

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION**

UNITED STATES

v.

JAMES MATTHEW HANDLEY

Case 6:25-cr-103-ACA-JHE

AGREEMENT FOR PRETRIAL DIVERSION

It is alleged that the defendant, James Matthew Handley, committed offenses against the United States in violation of 18 U.S.C. § 242 and 18 U.S.C. § 1512, as further described in the indictment filed in this case.

On the authority of the Attorney General of the United States and Prim F. Escalona, United States Attorney for the Northern District of Alabama, prosecution in this district for these offenses shall be deferred for the period of twelve months from the date this agreement is signed, provided the defendant abides by the following conditions and the requirements of the pretrial diversion program (Program) as set out below.

Should the defendant violate the conditions of this supervision, the United States Attorney may revoke or modify any conditions of this Program. The United States Attorney may release the defendant from supervision at any time. At any time

within the period of the defendant's supervision, the United States Attorney may initiate prosecution for these offenses if the defendant violates the conditions of this supervision. If such prosecution occurs, the United States Attorney will furnish the defendant with notice specifying the conditions of the Program that he has violated.

If, upon completion of his period of supervision, a pretrial diversion report is received reflecting that the defendant has complied with all the rules, regulations, and conditions of this agreement as set forth herein, the indictment described on page 1 of this agreement will be dismissed with prejudice.

Neither this agreement nor any other document filed by or with the United States Attorney as a result of the defendant's participation in the Program will be used against the defendant, except for impeachment purposes, in connection with any prosecution for the above-described offenses.

CONDITIONS OF PRETRIAL DIVERSION

1. The defendant shall not violate any law (federal, state, and local). The defendant shall immediately contact his supervising U.S. Probation Officer if arrested or questioned by *any* law enforcement officer, whether state, federal, or local.

2. The defendant shall not travel outside the United States.

3. The defendant shall reside within the Northern District of Alabama unless his supervising U.S. Probation Officer approves a transfer.

4. The defendant shall notify his supervising U.S. Probation Officer of any change in residence.

5. The defendant shall immediately surrender his APOSTC certification permanently. The defendant agrees never to seek to hold a position in a law enforcement agency (local, state, or federal) other than an unsworn position serving as a courthouse security officer. The defendant agrees never to seek any law enforcement certification from any law enforcement agency or licensing authority.

6. The defendant shall not possess a firearm, destructive device, or other weapon, except that the defendant may be permitted to work in a job involving the use or sale of firearms with the prior permission of his supervising U.S. Probation Officer.

7. The defendant shall not use or unlawfully possess a narcotic drug or other controlled substance as defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

8. The defendant shall comply with all direction from his supervising U.S. Probation Officer. ***It shall be a material breach of this agreement for the defendant to fail to follow the direction of his supervising U.S. Probation Officer.***


DEFENDANT'S ACKNOWLEDGMENT

I assert and acknowledge that I am aware that the Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial. I also am aware that Rule 48(b) of the Federal Rules of Criminal Procedure provides that the Court may dismiss an indictment, information, or complaint for unnecessary delay in presenting a charge to the grand jury, filing an information, or in bringing a defendant to trial. I also am aware of my rights under the Speedy Trial Act, codified at 18 U.S.C. § 3161, *et seq.*

With knowledge of all of these rights, I hereby request that the United States defer any prosecution of me for violations of 18 U.S.C. § 242 and 18 U.S.C. § 1512, for a period of twelve months, and, to induce the United States to defer such prosecution, I agree and consent that any delay from the date of this agreement to the date of the initiation of the prosecution, as provided for in the terms expressed herein, shall be deemed a necessary delay at my request, and I waive any defense to such prosecution on the ground that such delay operated to deny my rights to a speedy trial under Rule 48(b) of the Federal Rules of Criminal Procedure, the Sixth Amendment to the Constitution of the United States, and the Speedy Trial Act, during the twelve-month period that this agreement contemplates.

I hereby state that this entire seven-page agreement (including the immediately preceding waiver) has been read and explained to me. I understand the conditions of my pretrial diversion and agree that I will comply with them. Furthermore, I understand the consequences of failure to so comply.

1-27-26
DATE


JAMES MATTHEW HANDLEY
Defendant

COUNSEL'S ACKNOWLEDGMENT

I have discussed this case with my client in detail and have advised him of his rights, all possible defenses, and all possible avenues to resolve the charges against him. My client has conveyed to me that he understands this agreement and consents to all its terms. I believe the agreement set forth herein is appropriate under the facts of this case and is in accordance with my best judgment. I concur in the entry of this Agreement as indicated above and on the terms and conditions set forth herein.

1/27/26
DATE


WILLIAM C. ATHANAS
Defendant's Counsel

UNITED STATES' ACKNOWLEDGMENT

I have reviewed this matter and concur that the disposition set forth herein is appropriate and in the interests of justice.

PRIM F. ESCALONA
United States Attorney

1/28/26
DATE

Allison Garnett
ALLISON GARNETT
Assistant United States Attorney

1/28/26
DATE

John B. Ward
JOHN B. WARD
Assistant United States Attorney

HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division

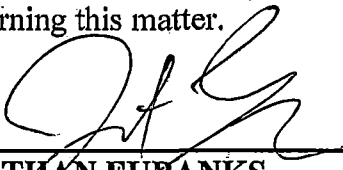
1/28/28
DATE

Mark Blumberg by /jzw
MARK BLUMBERG
Special Legal Counsel
Civil Rights Division

PRETRIAL DIVERSION SUPERVISOR'S ACKNOWLEDGMENT

I have reviewed this matter and agree that the United States Probation Office for the Northern District of Alabama will supervise the defendant in accordance herewith. I further agree that the United States Probation Office will provide to the United States Attorney any necessary reports concerning this matter.

1/28/26
DATE


JONATHAN EUBANKS
United States Probation Officer and
Pretrial Diversion Supervisor