a transaction or a series of  
7 transactions of the judicial branch of the state of  
8 Mississippi. Fifth, in doing so, the defendant acted  
9 corruptly.

10 THE COURT: All right. Thank you.

11 Do you have any questions about those elements?

12 THE DEFENDANT: No, sir.

13 THE COURT: Do you understand the maximum penalty  
14 that you could be sentenced to?

15 THE DEFENDANT: Yes, I do, Your Honor.

16 THE COURT: And I believe, if I understand it, it's  
17 not more than five years in the penitentiary, not more than  
18 three years' supervised release, not more than a \$250,000 fine;  
19 and a \$100 special assessment. Has that been explained to you?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: All right. Has anyone threatened you or  
22 forced you to plead guilty?

23 THE DEFENDANT: No, sir.

24 THE COURT: Has there been a plea agreement entered?

25 MR. DAWSON: There has, Your Honor.

1           **THE COURT:**    Would you state into the record the  
2 substance of the plea agreement, please?

3           **MR. DAWSON:**    Yes, sir.    The defendant agrees to waive  
4 indictment and plead guilty under oath to a one-count  
5 information which charges a conspiracy to corruptly influence  
6 an elected state official and which carries the maximum  
7 possibly penalty of five years' imprisonment, \$250,000 fine;  
8 three years supervised release; and a mandatory special  
9 assessment of \$100, all in violation of Title 18, United States  
10 Code, Section 371.

11           The parties agree that the sentence in this case shall not  
12 exceed three years.    This is an 11(c)(1)(C) provision.    In the  
13 event that the Court declines to accept the three-year cap, the  
14 parties ask only that the defendant be permitted to withdraw  
15 his plea.

16           The defendant agrees to cooperate with the United States  
17 Attorney and give truthful statements to any agents that are  
18 assigned by the United States Attorney to interview the  
19 defendant as to his -- all of his knowledge that he may have of  
20 other persons involved in any way in the offenses charged and  
21 all other criminal offenses in any way and to give full and  
22 truthful testimony before any state or any federal grand juries  
23 or trial juries before whom he's called.

24           The defendant understands that a false statement to a  
25 federal agent or a failure to testify truthfully would subject

1 him to prosecution for false statements or perjury. The United  
2 States Attorney reserves the right, in his sole discretion, to  
3 move the Court for a downward departure from the applicable  
4 guideline range or a Rule 35 reduction of sentence in the event  
5 the United States Attorney determines that the defendant's  
6 cooperation has risen to the level of substantial assistance.

7 As part of his cooperation, the defendant agrees to pay  
8 the \$100 assessment before sentencing. And the United States  
9 agrees not to charge the defendant with any other offenses  
10 related or unrelated as of the date of this agreement. The  
11 United States agrees not to seek forfeitures of the defendant's  
12 assets.

13 There is no agreement with regard to the sentence to be  
14 imposed, other than that which has been set forth in the  
15 11(c)(1)(C). And any -- the sentence, ultimately, is in the  
16 sole discretion of the Court, subject to the sentencing  
17 guidelines which have been explained to the defendant by his  
18 attorneys. Both parties reserve their right to speak at  
19 sentencing.

20 The defendant agrees, pursuant to Title 18, Section 3013,  
21 to pay the clerk the \$100 special assessment as I previously  
22 indicated. This agreement does not bind any other prosecuting  
23 authority of any state or other local federal district, nor  
24 does it bind the Attorney General of the United States with  
25 regard to any criminal or civil tax matters.

1           If the defendant violates this agreement, all statements  
2 made pursuant thereto would be admissible under Rule 410; and  
3 they waive the provisions of Rule 11(f). The defendant also,  
4 in that event, could be prosecuted for all federal crimes,  
5 including perjury and false statements relating to this plea  
6 agreement.

7           And finally, there are no agreements other than the four  
8 corners of this particular plea agreement.

9           THE COURT: All right. Mr. Langston, you've heard  
10 the prosecutor state his understanding of the agreement that  
11 you entered into with the Government. Did he accurately state  
12 it as you understand it to be?

13           THE DEFENDANT: Yes, sir.

14           THE COURT: And other than this agreement, has anyone  
15 made any promise as to what sentence you will receive?

16           THE DEFENDANT: No, sir.

17           THE COURT: And if I understand the agreement, the  
18 Government is agreeing to a 36-month cap; is that correct?

19           MR. DAWSON: That's correct, Your Honor.

20           THE COURT: And do you understand that, Mr. Langston?

21           THE DEFENDANT: Yes, sir.

22           THE COURT: And should I decide later not to accept  
23 that, I will allow you to withdraw this agreement. Do you  
24 understand that?

