

FOR IMMEDIATE RELEASE

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SECOND SUPERSEDING INDICTMENT
ADDS ADDITIONAL ALLEGATIONS OF PUBLIC CORRUPTION

TALLAHASSEE, FLORIDA – A federal grand jury has returned a nine-count superseding indictment, unsealed today, against John Thomas Burnette, 42, of Tallahassee, Florida.

United States Attorney Lawrence Keefe of the Northern District of Florida, Assistant Attorney General Brian A. Benczkowski of the Justice Department's Criminal Division, and Special Agent in Charge Rachel Rojas of the FBI's Jacksonville Field Office made the announcement.

In December 2018, a federal grand jury charged Tallahassee City Commissioner Scott Maddox and Paige Carter-Smith in a forty-four count indictment for conspiring to operate a racketeering enterprise that engaged in acts of bank fraud, extortion, honest-services fraud and bribery. That indictment also charged Maddox and Carter-Smith with substantive counts of bank fraud, false statements to financial institutions, extortion, honest-services fraud, use of interstate facilities to facilitate bribery, false statements to federal officers, conspiracy to interfere with the lawful function of the IRS, and filing false tax returns.

In May 2019, the grand jury returned a forty-seven count superseding indictment adding Burnette as a defendant and charging him with participating in the racketeering conspiracy and extortion, honest services mail fraud, the use of facilities in interstate commerce to facilitate bribery, and making false statements to federal officers. Maddox and Carter-Smith subsequently pleaded guilty to two counts of honest-services fraud and one count of conspiring to interfere with the lawful function of the IRS. The Government agreed at sentencing to dismiss other charges filed against Maddox and Carter-Smith in that first superseding indictment.

The grand jury returned a nine-count second superseding indictment against Burnette only. The charges in the first superseding indictment to which Maddox and Carter-Smith pleaded guilty are undisturbed by the return of the second superseding indictment against Burnette. The second superseding indictment does not include any new counts against Burnette; the nine counts from the first superseding indictment are renumbered Counts One through Nine.

However, the second superseding indictment alleges additional acts of racketeering conspiracy. Specifically, the second superseding indictment alleges that, in early 2014, Burnette caused a

company to pay \$110,000 in exchange for Maddox declaring a conflict and not voting at a Tallahassee City Commission meeting. At that meeting, the Commission was slated to vote on an extension sought by a hotel development group to allow more time to meet certain City requirements to build a hotel close to a downtown hotel owned by Burnette. Maddox's failure to participate resulted in a 2-2 tie vote by the Commission that denied the hotel development group the extension it sought and ended its project

Burnette has waived arraignment on the second superseding indictment. The trial of this case is scheduled for November 4, 2019.

The investigation was conducted by the Federal Bureau of Investigation and the Internal Revenue Service – Criminal Investigation. The case is being prosecuted by Assistant U.S. Attorneys Stephen M. Kunz, Gary K. Milligan, and Andrew J. Grogan of the Northern District of Florida's Public Trust Unit, and Trial Attorneys Simon J. Cataldo, Peter M. Nothstein, and Rosaleen O'Gara of the Department of Justice, Criminal Division's Public Integrity Section.

The maximum terms of imprisonment for the offenses are as follows:

- 20 years: Racketeering Conspiracy, Extortion, and Honest Services Fraud
- 5 years: Use of Interstate Facilities in Furtherance of Bribery, Making False Statements to a Federal Officer

An indictment is merely an allegation by a grand jury that a defendant has committed a violation of federal criminal law and is not evidence of guilt. All defendants are presumed innocent and entitled to a fair trial, during which it will be the government's burden to prove guilt beyond a reasonable doubt.

The United States Attorney's Office for the Northern District of Florida is one of 94 offices that serve as the nation's principal litigators under the direction of the Attorney General. To access public court documents online, please visit the [U.S. District Court for the Northern District of Florida](http://www.usdoj.gov/ndof) website. For more information about the United States Attorney's Office, Northern District of Florida, visit <http://www.justice.gov/usao/fln/index.html>.

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