

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO. 5:16cr3-RH

ABIGAIL LEE KEMP
Defendant,

STATEMENT OF FACTS FOR GUILTY PLEA

In support of the Plea Agreement in this case, the United States would prove the following facts at trial beyond a reasonable doubt:

Between on or about April 28, 2015, and February 12, 2016, Co-Defendants Lewis Jones III ("Jones"), Larry Bernard Gilmore ("L. Gilmore"), and Michael Bernard Gilmore ("M. Gilmore") recruited Defendant Abigail Lee Kemp ("Kemp") to assist them in carrying out armed robberies of various jewelry stores throughout the Southeast United States. The four agreed to commit armed robberies of jewelry stores. During the timeframe of the conspiracy, Jones, M. Gilmore, and L. Gilmore trained Kemp on how to rob the jewelry stores and what items to steal. More specifically, Jones, M. Gilmore, and L. Gilmore instructed Kemp on the proper way to manipulate a handgun, how to act when in a store, how to secure the store employees with zip ties, and what code words to use when

July 11, 2016

communicating with them during the robberies. Jones, M. Gilmore, and L. Gilmore provided the items Kemp needed to carry out the robberies, including her disguises and/or clothes, the zip ties, latex gloves, a firearm (on some occasions) and bags in which to place the stolen jewelry. Jones, M. Gilmore, and L. Gilmore were often, if not always, armed with firearms while traveling to and from the robberies and during the robberies.

Woodstock, Georgia, Robbery:

On or about April 28, 2015, Kemp, Jones, M. Gilmore, and L. Gilmore traveled from the Atlanta, Georgia area to Woodstock, Georgia, with the intent of robbing a jewelry store. Kemp, followed shortly by Jones, entered the Jared Vault Store #4210, located at 915 Ridgewalk Parkway, Suite 500, Woodstock, Georgia, and both walked around the store looking at various items. After some time, Jones displayed a loaded, black and silver handgun and had Kemp lay down on the floor of the store. Jones ordered the store employees to the back of the store, forced them to the floor of a restroom, and zip-tied their hands. Jones returned to the showcase area of the store and stole approximately \$857,484.61 worth of jewelry from the display cases while Kemp acted as a "lookout." M. Gilmore and L. Gilmore remained in the vicinity outside of the store, acting as "lookouts."

Subsequent to the robbery, Jones, M. Gilmore, and L. Gilmore made multiple trips to the Miami, Florida area where they exchanged the stolen jewelry for cash. Kemp was eventually paid for her role in the robbery.

Dawsonville, Georgia, Robbery:

On or about August 5, 2015, Kemp, Jones, M. Gilmore, and L. Gilmore traveled from the Atlanta, Georgia area to Dawsonville, Georgia, with the intent of robbing a jewelry store. Kemp entered the Zales Outlet Store #2714, located at 800 GA-400 #960, Dawsonville, Georgia, and displayed a loaded, black and silver handgun. She ordered the store employees to the back of the store, forced them to kneel or lay face down, and zip-tied their hands. Kemp began stealing various items from the display cases but left when a customer entered the store. The items stolen by Kemp were valued at approximately \$13,254. Jones, M. Gilmore, and L. Gilmore remained in the vicinity outside of the store, acting as “lookouts” for Kemp. Subsequent to the robbery, Kemp provided the stolen jewelry to her co-Defendants.

Panama City Beach, Florida, Robbery:

On or about August 10, 2015, Kemp, Jones, M. Gilmore, and L. Gilmore traveled from the Atlanta, Georgia area to Panama City Beach, Florida, with the intent of robbing a jewelry store.

On or about August 11, 2015, at approximately 10:10 a.m. CST, Kemp entered Reeds Jewelers Store #154, located in Pier Park at 15601 Starfish Street #110, Panama City Beach, Florida, and displayed a loaded, black and silver handgun. At gunpoint, Kemp ordered the two store employees to the store's restroom, made them kneel or lay face down on the floor, and zip-tied their hands behind their backs. Jones removed the front door stop and closed the front door of the business. Kemp then locked the front door and proceeded to steal approximately \$679,319.96 worth of jewelry from the display cases. Jones, M. Gilmore, and L. Gilmore remained in the vicinity outside of the store, acting as "lookouts" for Kemp. Subsequent to the robbery, Kemp provided the stolen jewelry to her co-Defendants. Kemp used a cellular telephone connected to an earpiece to communicate with her co-Defendants during the robbery.

Following the Panama City Beach robbery, Jones, M. Gilmore, and L. Gilmore travelled to the Miami, Florida area where they exchanged the stolen jewelry from the Dawsonville and Panama City Beach robberies for cash. Kemp was eventually paid for her role in the robberies.

Bluffton, South Carolina Robbery:

On or about September 2, 2015, Kemp, Jones, M. Gilmore, and L. Gilmore traveled from the Atlanta, Georgia area to Bluffton, South Carolina, with the intent

of robbing a jewelry store. Kemp entered Jared Vault Store #4091, located at 1414 Fording Island Road, Bluffton, South Carolina, displayed a loaded, black and silver handgun, ordered the store employees to a back room in the store, forced them to lay or kneel face down, and zip-tied their hands. Kemp then stole approximately \$927,438.99 worth of jewelry. Jones, M. Gilmore, and L. Gilmore remained in the vicinity outside of the store, acting as “lookouts” for Kemp. Subsequent to the robbery, Kemp provided the stolen jewelry to her co-Defendants. Kemp used a cellular telephone connected to an earpiece to communicate with her co-Defendants during the robbery.

