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Reply to: Fort Myers, FL

September 28, 2021

Jim Lappan
2075 W. First Street, Suite 300
Fort Myers, Florida 33901

Re: *United States v. Amber Rewis Bruey*
Case No. 2:21-cr-74-JLB-MRM

Dear Mr. Lappan:

In connection with the above-captioned case and pursuant to Fed. R. Crim. P. 16(a), as well as the Court's Criminal Scheduling Order, I am providing initial discovery in the above matter on the enclosed DVD. I anticipate receiving digital forensic reports of cell phones, as well as a laptop and tablet in the coming days. The reports will likely require a larger storage medium for production. Once I receive the reports, I will contact you to make the appropriate arrangements for further discovery production.

In connection with the above captioned cases, please be advised of the following:

1. With respect to the substance of any oral statement which the government intends to offer in evidence at trial made by the defendant before or after arrest in response to interrogation by any person then known to the defendant to be a government agent, please be advised that the defendant **did** make such oral statements to government agents, the substance of which is summarized in reports that are being included in discovery.

2. With respect to any relevant written or recorded statements made by the defendant, please be advised that the United States **is not** in possession of recorded statements made by the defendant.

3. The prior criminal record of the defendant will be made available as part of discovery.

4. As to Rule 16 documents and tangible objects, the government is providing the documents which will be used in their case-in-chief in their electronic discovery production. Please feel free to contact me or the case agent, **USSS Special Agent Philip DePietro**, if you believe electronic production of such documents is insufficient.

5. At this time, there **are no** reports of examinations and tests in connection with this case.

6. At this time, the government **does not** intend to call an expert witness.

7. Electronic surveillance **has not** been conducted with respect to this investigation.

8. At this time, the government **does** intend to introduce evidence pursuant to Fed. R. Evid. 404(b) in its case-in-chief in this matter. Specifically, the government intends to introduce evidence pertaining to Amber Bruey's False Statement for Public Aid case previously prosecuted in St. Lucie County under case 2018CF000164. The government believes the facts and circumstances of this prior case would be admissible to prove motive, intent, knowledge, absence of mistake, and lack of accident.

9. Confidential informants **did not** provide information during the course of the investigation.

10. There is **no** known conflict of interest in the representation of the defendant by attorneys in this case. Should such a conflict become known to the government, counsel for the defendant will be alerted.

11. The defendant **was not** identified by means of photo identification.

12. Evidence was seized as a result of a search warrant. Copies of the executed search warrant and affidavit are being included in discovery. Additionally, evidence seized, which consists of digitally stored evidence on cell phones, a laptop, and tablet, will be made available for copying and inspection.

13. We are aware of continuing discovery obligations pursuant to Fed. R. Crim. P. 16(c) and will make you aware of such materials as soon as possible if such materials come to our attention.

13. Pursuant to Fed. R. Crim. P. 16(b), the United States requests the following:

a. Books, papers, documents, photographs, tangible objects, or copies or portions thereof, which are within the possession, custody, or control of the defendant and which the defendant intends to introduce as evidence in chief at the trial. Fed. R. Crim. P. 16(b)(1)(A).

b. Any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with the particular case, or copies thereof, within the possession or control of the defendant, which the defendant intends to introduce as evidence in chief at the trial or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports relate to that witness' testimony. Fed. R. Crim. P. 16(b)(1)(B).

c. A written summary of testimony that the defendant intends to use under Rule 702, 703, or 705 of the Federal Rules of Evidence as evidence at trial, describing the witnesses' opinions, the bases and reasons for those opinions and the witnesses' qualifications. Fed. R. Crim. P. 16 (b)(1)(C).

If you have any questions concerning any of the foregoing, please do not hesitate to contact the undersigned.

Sincerely,

KARIN HOPPMANN
Acing United States Attorney

By: 
Trenton J. Reichling
Assistant United States Attorney