25           THE DEFENDANT: Yes, sir.

1           **THE COURT:** Now, I am concerned about other matters.  
2 As I understood -- you just presented the agreement. The  
3 Government is agreeing not to charge him with any other  
4 offenses related or unrelated as of the date of this agreement.  
5 And I guess that means today; is that correct?

6           **MR. DAWSON:** That's correct, Your Honor.

7           **THE COURT:** Is there a reason that you would give  
8 this defendant such an agreement?

9           **MR. DAWSON:** Your Honor, it is anticipated the  
10 defendant will be completely truthful and forthcoming about any  
11 knowledge of any other offenses of -- that he has committed or  
12 others. In that event, ordinarily, the matters that are  
13 brought forth by a defendant is not -- is generally not held  
14 against him for the purposes of sentencing in the sentencing  
15 guidelines. So to that extent, this particular provision is  
16 relatively standard with respect to plea agreements.

17           **THE COURT:** All right. Well, in this particular  
18 case, Mr. Langston, I'm going to accept that with the  
19 understanding that you are absolutely honest with the  
20 Government and that you report all the crimes. And if I get  
21 word back that you have not been cooperative pursuant to this  
22 agreement and fully reported all of your wrongdoing and that of  
23 others, then I'm going to withdraw this agreement. You  
24 understand that?

25           **THE DEFENDANT:** Yes, sir, I do.

1           **THE COURT:** You understand that, Mr. Dawson?

2           **MR. DAWSON:** Yes, sir.

3           **THE COURT:** Has anyone attempted in any way to force  
4 you to plead guilty?

5           **THE DEFENDANT:** No, sir.

6           **THE COURT:** Are you pleading guilty of your own free  
7 will because you are guilty?

8           **THE DEFENDANT:** Yes, sir.

9           **THE COURT:** Do you understand that the offense to  
10 which you're pleading guilty is a felony; and if your plea is  
11 accepted, you will be adjudged guilty of that offense and such  
12 adjudication may deprive you of valuable civil rights, such as  
13 the right to vote, the right to hold public office, the right  
14 to serve on a jury, and the right to possess any kind of  
15 firearm?

16           **THE DEFENDANT:** Yes, sir.

17           **THE COURT:** Under the Sentencing Reform Act of 1984,  
18 the United States Sentencing Commission has issued guidelines  
19 for judges to follow in determining the sentence in a criminal  
20 case. And those guidelines will be subject to this plea  
21 agreement that you've entered into. But have you and your  
22 attorneys talked about how the sentencing guidelines might  
23 apply to your case?

24           **THE DEFENDANT:** Yes, sir.

25           **THE COURT:** And do you understand that the Court will

1 not be able to determine the guideline sentence for your case  
2 until after the presentence report has been completed and you  
3 and the Government have had an opportunity to challenge the  
4 reported facts and the application of the guidelines  
5 recommended by the probation officer; and the sentence imposed  
6 may be different from any estimate your attorney may have given  
7 you?

8 **THE DEFENDANT:** Yes, sir.

9 **THE COURT:** Do you understand that after your  
10 guideline range has been determined, and, again, subject to  
11 your plea agreement, the Court has the authority in some  
12 circumstances to depart from the guidelines and impose a  
13 sentence that is more severe or less severe than the sentence  
14 called for by the guidelines?

15 **THE DEFENDANT:** Yes, sir.

16 **THE COURT:** Do you understand that parole has been  
17 abolished; and if you are sentenced to prison, you will not be  
18 released on parole?

19 **THE DEFENDANT:** Yes, sir.

20 **THE COURT:** Do you understand that under some  
21 circumstances you or the Government may have the right to  
22 appeal any sentence that I impose?

23 **THE DEFENDANT:** Yes, sir.

24 **THE COURT:** What is the Government's evidence against  
25 this defendant?

1           **MR. DAWSON:** May it please the Court, should this  
2 present action go to trial, the Government would prove by  
3 eyewitness testimony and documentary evidence that from on or  
4 about December 2005 and continuing to on or about March 2007  
5 Joseph C. Langston did knowingly and willfully conspire with  
6 Richard F. Scruggs, Steven A. Patterson, and others, both known  
7 and unknown, to commit offenses against the United States as  
8 follows: To corruptly give, offer, or agree to give anything  
9 of value to any person with the intent to influence or reward  
10 an agent of the state or local government in connection with a  
11 business transaction or a series of transactions of such  
12 government or agency involving anything of the value of \$5,000  
13 or more when such state or local government or agency received  
14 in any one-year period benefits in excess of \$10,000 under a  
15 federal program in violation of 666(a)(2)(b) and Section 2 of  
16 Title 18 of the United States Code.

