

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 17-50100-JLV

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

CHARLES LEO CUMMINGS,

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):

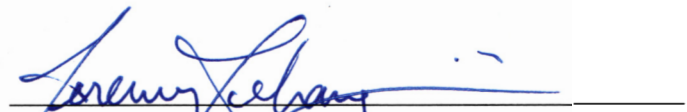
Between on or about between December 28, 2015, and January 18, 2016, in the District of South Dakota, the defendant, Charles Leo Cummings, did willfully and knowingly embezzle, steal, misapply, and convert to his own use less than \$1,000 of monies, funds, credits, goods, assets, and other property belonging to the Oglala Sioux Tribe. The Oglala Sioux Tribe is an Indian Tribal Organization. Cummings's actions were in violation of 18 U.S.C. § 1163.

Specifically, Defendant Charles Leo Cummings, the former Vice-Chair of the LaCreek District Board, received two \$1,250 checks drawn from the Oglala Sioux Tribe's general fund. The money was provided to Defendant for his purchase of food and other items that would be served and used for a district New Year's party. Instead of purchasing the food and goods, Defendant cashed


the checks and used the money for his own expenses. While Defendant admitted to spending the money on himself and his family, and subsequently agreed to repay the money, Defendant made no repayments. The tribe never forgave his debt.

RANDOLPH J. SEILER
United States Attorney

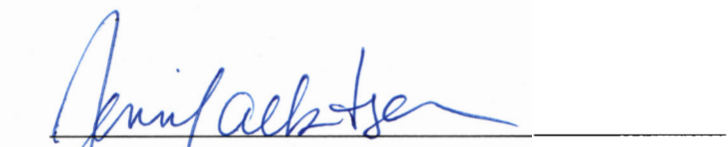
7/19/17
Date


Jeremy R. Jehangiri
Assistant United States Attorney
P.O. Box 2638
Sioux Falls, SD 57101-2638
Telephone: (605)357-2353
Facsimile: (605)330-4410
E-Mail: Jeremy.Jehangiri@usdoj.gov

July 13, 2017
Date


Charles Leo Cummings
Defendant

7.13.17
Date


Attorney for Defendant