

1 ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

FILED

Jul 13 2023

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,) CASE NO. 4:23-cr-00213-HSG
12 Plaintiff,)
13 v.) VIOLATIONS:
14 NAKIE NUNLEY,) 18 U.S.C. § 2243(b) – Sexual Abuse of a Ward;
15 Defendant.) 18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact;
16) 18 U.S.C. § 1001(a)(2) – False Statements to a
17) Government Agency
18) OAKLAND VENUE

18 INFORMATION

19 The United States Attorney charges:

20 Introductory Allegations

- 21 1. The Federal Correctional Institution, Dublin (“FCI Dublin”) was a federal prison in
22 Alameda County, California, within the Northern District of California.
- 23 2. The defendant NAKIE NUNLEY was employed at FCI Dublin as a correctional officer.
- 24 3. Y.Y. was a female inmate at FCI Dublin, who was serving a prison sentence.
- 25 4. C.W. was a female inmate at FCI Dublin, who was serving a prison sentence.
- 26 5. J.M. was a female inmate at FCI Dublin, who was serving a prison sentence.
- 27 6. T.H. was a female inmate at FCI Dublin, who was serving a prison sentence.
- 28 7. A.A. was a female inmate at FCI Dublin, who was serving a prison sentence.

1 COUNT ONE: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

2 8. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
3 forth here.

4 9. On or about April 20, 2021, in the Northern District of California, the defendant,
5 NAKIE NUNLEY,
6 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with Y.Y., a person who was
7 in official detention and under the custodial, supervisory, and disciplinary authority of the defendant,
8 when he penetrated Y.Y.’s vulva with his penis and caused contact between her mouth and his penis, in
9 violation of 18 U.S.C. § 2243(b).

10 COUNT TWO: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

11 10. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
12 forth here.

13 11. On a date between in or about May 2021 and in or about June 2021 in the Northern
14 District of California, the defendant,
15 NAKE NUNLEY,
16 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.W., a person who was
17 in official detention and under the custodial, supervisory, and disciplinary authority of the defendant,
18 when he digitally penetrated C.W.’s genital opening in an office at UNICOR, in violation of 18 U.S.C.
19 § 2243(b).

20 COUNT THREE: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

21 12. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
22 forth here.

23 13. On a date between in or about June 2021 and in or about July 2021 in the Northern
24 District of California, the defendant,
25 NAKIE NUNLEY,
26 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.W., a person who was
27 in official detention and under the custodial, supervisory, and disciplinary authority of the defendant,
28 when he digitally penetrated C.W.’s genital opening in an office at UNICOR, in violation of 18 U.S.C.

1 § 2243(b).

2 COUNT FOUR: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

3 14. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
4 forth here.

5 15. On a date in or about July 2021 in the Northern District of California, the defendant,
6 NAKIE NUNLEY,
7 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.W., a person who was
8 in official detention and under the custodial, supervisory, and disciplinary authority of the defendant,
9 when he digitally penetrated C.W.’s genital opening in an office at UNICOR, in violation of 18 U.S.C.
10 § 2243(b).

11 COUNT FIVE: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

12 16. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
13 forth here.

14 17. On a date between in or about May 2020 and in or about September 2020 in the Northern
15 District of California, the defendant,
16 NAKIE NUNLEY,
17 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with J.M., a person who
18 was in official detention and under the custodial, supervisory, and disciplinary authority of the
19 defendant, when he touched J.M.’s breast in violation of 18 U.S.C. § 2244(a)(4).

20 COUNT SIX: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

21 18. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
22 forth here.

23 19. On a date between in or about May 2020 and in or about September 2020 in the Northern
24 District of California, the defendant,
25 NAKIE NUNLEY,
26 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with J.M., a person who
27 was in official detention and under the custodial, supervisory, and disciplinary authority of the
28 defendant, when he touched J.M.’s buttocks, in violation of 18 U.S.C. § 2244(a)(4).

1 COUNT SEVEN: (18 U.S.C. § 2224(a)(4) – Abusive Sexual Contact)

2 20. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
3 forth here.

4 21. On a date between in or about March 2020 and in or about November 2021 in the
5 Northern District of California, the defendant,

6 NAKIE NUNLEY,

7 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with T.H., a person who
8 was in official detention and under the custodial, supervisory, and disciplinary authority of the
9 defendant, when he touched T.H.’s buttocks, in violation of 18 U.S.C. § 2244(a)(4).

10 COUNT EIGHT: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

11 22. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
12 forth here.

