



Cream Scheme defendants claim they are, “prisoners in their own home due to the widespread publicity” request change of trial venue.

An October 5th court filing on behalf of Hope Thomley, Randy Thomley, and Doyle Beach asking the court for a change of venue for the upcoming trial paints the defendants as victims of the publicity that surrounds their alleged conspiracy to defraud veterans TRICARE of over \$200 million dollars. In the court pleadings attorneys for the trio claim,

“The Accused cannot even go to dinner without being harassed and have become prisoners in their own home due to the widespread publicity in this town.”

The motion for change of venue goes on to argue how media coverage by Hattiesburg Patriot News Media has made it impossible for the Thomleys and Doyle Beach to get a fair trial. The motion states the following:

“The Hattiesburg Patriot has served as a mouth-piece for

locals (the Jury Pool) to discuss their thoughts on the Accused's guilt on its Facebook and Twitter pages. The Twitter coverage of this investigation goes back to at least 2017. See Exhibit I. A video posted on the Hattiesburg Patriot's Twitter and Facebook page of the Thomleys walking into the courthouse to be arraigned received over 10,000 views (in a town with a population of 50,000) and 138 comments, including disparaging highly prejudicial ones such as 'throw them all in jail' and 'everything they have done is intentional' and 'seems like Hope lies...'

The motion to change venue goes on to say,

"Another social media post by the Hattiesburg Patriot of the Thomley's (sic) walking into their arraignment garnered additional prejudicial comments such as 'burn in hell greedy pos' (pos = pieces of sh*t) and 'I hope they are miserable wherever they go this is shameful.' See exhibit K, attached hereto. The Hattiesburg Patriot also posted a video outside the courthouse the day of Doyle Beach's arraignment, with the caption 'Doyle Beach Jr. shackled and handcuffed in court appearance #CreamScheme Live.' See Exhibit L. That received over 10,000 views and 86 comments, including 'Pure GREED.' Id On July 4th, 2018, the Hattiesburg Patriot announced via Facebook that 'the odds are not good at trial for the cream scheme defendants. The U.S. Attorney's office of Mississippi's Southern District has a 100% conviction rate in 2015...' "

The cream scheme defendants didn't stop there. The motions continues,

"The Hattiesburg Patriot once again uploaded a video to Twitter and Facebook announcing Spell's plea with the hashtag '#CreamScheme' and noting that it is 'in connection with Advantage Pharmacy syndicate.' See Exhibit P. This video received over 7,500 views and 54 comments (demonstrating the

continued interest in the so called #CreamScheme) including comments that specifically reference the Accused and say things such as 'it couldn't happen to a more deserving bunch of scumbags.' "

The attorneys for the defendants actually performed a survey using Survey Monkey about the coverage of the Cream Scheme. the motion purports,

"In Dancel's Survey, 62% of participants from the Eastern Division had heard about the Diaz trial and 70% were familiar with the Hattiesburg Patriot website."

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