

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA           \*       CRIMINAL NO: 12-137  
VERSUS                                   \*       SECTION: B"(3)  
SHANETTE R. KENNARD               \*       VIOLATION: 18 U.S.C. § 641  
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**FACTUAL BASIS**

The defendant, **SHANETTE R. KENNARD** (hereinafter referred to as defendant or KENNARD), has agreed to plead guilty as charged to the single count bill of information charging the defendant with theft of government funds in violation of Title 18, United States Code, Section 641.

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the bill of information now pending against the defendant.

An employee of the Federal Emergency Management Agency (FEMA) would testify that FEMA was an agency and department within the

Department of Homeland Security for the United States government in 2008 and 2009. In response to Hurricane Gustav which occurred on September 1, 2008, FEMA provided assistance to victims of the disaster. In order to be eligible for FEMA assistance based on housing needs, the applicant must show the damaged dwelling was the applicant's primary residency at the time of the disaster.

On or about September 24, 2008, the defendant applied for FEMA disaster assistance as a result of Hurricane Gustav causing damage in St. James Parish, State of Louisiana.

Records of FEMA will demonstrate on or about September 24, 2008, the defendant submitted an application for disaster assistance to FEMA stating her address, at the time of the storm, was 9143 Highway 44 in Convent, Louisiana located in St. James Parish. In her application she stated she owned the mobile home at the time of the storm and it was her primary residency. As a result of her statements, FEMA paid to the defendant on or about October 1, 2008, a United States Treasury check bearing number 2221 85861990 paid to the order of the defendant in the amount of \$28,800 for disaster assistance as a result of Hurricane Gustav. Evidence will show the defendant cashed this check.

Documents from the St. James Parish Assessor's Office will demonstrate that the defendant was not the owner of the mobile home at the time of Hurricane Gustav damaged that area. Specifically,

an act of donation, dated September 29, 2008, would demonstrate the trailer was donated to her by one Deborah Ann Richard approximately one month after Hurricane Gustav went through that area.

Utility records for St. James Parish indicated that no utilities were on at 9143 Highway 44, Convent, Louisiana, on September 1, 2008.

A copy of the Louisiana Driver's License for the defendant would indicate her address was 2136 Pebble Beach Drive, LaPlace, Louisiana.

On October 6, 2011, Special Agent Justin Smith of the Office of Inspector General, U.S. Department of Homeland Security, interviewed the defendant at her home located at 2136 Pebble Beach Drive, LaPlace, Louisiana. At that time, the defendant provided a voluntary oral as well as written confession in which she stated she was not the owner of the trailer at the time of Hurricane Gustav, it was not her primary residency at that time though she had intended to move into it and had put some furniture and clothing in the trailer when the hurricane hit that area. She stated she did not become the owner of the trailer until approximately a month later. She confirmed there were no utilities on at the time and she was not living in the trailer on September 1, 2008. Additionally, she confirmed she did receive

FEMA funds in the amount of \$28,800 as a result of her false and fraudulent application to FEMA.

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MARVIN OPOTOWSKY                      Date  
Assistant United States Attorney  
LA Bar Roll No. 10221

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SHANETTE R. KENNARD                  Date  
Defendant

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GEORGE CHANEY                        Date  
Assistant Federal Public Defender  
Counsel for Defendant  
LA Bar Roll No. 22215