

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 24-CR-80103-CANNON

UNITED STATES OF AMERICA

v.

DUSTIN SEAN McCABE,

Defendant.

GOVERNMENT'S FIFTH RESPONSE TO STANDING DISCOVERY ORDER

The United States hereby files this fifth response to the Standing Discovery Order (“SDO”), incorporating by reference its previous SDO responses. *See* DE 19; DE 25; DE 36; DE 45. Since filing the Fourth SDO Response, the Government produced the following records via email on February 11, 2025: (1) a Google Earth image of Palm Beach Marina marked as Bates MCCABE_003284, (2) United States Coast Guard records marked as Bates MCCABE_003291 & 003293-003294, and (3) reports from witness preparation interviews marked as Bates MCCABE_03285-003290, 003292, and 003295-003302. Counsel for the defense should alert the undersigned Assistant United States Attorney if it has any problems accessing these records.

In addition, the Government produced a working copy of its trial exhibits to the defense on February 11, 2025, via the filesharing platform USAfx. To facilitate an efficient trial, the Government intends to confer with the defense regarding exhibits to which it will stipulate or to which it objects and hopes to resolve as many disputes as possible before trial commences.

The government remains aware of its continuing duty to disclose such newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, *Brady*, *Giglio*, *Napue*, and the obligation to assure a fair trial.

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

Date: February 11, 2025

By: /s/ Zachary A. Keller
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 11, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that referenced discovery was served on counsel of record as described herein.

/s/ Zachary A. Keller
ZACHARY A. KELLER
Assistant United States Attorney