

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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|--------------------------|---|-------------|
| UNITED STATES OF AMERICA | : | |
| | : | |
| v. | : | 1:18CR123-1 |
| | : | |
| ABBY WILKINS LOCKLEAR | : | |

FACTUAL BASIS

NOW COMES the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11, Fed. R. Crim. P., states as follows:

The United States Postal Service is “an independent establishment of the executive branch of the Government of the United States.” As such, it is “an independent agency of the United States” for purposes of 18 U.S.C. § 208(a).

Defendant Abby Wilkins Locklear became an employee of the Postal Service in 1994. In 2005, Locklear became Postmaster of the Wagram Post Office, which is located in Scotland County, in the Middle District of North Carolina. As Postmaster, Locklear had authority to enter into certain contracts for the Wagram Post Office. For example, Locklear had authority to hire a local company or individual to provide cleaning services for the post office, up to certain dollar limits. Unlike larger postal contracts, which are

negotiated and drafted by contracting officials and authorized prior to the start date, local cleaning contracts are negotiated by the Postmaster and documented on a one-page form, which is sent to an accounting service center for payment processing.

All Postal Service employees are given ethics training when hired, and are required to complete ethics training periodically thereafter. This training covers financial conflicts of interest, including conduct falling under 18 U.S.C. § 208. The training makes it clear that Postal Service employees cannot take any action in their official capacity that affects a financial interest of themselves or certain family members, including spouses. Postal Service records show that Locklear completed this training most recently on July 17, 2016.

On or about October 1, 2016, Locklear, in her capacity as Postmaster, awarded a local cleaning services contract for the Wagram Post Office to her husband, Gregg Locklear. The contract was for \$200 every two weeks for one year, beginning October 8, 2016.

The Postal Service form documenting the contract, which was signed by Locklear and her husband, was sent to the Postal Service's accounting service center. Observing that the last names of the Postmaster and the contract cleaner were the same, the processing clerk at the service center sent two

emails to Locklear reminding Locklear that she could not hire a family member. Locklear ignored these warnings and submitted a form so that her husband would be paid by the Postal Service. Locklear's husband was paid \$2,916.69 under the contract before it was terminated in April 2017.

On May 31, 2017, Special Agent Art Stevens of the U.S. Postal Service Office of Inspector General, conducted a consensual, non-custodial interview of Locklear at the Wagram Post Office. Agent Stevens advised Locklear of her "Garrity" rights at the beginning of the interview. Locklear admitted she had awarded the cleaning contract to her husband despite knowing that Postal Service regulations forbade her from awarding a contract to a family member.

This the 16th day of May, 2018.

Respectfully submitted,

MATTHEW G.T. MARTIN
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CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2018, the foregoing was electronically
filed with the Clerk of the Court using the CM/ECF system to notify:

Kevin M. Marcilliat,
Counsel for Defendant

Respectfully submitted,

MATTHEW G.T. MARTIN
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