13 23. On a date in or about August 2021 in the Northern District of California, the defendant,

14 NAKIE NUNLEY,

15 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with A.A. a person who was
16 in official detention and under the custodial, supervisory, and disciplinary authority of the defendant,
17 when he touched A.A.’s buttocks at UNICOR, in violation of 18 U.S.C. § 2244(a)(4).

18 COUNT NINE: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

19 24. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
20 forth here.

21 25. On a date between in or about August 2021 and in or about November 2021, in the
22 Northern District of California, the defendant,

23 NAKIE NUNLEY,

24 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with A.A., a person who
25 was in official detention and under the custodial, supervisory, and disciplinary authority of the
26 defendant, when he touched A.A.’s buttocks in an office at UNICOR, in violation of 18 U.S.C.
27 § 2244(a)(4).

28 //

1 COUNT TEN: (18 U.S.C. § 1001(a)(2) – False Statements to a Government Agency)

2 26. Paragraphs 1 through 7 of this Information are re-alleged and incorporated as if fully set
3 forth here.

4 27. On or about March 22, 2022, in the Northern District of California, the defendant,
5 NAKIE NUNLEY,
6 did willfully and knowingly make materially false, fictitious, and fraudulent statements and
7 representations in a matter within the jurisdiction of the executive branch of the Government of the
8 United States, by stating that he had never had sexual contact with Y.Y. or any other inmate, and that he
9 had never exchanged sexually explicit notes with Y.Y. These statements and representations were false
10 because, as NUNLEY then and there knew, he had engaged in sexual contact with Y.Y. and multiple
11 other inmates and he had written multiple sexually explicit notes to Y.Y.

12 It is further alleged that this offense involved offenses under Chapter 109A.

13 All in violation of Title 18, United States Code, Section 1001(a)(2).
14

15 DATED: July 13, 2023

ISMAIL J. RAMSEY
United States Attorney

17 /s/ Molly K. Priedeman
18 MOLLY K. PRIEDEMAN
19 ANDREW PAULSON
20 Assistant United States Attorneys
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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OAKLAND

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. Nakie Nunley

CASE NUMBER:

CR 4:23-cr-00213-HSG

Is This Case Under Seal?

Yes No

Total Number of Defendants:

1 2-7 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No

Venue (Per Crim. L.R. 18-1):

SF OAK SJ

Is this a potential high-cost case?

Yes No

Is any defendant charged with a death-penalty-eligible crime?

Yes No

Is this a RICO Act gang case?

Yes No

**Assigned AUSA
(Lead Attorney):** Molly K. Priedeman

Date Submitted: 7/13/2023

Comments:

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 2243(b) - Sexual Abuse of a Ward Petty
18 U.S.C. § 2244(a)(4) - Abusive Sexual Contact Minor
18 U.S.C. § 1001(a)(2) - False Statements to a Government Agency Misdemeanor
 Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DEFENDANT - U.S.

▶ Nakie Nunley

DISTRICT COURT NUMBER
4:23-cr-00213-HSG

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:
 U.S. ATTORNEY DEFENSE } SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant } MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under }

Name and Office of Person Furnishing Information on this form ISMAIL J. RAMSEY

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Molly K. Priedeman

DEFENDANT

IS NOT IN CUSTODY

1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges ▶

2) Is a Fugitive

3) Is on Bail or Release f

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Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

IS IN CUSTODY

4) On this charge

5) On another conviction

} Federal State

6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

} If "Yes" give date filed

DATE OF ARREST ▶ Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶ Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

Maximum Penalties

18 U.S.C. § 2243(b) – Sexual Abuse of a Ward (Counts One, Two, Three, Four)

15 years imprisonment

\$250,000 fine

Restitution

Maximum Supervised Release Term: Life

Minimum Supervised Release term: 5 years

Mandatory Special Assessment: \$100 per felony count plus \$5,000 pursuant to 18 U.S.C. § 3014

18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact (Counts Five, Six, Seven, Eight, Nine)

2 years imprisonment

\$250,000 fine

Restitution

Maximum Supervised Release Term: Life

Minimum Supervised Release term: 5 years

Mandatory Special Assessment: \$100 per felony count plus \$5,000 pursuant to 18 U.S.C. § 3014

18 U.S.C. § 1001(a)(2) – False Statements to a Government Agency (Count Ten)

8 years imprisonment

\$250,000 fine

Restitution

Maximum Supervised Release Term: 3 years

Mandatory Special Assessment: \$100 per felony count