

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

CASE NO. 24-80103-CR-CANNON

UNITED STATES OF AMERICA

Witness and Exhibit List

v.

DUSTIN SEAN McCABE,

Defendant.

_____ /

Presiding Judge: The Honorable Aileen M. Cannon					AUSA: Zachary A. Keller Tanner Stiehl Jacob Koffsky	Defendant's Attorney: Calisha Angeline Francis Terrence O'Sullivan
USA No.	Def. No.	Date Offered	Date admitted	Witness	Court Reporter:	Courtroom Deputy:
1.				02/27/25	Caleb King, United States Coast Guard ("USCG") Coast Guard Investigative Service, Special Agent	
2.				02/26/25	Allan Roth, USCG	
3.				02/26/25	Lieutenant Commander Andrew Cole, USCG	
4.				02/27/25	Captain Chris Cederholm, USCG	
5.				02/26/25	Christopher Mosquera, USCG	
6.				02/25/25	Sean Goodman, USCG	
7.				02/27/25	Andrea Walker, USCG	
8.				02/25/25	David Fowler, Florida Fish and Wildlife Conservation Commission ("FWC") Investigator	
9.				02/25/25	Michael Abramczyk, North Palm Beach Police Department Officer	
10.				02/25/25	Jason Willems, FWC Investigator	

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11.				02/26/25	Dr. Terrill Topps, Palm Beach County Medical Examiner	
12.				02/26/25	Paul Alber, Alber Consulting LLC	
13.				02/26/25	Althea Harris, Small Business Administration	
14.				02/27/25	Adam “Avi” Pollack, Cross River Bank	
15.				02/27/25	Justin Masterman, Celtic Bank	
16.				02/27/25	Joshua Steib, Safe Harbor Marinas	
17.				02/25/25	Jordan McKenna, Safe Harbor Marinas	
18.				02/26/25	Kristy Kelly	
19.				02/25/25	Sean Flynn	
20.				02/25/25	David Anderson	
21.				02/25/25	Kimberly Odom	
22.				02/25/25	Steven Poznak	
23.				02/27/25	Sandra Brammeier	
24.				02/24/25	Jennifer Hester	
25.				02/24/25	Carl McManus	

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GX1.			02/24/25		North Palm Beach Marina Map	
GX2.			02/24/25		M/V SOUTHERN COMFORT ("Vessel") Photo 1	
GX3.			02/24/25		Vessel Photo 2	
GX4.			02/24/25		Vessel Photo 3	
GX5.			02/24/25		Vessel Photo 4	
GX6.			02/24/25		J.H. Injury Photo 1	
GX7.			02/24/25		J.H. Injury Photo 2	
GX8.			02/24/25		Spear Gun Photo 1	
GX9.			02/24/25		Spear Gun Photo 2	
GX10.			02/24/25		Spear Gun Photo 3	
GX11.			02/24/25		Facebook Messenger Between J.H. and Defendant	
GX12.			02/24/25		April 9 Captain of the Port Order	
GX13.					[INTENTIONALLY OMITTED]	
GX14.			02/24/25		Trial Stipulation – Vessel Ownership and Interstate Nexus	
GX15.			02/24/25		Text Message Between Anderson and Defendant	
GX16.			02/24/25		GPS Vessel Photo 1	
GX17.			02/24/25		GPS Vessel Photo 2	
GX18.			02/24/25		GPS Vessel Photo 3	
GX19.			02/24/25		GPS Vessel Photo 4	
GX20.			02/24/25		Under Vessel Propeller Video – 3.29.20	
GX21.			02/24/25		Under Vessel Propeller Photo 1 – 3.29.20	
GX22.			02/24/25		Under Vessel Propeller Photo 2 – 3.29.20	

