

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA
OKLAHOMA CITY DIVISION

UNITED STATES OF AMERICA

v.

TIMOTHY KLOTZ

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No. **CR-12-160M**

FACTUAL RESUME

Defendant Timothy Klotz, the defendant's attorney Michael S. Johnson, and the United States of America (the government), agree that the following accurately states the elements of the offense and the facts relevant to the offense to which the defendant is pleading guilty:

Count One Elements:

In order for Klotz to be convicted at trial of embezzlement of public money in excess of \$1,000, in violation of 18 U.S.C. § 641, the United States would have to prove each of the following essential elements of the offense beyond a reasonable doubt:

First: That the property described in the information, \$43,190 in United States currency, belonged to the United States government;

Second: That the defendant embezzled the \$43,190 in United States currency with the intent to put it to his own use; and

Third: The value of the \$43,190 in United States currency was in excess of \$1,000 at the time alleged.

FACTS:

1. Since on or about December 8, 1996, Timothy Klotz was employed as a Special Agent of the Federal Bureau of Investigation (FBI) which is an agency within the United States Department of Justice.
2. By virtue of his employment, the United States entrusted Timothy Klotz at times with money from a Confidential Human Source (CHS) fund which is used to develop information about criminal activities. Each time that Timothy Klotz was entrusted with CHS fund money, he was required to subsequently sign and file a CHS payment receipt to verify that the money had been delivered to its intended recipient. Each CHS payment receipt also required the signature of a second special agent as a witness who had accompanied Timothy Klotz to deliver the funds and could affirm that the funds were delivered to the intended confidential human source.
3. From on or about October 17, 2007, through on or about December 16, 2011, in the Western District of Oklahoma, Timothy Klotz engaged in a scheme and artifice to embezzle and convert a total of \$43,190 from the CHS fund by submitting 66 false CHS payment receipts in which he forged the signature of at least one of seven special agents of either the FBI or the Air Force Office of Special Investigations.
4. On one specific occasion, Timothy Klotz received \$1,200 in United States currency from the CHS fund for which he later submitted a forged CHS receipt dated July 2, 2008, that bore the forged signature of FBI Special Agent J.F.

5. Every time that Timothy Klotz embezzled money from the CHS fund, he knew that the money was not his and that it belonged to the United States. On each occasion, Timothy Klotz took the money from the location where he received it to another location of his choosing with the intent to deprive the United States of the use or benefit of the money and with the intent to put the money to his own use or gain.
6. Timothy Klotz understands and agrees that as of the date of his plea agreement, the government can readily prove a loss amount of \$43,190 resulting from his embezzlement of the CHS fund and that he could reasonably foresee that loss amount.
7. Timothy Klotz further understands and agrees that as of the date of his plea agreement, the government can readily prove that he owes restitution to the FBI in the amount of \$43,190 as a result of his embezzlement from the CHS fund.

Thus agreed to,

Walt M. Junker, Special Attorney & AUSA

Date

Walt M. Junker
May 29, 2012

I have read (or had read to me) this Factual Resume and have carefully reviewed every part of it with my attorney. I fully understand it and I swear that the facts contained herein are true and correct.

TIMOTHY KLOTZ, Defendant

Date

T. Klotz
5/17/12

I am the defendant's counsel. I have carefully reviewed every part of this Factual Resume with my client. To my knowledge and belief, my client's decision to execute this Factual Resume is an informed and voluntary one.

MICHAEL S. JOHNSON, Defendant's Attorney

Date

Michael S. Johnson
17 MAY 2012