



*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

September 29, 2021

BY ECF AND EMAIL

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Apocalypse Bella, et. al., 21 Cr. 247 (PAE)

Dear Judge Engelmayer:

The Government writes to request a brief extension of the deadline for Rule 16 discovery for certain discovery items. At the last court conference, the Court directed the Government to produce any outstanding discovery by today, September 29, 2021.

The Government will today produce discovery to the defendants that will consist of subpoena returns (approximately 1.5 GB), responsive returns from defendants' devices (approximately 10 GB), and responsive returns from emails (approximately 660 MB).

We are producing responsive returns from two phones belonging to defendant Mundendi, two laptops belonging to defendant Toussaint, and one phone belonging to defendant Toussaint. Because of technical issues in accessing two other devices (one is a computer belonging to Toussaint, one is a phone belonging to Toussaint), we will not be prepared to produce responsive returns for those two devices today. In addition, there are other seized devices which are not accessible at all and/or have no responsive materials on them.

As to the email search warrant returns, we have received eight of ten email accounts (i.e., the ten accounts subject to the most recent email search warrant) from the email providers. We are still waiting for two accounts to be produced by the providers. Due to the volume of material to review and some privilege review that was required, we will be able to produce responsive returns for four of the eight accounts today.

The Government is therefore respectfully requesting an extension of the discovery deadline until October 18th to produce the responsive materials from the two devices belonging to Toussaint referenced above and the four email accounts that have been produced to the Government. The Government has communicated with counsel for each defendant and no counsel have an objection to this request.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: 
Dina McLeod
Assistant United States Attorney
(212) 637-1040

cc: Charles Kaser, Esq. (counsel for Apocalypse Bella) (by email and ECF)
Tamara Giwa, Esq. (counsel for Amos Mundendi) (by email and ECF)
Bret Martin, Esq. (counsel for Mackenzy Toussaint) (by email and ECF)