U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

January 21, 2026

BY ECF

Hon. Jesse M. Furman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Nathaniel Chastain*, No. 22 Cr. 305 (JMF)

Dear Judge Furman:

The Government writes to provide the Court with an update concerning the above-referenced case.

In light of the fact that the defendant has already served the custodial parts of the sentence that was previously imposed in this case, and because the defendant has agreed not to contest the forfeiture of the property he obtained through his buying and selling of non-fungible tokens, the Government has determined that the interest of the United States will be best served by deferring prosecution of this matter and not retrying the case. Accordingly, the parties have agreed to and signed a deferred prosecution agreement, which is enclosed. Under the terms of the agreement, the prosecution of the defendant will be deferred, the Speedy Trial Act will be tolled, and the statute of limitations will be waived during the one-month term of deferral. Following the completion of the term of deferred prosecution, the Government will move to dismiss the Indictment in this case with prejudice.

Because the defendant was previously arraigned on the Indictment and the agreement does not require consent to the filing of an Information, the Government respectfully submits that the defendant's personal appearance—otherwise required under Federal Rule of Criminal Procedure 43(a)—is unnecessary for the Court to enter the agreement and exclude time under the Speedy Trial Act. The defendant, through counsel, has specifically consented to the entry of the agreement

and the exclusion of time without such an appearance. If the Court nonetheless requires a hearing or wishes to address the parties, we remain available at the Court's convenience.

Respectfully submitted,

JAY CLAYTON
United States Attorney

by: Nicolas Roos
Thomas Burnett
Allison Nichols
Nicolas Roos
Assistant United States Attorneys

Cc: Defense Counsel
Via ECF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA v. NATHANIEL CHASTAIN, Defendant.	**Deferred Prosecution Agreement** No. 22 Cr. 305 (JMF)

TO: Nathaniel Chastain

On May 31, 2022, Indictment 22 Cr. 305 was filed in the Southern District of New York, in which you are accused of committing offenses against the United States, to wit, wire fraud, in violation of 18 U.S.C. § 1343, and money laundering, in violation of 18 U.S.C. § 1956. On May 3, 2023, a jury in this District returned a verdict convicting you of both counts, and you were subsequently sentenced to a term of three months' imprisonment, to be followed by three years of supervised release with the first three months served in home detention, and ordered to pay a $50,000 fine, forfeiture in the amount of 15.98 ETH, and a $200 special assessment. On July 31, 2025, the United States Court of Appeals for the Second Circuit vacated that judgment and remanded the case for further proceedings. As you have already served the custodial parts of your sentence, however, and as you have agreed not to contest the administrative or civil forfeiture of 15.98 ETH currently in the custody of the U.S. Marshals Service, it has been determined that the interest of the United States of America and your own interest will be best served by deferring prosecution in this District. Prosecution will be deferred, the Speedy Trial Act will be tolled, and the statute of limitations will be waived during the term of your good behavior and will conclude upon your satisfactory compliance with the terms of this agreement for the period of one month from the signing of this agreement. The terms and conditions constituting your good behavior and satisfactory compliance are as follows:

(1) During the term of deferral, you shall be released on your own recognizance and will not be required to be supervised by U.S. Pretrial Services. You shall, however, refrain from the violation of any federal, state, and/or local law.

(2) By signing this agreement, you, Nathaniel Chastain, knowingly and voluntarily waive any right to contest the administrative or civil forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(C), of 15.98 ETH to the United States (the "Stipulated Forfeiture Amount"), that was transferred by you to the United States on or around October 21, 2024 and is presently in the custody of the U.S. Marshals Service. You agree that the Stipulated Forfeiture Amount represents property you obtained from buying and selling non-fungible tokens. Further, you agree that you will not file a claim or a petition for remission or mitigation or otherwise contest the administrative or civil forfeiture of the Stipulated Forfeiture Amount and will not assist anyone else in doing so. You also waive all rights to

service or notice of any administrative or civil forfeiture proceeding with respect to the Stipulated Forfeiture Amount.

(3) You intend to seek the return of the $50,000 fine and $200 special assessment you previously paid, and the Government consents to such an application. That application may be made at any time, including prior to the expiration of the term of the deferred prosecution.

(4) The United States Attorney may reduce the length of the term of deferral under this agreement at any time. The United States Attorney may during the term of deferral proceed with the prosecution for these offenses should the United States Attorney, in his or her sole discretion, determine that you have violated the terms and conditions of this agreement.

(5) If upon completion of the one-month term of deferred prosecution you have complied with all the rules, regulations and conditions and special conditions applicable to your deferred prosecution, no further prosecution will be instituted in this District for the above offenses, and the Government will move to dismiss the Indictment in this case with prejudice.

It is understood that this agreement and the terms and conditions set forth herein are limited to the specific facts and circumstances of this case and lack precedential value.

This agreement supersedes all prior, if any, understandings, promises and discussions between this Office and you or your counsel. No additional promises, agreements, and conditions have been entered into other than those set forth in this letter and none will be entered into unless in writing and signed by all parties. It is further understood that this agreement does not bind any federal, state, or local prosecuting authority other than this Office.

Dated: New York, New York
January 21, 2026

JAY CLAYTON
United States Attorney for the
Southern District of New York

By: Nicolas Roos
Thomas S. Burnett
Allison C. Nichols
Nicolas Roos
Assistant United States Attorneys

The undersigned hereby consents to the foregoing and expressly waives any and all rights to a speedy trial pursuant to the Sixth Amendment to the United States Constitution, the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*, and any other pertinent provisions of the United States Code, and consents to the adjournment of all pending proceedings in this case. The undersigned further waives the applicable statute of limitations with respect to any prosecution that is not time-barred on the date that this agreement is signed. It is the intent of this provision to toll the applicable statute of limitations during the pendency of the deferred prosecution.

Dated: New York, New York
January 21, 2026

Daniel P. Filor
David I. Miller
Alexandra A.E. Shapiro
Attorneys for Defendant

Nathaniel Chastain
Defendant

Pursuant to 18 U.S.C. §3161(h)(2), exclusion under the Speedy Trial Act of the period of time during which the prosecution of the defendant is deferred pursuant to this agreement is hereby approved.

Dated: New York, New York
January __, 2026

Honorable Jesse M. Furman
United States District Judge