

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

VS.

CASE NO: 2:20-cr-114-JES-MRM

CASEY DAVID CROWTHER

JUDGE:	John E. Steele	COUNSEL FOR GOVERNMENT	TRENTON REICHLING AND MICHAEL LEEMAN
DEPUTY CLERK:	Micki Janczewski	COUNSEL FOR DEFENDANT:	NICOLE HUGHES WAID AND BRIAN DICKERSON
COURT REPORTER	Jeff Thomas	PRETRIAL/PROBATION	
DATE/TIME	March 24, 2021 9:00 AM	Interpreter	

Jury Trial – Day 2

Start Time: 9:00 AM Court convenes.

Present are: AUSA Trent Reichling and AUSA Michael Leeman on behalf of the government at plaintiff's table along with Secret Service Agent Brian Kirby; Atty. Nicole Waid, Atty. Brian Dickerson, assistant Julie Bryan on behalf of the defendant, along with defendant, at the defense table.

9:00 am Government moved to admit Stipulated **Government Exhibits 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 104, 105, 106, 107, 108, 109, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, and 131**. No objection from defense; exhibits admitted into evidence.

9:04 am Jury escorted into courtroom.

9:04 am Government witness Kyle DeCicco remains under oath, on the witness stand.

Direct (continued) 9:05 am – 10:03 am

Government Exhibits 8, 16, 14, 9, 13, 10, 149, 12, 18, 22, 24, and 23 provided to witness for identification purposes, no objection from defense; exhibits admitted into evidence and published for jury.

Cross: 10:05 am – 10:32 am

Defendant's Exhibit I provided to witness for identification purposes.

10:08 am – 10:10 a.m. Government requests voir dire of the witness; Court grants. Brief inquiry of witness by government.

No objection from government to entry of Defendant's Exhibit I; exhibit admitted into evidence and published for jury.

Government Exhibits 6 and 8 reviewed with witness.

Defendant's Exhibit E18 provided to witness for identification purposes, no objection from government; exhibit admitted into evidence and published for jury.

10:32 am Jury escorted out of courtroom for break.

10:33 am Court in recess.

10:52 am Court reconvenes. Jury escorted into courtroom.

Cross (continued) of witness Kyle DeCicco 10:54 am – 11:25 am

Government Exhibits 9, 14, 13, 10, 12, and 149 reviewed with witness.

Defendant's Exhibit J provided to witness for identification purposes, objection by government, Court overruled; exhibit admitted into evidence and published for jury.

Redirect: 11:26 am – 11: pm

Government Exhibit 6, 8, and 10 reviewed with witness.

Government Exhibit 7 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

Government Exhibit 23 and Defendant's Exhibit E.17 reviewed with witness.

Government Exhibits 10 and 7 reviewed with witness.

11:56 am witness excused.

11:57 am Court recesses for lunch.

1:00 pm Court back on the record.

Attorney Waid expresses objection regarding a State Department witness for the government as an expert witness. AUSA Leeman makes statement. Objection to Social Security witness overruled by Court.

1:07 pm Jury escorted into courtroom.

1:08 Government calls witness, Kristin Dilorio; witness sworn.

Direct: 1:09 pm – 2:05 pm

Government Exhibit 166 provided to witness for identification purposes. Defense counsel objection as to the attachments referenced. Government responds. Objection withdrawn. Exhibit admitted into evidence and published for jury.

Government Exhibit 6 reviewed with witness.

Government Exhibit 167 provided to witness for identification purposes. Defense counsel objection as to the attachments. Government responds. Court grants exhibit 167 admitted, as is.

Government Exhibits 24, 25, and 26 provided to witness for identification purposes, no objection from defense; exhibits admitted into evidence and published for jury.

Government Exhibit 27 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

Government Exhibits 27, 31, and 32 reviewed with witness.

Government Exhibit 28 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

Government Exhibits 35 and 36 reviewed with witness.

Government Exhibits 37 and 38 provided to witness for identification purposes, objection from defense as to relevance, objection overruled; exhibits admitted into evidence and published for jury.

Government Exhibit 30 provided to witness for identification purposes, objection from defense as to relevance, objection overruled; exhibit admitted into evidence and published for jury.

Government Exhibit 107 reviewed with witness and published for jury.

Government Exhibit 173 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

Cross: 2:05 pm – 2:21 pm

Government Exhibits 6, 31, and 30 reviewed with witness and published for jury.

Redirect: 2:21 pm – 2:22 pm

2:22 pm witness excused.

2:22 pm Government calls witness, Jennifer Briggs, witness sworn.

Direct: 2:24 pm – 2:34 pm

Government Exhibit 29 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

Government Exhibits 34, and 33 reviewed with witness and published for jury.

Cross: 2:34 pm – 2:38 pm

Government Exhibits 29, and 33 reviewed with witness and published for jury.

Redirect: 2:38 pm – 2:39 pm

2:40 pm witness excused.

Government moves to admit and publish **Government Exhibit 170**, which is stipulated to by both the Government and the defense. Exhibit admitted and published for jury. Read into the record.

2:46 pm Jury escorted out for break.

Attorney Dickerson expresses concern of testimony relative to Government witness Heather Mangus. AUSA Reichling responds. Defense counsel replies. Court finds testimony is relevant and not unduly prejudicial. Court denies the request to preclude testimony of the witness.

2:56 pm Court in recess.

3:16 pm Court reconvenes. Jury escorted back into the courtroom.

3:17 pm Government calls witness, Heather Mangus; witness sworn.

Direct: 3:18 pm – 3:21 pm

Cross: 3:21 pm – 3:21 pm

Witness excused 3:21 pm

3:22 pm Government calls witness, Colleen Clark; witness sworn.

Government Exhibit 146 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

Government Exhibit 64 and 65 provided to witness for identification purposes, no objection from defense; exhibits admitted into evidence and published for jury.

Direct: 3:23 pm – 3:54 pm

Cross: 3:55 pm – 4:09 pm

Government Exhibit 146 reviewed with witness.

Defendant's Exhibits C.8 and C.9 provided to witness for identification purposes, no objection by government; exhibits admitted into evidence and published for jury.

Redirect: 4:09 pm – 4:11 pm

Government Exhibit 65 reviewed with witness.

Witness excused 4:11 pm

4:11 pm Government calls witness, Evelyn Portinari; witness sworn.

Direct: 4:13 pm – 4:59

Government Exhibit 64 reviewed with witness.

Government Exhibit 150 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

Government Exhibit 150 reviewed with witness.

Government Exhibit 151 provided to witness for identification purposes, no objection from defense; exhibit admitted into evidence and published for jury.

4:59 pm Witness excused – to return at 9:00 am

5:00 pm Jury instructed to return tomorrow (March 25, 2021) at 9:00 am

Jury excused for day and escorted out of courtroom.

Court inquires of counsel as to terms of timing and progress. Counsel responds.

Court is ready to rule on Defendant's Motion to Exclude Evidence of Mortgage Fraud and Guilty Plea, filed on March 22, 2021, at Doc #119. Order to Issue.

Counsel excused.

End Time: 5:10 PM