

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

SAMUEL B. KENT

Defendant.

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CRIMINAL NO. 4:08CR0596-RV

FACTUAL BASIS FOR PLEA

The United States of America, by and through its undersigned attorneys within the United States Department of Justice, Criminal Division, Public Integrity Section, and the defendant, SAMUEL B. KENT, personally and through his undersigned counsel, hereby stipulate to the following facts pursuant to United States Sentencing Guideline § 6A1.1 and Rule 32(c)(1) of the Federal Rules of Criminal Procedure:

INTRODUCTION

At all times relevant hereto:

1. Defendant SAMUEL B. KENT was a United States District Judge in the Southern District of Texas. From 1990 to 2008, defendant KENT was assigned to the Galveston Division of the Southern District, and his chambers and courtroom were located in the United States Post Office and Courthouse in Galveston, Texas.
2. Person A was an employee of the Office of the Clerk of Court for the Southern District of Texas, and served as a Deputy Clerk in the Galveston Division assigned to defendant KENT's courtroom.
3. Person B was an employee of the United States District Court for the Southern District of Texas, and served as the secretary to defendant KENT.

4. In August 2003 and March 2007, the defendant engaged in non-consensual sexual contact with Person A without her permission.
5. From 2004 through at least 2005, the defendant engaged in non-consensual sexual contact with Person B without her permission.


OBSTRUCTION OF JUSTICE

6. On or about May 21, 2007, Person A filed a judicial misconduct complaint with the United States Court of Appeals for the Fifth Circuit (“Fifth Circuit”). In response, the Judicial Council of the Fifth Circuit appointed a Special Investigative Committee to investigate Person A’s complaint.
7. On or about June 8, 2008, at defendant KENT’s request and upon notice from the Special Investigative Committee, defendant KENT appeared before the Committee.
8. As part of its investigation, the Committee and the Judicial Council sought to learn from defendant KENT and others whether defendant KENT had engaged in unwanted sexual contact with Person A and individuals other than Person A.
9. On June 8, 2007, in Houston, Texas, the defendant appeared before the Special Investigative Committee of the Fifth Circuit.
10. The defendant falsely testified regarding his unwanted sexual contact with Person B by stating to the Committee that the extent of his non-consensual contact with Person B was one kiss, when in fact and as he knew the defendant had engaged in repeated non-consensual sexual contact with Person B without her permission.
11. The defendant also falsely testified regarding his unwanted sexual contact with Person B


by stating to the Committee that when told by Person B that his advances were unwelcome, no further contact occurred, when in fact and as he knew the defendant continued his non-consensual contacts even after she asked him to stop.

All in violation of Title 18, United States Code, Section 1512(c)(2).

FOR THE DEFENDANT



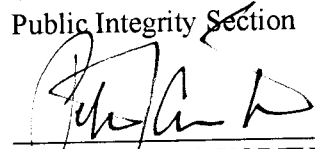
SAMUEL B. KENT
Defendant



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FOR THE UNITED STATES

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