

PRESS RELEASE

Former Department of Justice Prosecutor and Dallas Defense Attorney Charged with an Unauthorized Disposal of Government Records

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For Immediate Release

U.S. Attorney's Office, Eastern District of Louisiana

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NEW ORLEANS –Acting United States Attorney Michael M. Simpson announced today the filing of a bill of information in the United States District Court for the Northern District of Texas, Fort Worth Division, charging former federal prosecutor **CARLOS A. LOPEZ** ("**LOPEZ**"), age 48, and Dallas-based criminal defense attorney **BARRETT R. HOWELL** ("**HOWELL**"), age 50, with charges related to their deletion of text messages that they had been ordered to produce by a United States District Judge. **LOPEZ** was charged with the unauthorized disposal of government records valued at less than \$1,000, a violation of 18 U.S.C. § 641. **HOWELL** was charged with aiding and abetting the unauthorized disposal of government records valued at less than \$1,000, a violation of 18 U.S.C. §§ 641 and 2. Because the records are valued at less than \$1,000, these are misdemeanor offenses.

According to the bill of information, in September 2021, a grand jury for the United States District Court for the Northern District of Texas indicted three individuals for health care fraud. **LOPEZ**, a Department of Justice Trial Attorney at the time, was the lead prosecutor in this federal prosecution. **HOWELL** was representing a client under investigation who was not indicted in this case. During the course of **HOWELL's** representation of his client, two defendants accused **HOWELL** of violating a joint defense agreement by providing privileged joint defense information to **LOPEZ**. These two defendants filed a motion to compel discovery from **HOWELL** and **LOPEZ**. The district court granted the discovery request for production of all communications, including text messages, between **HOWELL** and **LOPEZ**.

The bill of information alleges that, in April 2023, **LOPEZ** disposed of records belonging to the United States by deleting text messages between himself and **HOWELL** from his government-issued cell phone, and **HOWELL** subsequently aided and abetted **LOPEZ's** offense by deleting text messages with **LOPEZ** from his own cell phone.

If convicted, **HOWELL** and **LOPEZ** each face a maximum term of imprisonment of one year, a fine not to exceed \$100,000, and a term of supervised release not to exceed one year.

The United States Attorney's Office for the Northern District of Texas recused itself from this matter, and the United States Attorney's Office for the Eastern District of Louisiana was appointed by the Attorney General to act as special prosecutors.

Acting U.S. Attorney Simpson reiterated that the bill of information is merely a charge and that the guilt of the defendants must be proven beyond a reasonable doubt.

Acting U.S. Attorney Simpson praised the work of the U.S. Department of Justice, Office of Inspector General, Dallas Office, which handled this investigation. Assistant United States Attorneys Matthew R. Payne of the Financial Crimes Unit and Megan R. Roberts of the Appellate Unit handled this prosecution.