Following the robbery, Jones, M. Gilmore, and L. Gilmore travelled to the Miami, Florida area where they exchanged the stolen jewelry for cash. Kemp was eventually paid for her role in the robbery.

Sevierville, Tennessee, Robbery:

On or about October 15, 2015, Kemp, Jones, M. Gilmore, and L. Gilmore traveled from the Atlanta, Georgia area to the Sevierville, Tennessee area with the intent of robbing a jewelry store.

On or about October 16, 2015, Kemp entered the Jared Vault Store #4073, located at the Tanger Outlet at Five Oaks, 1645 Parkway, Sevierville, Tennessee. She removed a loaded, black firearm from her purse and ordered two employees to

the back room where she forced them to lay or kneel face down on the floor and zip-tied their hands behind their backs. Kemp returned to the showroom, locked the front door, and proceeded to steal approximately \$893,550.11 worth of jewelry. Jones, M. Gilmore, and L. Gilmore remained in the vicinity outside of the store, acting as “lookouts” for Kemp. Subsequent to the robbery, Kemp provided the stolen jewelry to her co-Defendants.

Following the robbery, Jones, M. Gilmore, and L. Gilmore travelled to the Miami, Florida area where they exchanged the stolen jewelry for cash. Kemp was eventually paid for her role in the robbery.

Macon, Georgia, Robbery Attempt:

On or about December 30, 2015, Kemp, Jones, M. Gilmore, and L. Gilmore travelled from the Atlanta, Georgia area to Macon, Georgia, with the intent to rob a jewelry store. Armed with a loaded handgun, Kemp entered Reed’s Jewelry Store #153 at The Shoppes at River Crossing, located at 5080 Riverside Drive, Suite 112, Macon, Georgia, shortly after the store opened for business. Jones, M. Gilmore, and L. Gilmore remained in the vicinity outside of the store, acting as “lookouts” for Kemp. While in the store, a UPS driver entered the store to make his morning delivery. Kemp became concerned that she had been recognized by a store employee and left without committing a robbery.

Mebane, North Carolina, Robbery:

On or about January 4, 2016, Kemp, Jones, M. Gilmore, and L. Gilmore travelled from the Atlanta, Georgia area to Mebane, North Carolina, with the intent to rob a jewelry store. While en route to Mebane, the group stopped at a Walmart store where co-Defendant L. Gilmore purchased a ski band and gloves for Kemp to wear as a disguise during the planned robbery. Shortly after Jared Vault Store #4198 opened for the day, Kemp entered the store wearing the ski band and gloves, displayed a loaded, black handgun, ordered the employees into a back room, forced them to lay or kneel face down, and zip-tied their hands behind their backs. She then stole approximately \$938,601.80 worth of jewelry and fled in an unknown direction on foot. Subsequent to the robbery, Kemp provided the stolen jewelry to her co-Defendants.

Following the robbery, Jones, M. Gilmore, and L. Gilmore travelled to the Miami, Florida, area where they exchanged the stolen jewelry for cash.

During the aforementioned robberies, at least one of the victims suffered some degree of bodily injury as a result of the robberies. Furthermore, each of the robberies involved the brandishing and use of a loaded firearm, as well as an implied threat of death and bodily injury.

Each of the jewelry stores involved in the robberies set forth above are engaged in interstate commerce through their product suppliers, customer base, and banking transactions. Accordingly, the theft of merchandise from each jewelry store obstructed, delayed, or affected interstate commerce.

NOTICE OF ELEMENTS

Count 1 – Conspiracy to Interfere with Commerce by Robbery (18 U.S.C. § 1951)

No Eleventh Circuit Pattern Jury Instruction

The Defendant can be found guilty only if all the following facts are proved beyond a reasonable doubt:

- (1) two or more people in some way agreed to try to accomplish a shared and unlawful plan to interfere with commerce by threats or violence;
- (2) the Defendant, knew the unlawful purpose of the plan and willfully joined in it; and
- (3) the object of the unlawful plan was to interfere with commerce by threats or violence.

Count 3 – Interference with Commerce by Threats or Violence (18 U.S.C. § 1951)

Pattern Jury Instruction No. 70.3

The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt.

- (1) the Defendant knowingly acquired someone else's personal property;

- (2) the Defendant took the property against the victim's will, by using actual or threatened force, or violence, or causing the victim to fear harm, either immediately or in the future; and
- (3) the Defendant's actions obstructed, delayed, or affected interstate commerce.

Counts 2 and 4 – Use/Brandishing of a Firearm during a Crime of Violence
(18 U.S.C. § 924(c))

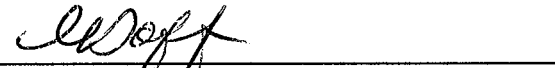
Pattern Jury Instruction No. 35.2

The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt.

- (1) the Defendant committed the crime of violence charged in counts one and three of the indictment;
- (2) the Defendant knowingly used a firearm; and
- (3) the Defendant used the firearm “in relation to” a violent crime.

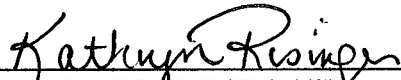

ABIGAIL LEE KEMP
Defendant

7/5/16
Date


MICHELLE DAFFIN
Attorney for Defendant

7/5/16
Date

CHRISTOPHER P. CANOVA
United States Attorney


KATHRYN RISINGER
Assistant United States Attorney
Texas Bar No: 24046723
30 West Government St.
Panama City, FL 32401-2758
(850)785-3495

7/11/16
Date