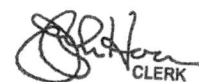


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

FILED

MAR 31 2017


CLERK

UNITED STATES OF AMERICA,

CR 17-10006-CBK

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

JEREMY KRIS BROWN,

Defendant.

The Defendant states that the following facts are true, and the parties agree that they establish a factual basis for the offense(s) to which the Defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3):

Beginning in or about December 2015, and continuing through January 1, 2016, in the District of South Dakota and elsewhere, Defendants Jeremy Kris Brown, Jordan Anthony Rondell, Lito Banbilla Bolocon, and Fern Gill, and others known and unknown to the Grand Jury, did knowingly and willfully conspire and agree together and with each other to commit the offense of Theft by an Employee of a Gaming Establishment on Indian Land, in violation of 18 U.S.C. § 1168. Defendants unlawfully conspired to embezzle, abstract, purloin, willfully misapply, and take and carry away with intent to steal, moneys, funds, assets, and other property of the Dakota Sioux Casino, in excess of \$1,000. Defendants acted for the purpose of enriching themselves, and knew of the unlawful purpose of the conspiracy when they participated in it.

[2]

The Dakota Sioux Casino ("DSC") is a gaming establishment located approximately five miles north of Watertown, in Codington County, State and District of South Dakota. The DSC is also located on the Lake Traverse Indian Reservation and is operated by the Sisseton Wahpeton Oyate Sioux Tribe. Pursuant to an ordinance or resolution, the activity of the DSC is approved by the National Indian Gaming Commission. Defendant Jeremy Kris Brown worked as a blackjack dealer and part-time pit boss at the DSC. Defendant Jordan Anthony Rondell was a customer at the DSC. Rondell frequently played blackjack at the DSC. Defendant Lito Banbilla Bolocon worked at the DSC as a pit boss. The pit boss supervises the black jack gaming area. Defendant Fern Freya Gill worked as a blackjack dealer.

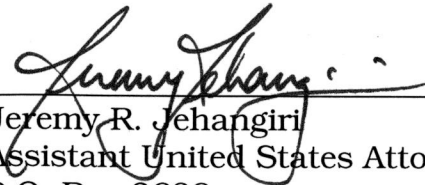
In December 2015, Defendants devised a plan to cheat the DSC of monies derived during the gambling operations taking place on New Year's Eve 2015 and into January 1, 2016. The agreement was for Rondell to unlawfully make a large sum of money from illegitimate winnings paid by Brown and Gill, and Rondell would then pay-off the other defendants for their participation. As part of the cheat, Rondell would play blackjack while Brown and Gill were working as blackjack dealers. Throughout the night and early morning, Rondell played blackjack for extensive periods of time at the tables where either Brown or Gill were dealing. Brown and Gill agreed to pay Rondell for losing and pushed (or tied) hands. Rondell cashed-out several thousands of dollars from the DSC after playing at Brown's and Gill's respective blackjack tables. On several occasions,

[3]


Rondell played three hands at a time, gambling the maximum allowable bet at the DSC, which was \$100 per hand. Bolocon, as pit boss during that night and early morning, would oversee Brown's and Gill's dealing to Rondell. Bolocon knew about the cheat and allowed the cheat to proceed throughout the night of December 31, 2015, and early morning of January 1, 2016. As part of the agreement, Brown, Bolocon, and Gill expected Rondell to provide a share of the money he unlawfully obtained as a result of the cheating conspiracy against the DSC.

RANDOLPH J. SEILER
United States Attorney


4/2/17
Date


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3-30-17
Date


Jeremy Kris Brown
Defendant

3-30-17
Date


Joshua K. Finer
Attorney for Defendant