17           Specifically, the Government would show that in December  
18 of 2005 Joseph C. Langston and Timothy R. Balducci began  
19 representing Richard F. Scruggs in litigation arising out of a  
20 dispute of attorneys' fees. In January of 2006, Langston and  
21 Balducci entered an appearance as attorneys for Richard F.  
22 Scruggs in the case of *Wilson v. Scruggs*, a lawsuit assigned to  
23 State Circuit Court Judge Robert "Bobby" DeLaughter.

24           At about that time, Langston, working with Balducci and  
25 Steven A. Patterson, contacted and retained the services of Ed



1 Peters, a close personal friend of Judge DeLaughter. For his  
2 services, Langston agreed to pay Peters \$50,000 in cash. After  
3 paying the \$50,000, the parties agreed that they would also  
4 divide any money over and above what Scruggs was willing to pay  
5 in the Wilson matter.

6 In the end, based on this reverse contingency fee, Peters  
7 received an additional \$950,000 for his services. After hiring  
8 Peters, Langston and Timothy R. Balducci and Steven A.  
9 Patterson were in regular contact either by phone or by  
10 facsimile concerning the case; and the three traveled regularly  
11 from the Northern District of Mississippi to Jackson,  
12 Mississippi, to meet with Peters in person to discuss issues  
13 concerning the Wilson litigation.

14 While Peters was not fully cognizant of the issues  
15 surrounding the litigation, he would relay whatever information  
16 he received from Langston, Balducci, and Patterson to Judge  
17 DeLaughter before any of this information was filed with the  
18 Court. In at least one instance, Judge DeLaughter e-mailed a  
19 rough draft of an opinion he planned to enter to Peters. And  
20 Langston and Balducci and Patterson would be able to see it  
21 before any filed -- final version was filed.

22 During the course of the litigation, Langston and Scruggs  
23 were also aware that Judge DeLaughter was interested in a  
24 position as a federal judge. Based on this knowledge, Scruggs  
25 told Langston to let the Judge know that if he ruled in his

1 favor he would pass his name along for consideration regarding  
2 the federal judgeship. Langston then informed Peters, who, in  
3 turn, passed the information along to Judge DeLaughter. The  
4 Government would further show that, in fact, DeLaughter's name  
5 was submitted for consideration for a federal judgeship, and  
6 DeLaughter was so notified.

7 Finally, the Government would show that the  
8 above-described criminal activities took place in the Northern  
9 Judicial District of Mississippi and that Hinds County Circuit  
10 Court is a state or local government or agency receiving in any  
11 one-year period in excess of \$10,000 under a federal program  
12 related to the judicial branch.

13 **THE COURT:** All right, Mr. Langston, you've heard the  
14 prosecutor state the evidence that he had to present against  
15 you on this particular charge. Did you do what he just stated?

16 **THE DEFENDANT:** Yes, Your Honor.

17 **THE COURT:** Well, I find that there is a factual  
18 basis for this defendant to plead guilty to this charge. Do  
19 you plead guilty or not guilty to Count 1 of this information?

20 **THE DEFENDANT:** Guilty, Your Honor.

21 **THE COURT:** It is the finding of the Court in the  
22 case of the *United States of America vs. Joseph C. Langston*  
23 that the defendant is fully competent and capable of entering  
24 an informed plea; that the defendant is aware of the nature of  
25 the charges and the consequences of the plea; and that the plea

1 of guilty is a knowing and voluntary plea supported by an  
2 independent basis in fact containing each of the essential  
3 elements of the offense.

4 Your plea is therefore accepted, and you are now adjudged  
5 guilty of that offense. I am going -- is there any reason not  
6 to allow him to be released on his own recognizance?

7 MR. DAWSON: No, Your Honor.

8 THE COURT: Has he made any threats to any other  
9 witnesses in any other pending cases?

10 MR. DAWSON: No, Your Honor, not that we're aware of.

11 THE COURT: I am going to require him to surrender  
12 his passport to the U.S. Probation Service. We have probation  
13 officers here who will want to meet with you shortly. Your  
14 travel will be restricted to the state of Mississippi while you  
15 remain out.

16 I am concerned about him continuing to practice law. Is  
17 there a -- he has now been found guilty of a felony. Have  
18 there been any plans made regarding your law practice?

