The J Group's
EDLA SENTENCING NEWSLETTER

WEEK OF
OCT 12 TO OCT 18

OCTOBER 22, 2025 ISSUE

Defendant Organization, Wire Fraud, and Reentry...

.... see what happened this past week in the Eastern District of Louisiana

CASE SPOTLIGHT

United States v. Eagle Ship Management, LLC
25-cr-0138

What's the Basis?: The Factual Basis states the Defendant Organization, Eagle Ship Management, LLC ("ESM") discharged oily bilge water, illegally, into U.S. waters. ESM's actions were reported to the U.S. Coast Guard by a whistleblower, who was aboard the Company's vessel, the *Gannet Bulker*, at the time of the incident. ESM has since acknowledged that certain officers and crew members of their Vessel engaged in acts of obstruction of justice to conceal their actions. The Company further admitted that the amount of oily water discharged overboard was no less than 39 cubic meters (approximately 10,303 gallons). ESM failed to notify the Coast Guard and neglected to record the incident in their Oil Record Book, as required by the applicable regulations.

What's the Violation?: ESM pled guilty to Enforcement - Criminal Penalties, in violation of ***33 U.S.C. § 1908; 18 U.S.C. § 2(b); 33 C.F.R. §§ 151.10(b) and 151.25.***

What's the Punishment?: Judge Susie Morgan sentenced ESM to **4 years of probation and a fine of $1,750,000.00.**

This Week's Other Matters

U.S. v. Lemus-Martinez, 24-cr-013

Charge: Reentry of a Removed Alien
(8 U.S.C. § 1326)
Sentence: **TIME SERVED**
Judge: Honorable Brandon S. Long

U.S. v. Munteanu, 24-cr-242

Charge: Conspiracy to Commit Wire Fraud
(18 U.S.C. §§ 1343, 1349)
Sentence: **46 months of imprisonment** and 3 years of supervised release.
Judge: Honorable Barry W. Ashe

WHAT'S THAT STATUTE?

CLICK ON THE LINKS BELOW FOR MORE DETAILS ON THE VIOLATIONS INCLUDED IN THIS WEEKS' EDITION

- 8 U.S.C. § 1326
- 18 U.S.C. § 2
- 18 U.S.C. § 1343
- 18 U.S.C. § 1349
- 33 C.F.R. § 151.10
- 33 C.F.R. § 151.25
- 33 U.S.C. § 1908

650 Poydras Street, Suite 2430
New Orleans, LA 70130
504-285-3872

U.S. v. Lipps, 19-cr-141

Violation of Standard and Special Conditions of Supervised Release: *Failing to Report to U.S. Probation Office and Failing to Pay Court Ordered Restitution*
Sentence: **3 months of imprisonment** total for the violations. 24 months of supervised release.
Judge: Susan Morgan

U.S. v. Pierce, 20-cr-038

Violation of Mandatory, Standard, and Special Conditions of Supervised Release: *Testing Positive for Controlled Substances on 4 (four) Occasions; Failure to Notify P.O. of Change in Address; Failing to Perform Community Service; Failing to Make Restitution Payments; Failing to Pay Mandatory Special Assessment; Failing to Submit a Urine Sample.*
Sentence: **12 months of imprisonment** total for the violations.
Judge: Susan Morgan

Did You Know?

The prosecution of organizations - as opposed to culpable individuals within them - is relatively rare. In 2024, out of the 61,678 reported federal cases, only 80 (approximately 0.0013%) were related to organizations. When organizations are prosecuted, the goal, according to the Sentencing Guidelines, is to impose sanctions on the organization and their agents. The combined punishment is intended to provide "adequate deterrence, and incentives for organizations to maintain internal mechanisms for preventing, detecting, and reporting criminal conduct."

According to a report issued by the United States Sentencing Commission, organizations seldom proceed to trial in federal criminal matters. An overwhelming 98.8% of all federally sentenced organizations resulted from guilty pleas. The most common offenses were those related to environmental violations. And, while it is not necessary for an individual to be charged with an organization, 58.8% of the cases involving an organization were accompanied by a related indictment of an individual.

Some of the largest and most recent cases involving defendant organizations include:

- ***U.S. v. Credit Suisse*** - Credit Suisse AG pleaded guilty to conspiring to aid and assist U.S. taxpayers in filing false income tax returns and other documents with the IRS. Under the plea agreement, Credit Suisse agreed to pay a $2.6 billion dollar fine.

- ***U.S. v. Glencore*** - Glencore pleaded guilty and agreed to pay approximately $700 million in fines related to a decade-long scheme to bribe foreign officials in various countries. The company also agreed to pay approximately $485 million in penalties for manipulate oil prices.

- ***U.S. v. Balfour Beatty Communities*** - Balfour Beatty Communities ("BBC") pleaded guilty to engaging in a scheme to defraud the military by falsely claiming to perform maintenance that was never completed. As part of the plea agreement, BBC agreed to pay $65.4 million in fines.

Psalms 69:33 - ***For the Lord hears the poor, And does not despise His prisoners.***

**Heed His word and pray for the detained,
incarcerated, and less fortunate among us.**

The J Group, LLC
650 Poydras Street, Suite 2430
New Orleans, LA 70130
www.attorneyjameswashington.com * 504-285-3872