19 THE DEFENDANT: Your Honor, my intentions are to --  
20 and this all came about this morning. My intentions are to, of  
21 course, meet with my law partners and to transfer all of my  
22 ownership in the firm to my law partners and interests in all  
23 files, contact our clients by letter and advise them I'm  
24 withdrawing from the practice of law and -- so other than  
25 administratively handling that piece of it, I will not be

1 practicing law, appearing in Court, consulting with clients,  
2 taking new cases, anything of that nature.

3 THE COURT: Well, can you have that done by the end  
4 of the week?

5 THE DEFENDANT: Yes, I can, Your Honor.

6 MR. ANTHONY FARESE: Yes, sir. And additionally,  
7 Your Honor, he'll be contacting the Mississippi State Bar and  
8 the DC Bar where he's licensed and submitting his resignation.

9 Is that correct?

10 THE DEFENDANT: That's correct.

11 THE COURT: All right. Well, let's do that  
12 immediately.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: And I want probation to take note of that  
15 because I don't want the appearance of a nonlawyer practicing.

16 MR. ANTHONY FARESE: Yes, sir.

17 THE COURT: And I realize that the bar is the one to  
18 take that action, and I'm not trying to take their place. But  
19 as far as what we understand here today --

20 THE DEFENDANT: Judge, I assure you that I will not  
21 be participating in the practice of law. But may I inquire of  
22 the Court -- I do intend to surrender my license voluntarily to  
23 both the Mississippi Bar and the DC Bar. It's my understanding  
24 that this matter will be under seal for some period of time.  
25 If I contact the bar before the seal is lifted, then that would

1 --

2 THE COURT: That was my concern. I want it  
3 understood that you're not going to be practicing law.

4 THE DEFENDANT: I assure you.

5 THE DEFENDANT: I'm going to leave it to you and your  
6 attorneys and the U.S. Attorneys as to when you actually submit  
7 it to the bar. And how long do you need this to remain under  
8 seal?

9 MR. DAWSON: Could I have just a moment, Your Honor?

10 THE COURT: Uh-huh (yes).

11 (AFTER OFF-THE-RECORD COMMENTS,

12 THE PROCEEDING CONTINUED AS FOLLOWS:)

13 MR. NORMAN: Could we --

14 THE COURT: You may. You can step outside if you  
15 wish.

16 MR. STEVE FARESE: Can he sit down, Your Honor?

17 THE COURT: Yeah, sit down.

18 (AFTER A SHORT BREAK, THE PROCEEDING CONTINUED)

19 MR. DAWSON: Your Honor, would Monday the 14th be  
20 sufficient, satisfactory to the Court?

21 THE COURT: That'll be fine. It'll remain under seal  
22 until Monday, January the 14th, unless there's a request that  
23 it be extended. But, you know, the public has the right to  
24 know these things. But I will do that, and I'll expect  
25 Mr. Langston to have all of his matters taken care of by then.

1 Now, I'm not going to ask them to -- is there anything from  
2 probation at this time?

3 MR. HOLMES: No, Your Honor.

4 THE COURT: Scotty, you can let him meet with  
5 probation first and then you take him back there, and let's not  
6 get into all that handcuff stuff if we can avoid it.

7 MR. HOLMES: That's fine.

8 THE COURT: Can you behave, Mr. Langston?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: All right. Is there anything further  
11 from either side?

12 MR. DAWSON: No, Your Honor.

13 MR. ANTHONY FARESE: No, sir.

14 THE COURT: Yes, sir?

15 THE DEFENDANT: I'm embarrassed and ashamed.

16 THE COURT: Yeah.

17 THE DEFENDANT: And I should be.

18 THE COURT: You've earned it.

19 THE DEFENDANT: Yes, sir, I have.

20 THE COURT: Court will be in recess.

21 (END OF DISCUSSION IN CHAMBERS AT 1:48 P.M.)  
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C E R T I F I C A T E

I, Rita Davis Sisk, RPR, BCR, CSR #1626, Official Court Reporter for the United States District Court, Northern District of Mississippi, was present in court during the foregoing matter and reported said proceedings stenographically.

I further certify that thereafter, I, Rita Davis Sisk, RPR, BCR, CSR #1626, have caused said stenographic notes to be transcribed via computer, and that the foregoing pages are a true and accurate transcription to the best of my ability.

Witness my hand, this \_\_\_\_ day of \_\_\_\_\_, 2008.

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RITA DAVIS SISK, RPR, BCR, CSR #1626  
Official Court Reporter