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GX23.			02/24/25		Under Vessel Propeller Photo 3 – 3.29.20	
GX24.			02/24/25		Under Vessel Propeller Photo 4 – 3.29.20	
GX25.			02/24/25		Under Vessel Propeller Photo 5 – 3.29.20	
GX26.			02/24/25		Under Vessel Propeller Photo 6 – 3.29.20	
GX27.			02/24/25		Under Vessel Propeller Photo 7 – 3.29.20	
GX28.			02/24/25		Rear of Vessel Photo 1	
GX29.			02/24/25		Rear of Vessel Photo 2	
GX30.			02/24/25		Rear of Vessel Photo 3	
GX31.			02/24/25		Vessel's Bridge Photo 1	
GX32.			02/24/25		Vessel's Bridge Photo 2	
GX33.			02/24/25		Vessel's Bridge Photo 3	
GX34.			02/24/25		Vessel's Bridge Photo 4	
GX35.			02/24/25		Vessel's Bridge Photo 5	
GX36.			02/24/25		Vessel's Bridge Photo 6	
GX37.			02/24/25		Vessel's Bridge Photo 7	
GX38.			02/24/25		Photo of M.C.G.F. 3.29.20 – 1	
GX39.			02/24/25		Photo of M.C.G.F. 3.29.20 – 2	
GX40.					[INTENTIONALLY OMITTED]	
GX41.					[INTENTIONALLY OMITTED]	
GX42.					[INTENTIONALLY OMITTED]	
GX43.					[INTENTIONALLY OMITTED]	
GX44.			02/24/25		Photo of M.C.G.F. 3.29.20 – 3	

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GX45.			02/24/25		Photo of M.C.G.F. 3.29.20 – 4	
GX46.					[INTENTIONALLY OMITTED]	
GX47.			02/24/25		Photo of M.C.G.F. 3.29.20 – 5	
GX48.			02/24/25		Photo of M.C.G.F. 3.29.20 – 6	
GX49.			02/24/25		Photo of M.C.G.F. 3.29.20 – 7	
GX50.			02/24/25		Photo of M.C.G.F. 3.29.20 – 8	
GX51.					[INTENTIONALLY OMITTED]	
GX52.			02/24/25		Defendant's Recorded Statement with Investigator Fowler	
GX53.			02/24/25		Vessel Scuba Gear Photo 3.29.20 – 1	
GX54.			02/24/25		Vessel Scuba Gear Photo 3.29.20 – 2	
GX55.			02/24/25		Vessel Scuba Gear Photo 3.29.20 – 3	
GX56.			02/24/25		Vessel Scuba Gear Photo 3.29.20 – 4	
GX57.			02/24/25		Vessel Scuba Gear Photo 3.29.20 – 5	
GX58.			02/24/25		McCabe IDs 3.29.20 Photo	
GX59.			02/24/25		M.C.G.F. Scuba Wetsuit Photo 3.29.20 – 1	
GX60.			02/24/25		M.C.G.F. Scuba Wetsuit Photo 3.29.20 – 2	
GX61.			02/24/25		M.C.G.F. Scuba Wetsuit Photo 3.29.20 – 3	
GX62.			02/24/25		M.C.G.F. Scuba Wetsuit Photo 3.29.20 – 4	
GX63.			02/24/25		M.C.G.F. Scuba Wetsuit Photo 3.29.20 – 5	
GX64.			02/24/25		M.C.G.F. Scuba Wetsuit Photo 3.29.20 – 6	
GX65.			02/24/25		M.C.G.F. Scuba Wetsuit Photo 3.29.20 – 7	
GX66.			02/24/25		Vessel Cabin Area Photo 3.29.20	

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GX67.			02/24/25		Vessel Engine Area Photo 3.29.20	
GX68.			02/24/25		Vessel Rear Engine Controls Removed Photo 3.29.20	
GX69.			02/24/25		Palm Beach Bay Map with Incident Location Marked	
GX70.			02/24/25		Medical Examiner's Report M.C.G.F.	
GX71.					[INTENTIONALLY OMITTED]	
GX72.			02/24/25		Vessel Certificate of Documentation	
GX73.			02/24/25		Vessel Abstract of Title	
GX74.			02/24/25		Vessel Mortgage	
GX75.			02/24/25		TVA Ladder and Platform Check	
GX76.			02/24/25		TVA Dive Benches Check	
GX77.			02/24/25		USCG Form 1258	
GX78.			02/24/25		USCG Form 1340	
GX79.			02/24/25		April 3 Email Steib – SBA Loan Application	
GX80.			02/24/25		April 3 Email Steib – PPP Handwritten Application	
GX81.			02/24/25		April 3 Email Steib – Casualty Documents	
GX82.			02/24/25		Text Exchange Between CWO Goodman and Defendant	
GX83.			02/24/25		Bill of Sale Document	
GX83A.			02/24/25		Release of Lien Document	
GX84.			02/24/25		North Palm Beach Marina 2022 Google Earth	
GX85.			02/24/25		Celtic Bank PPP Loan Application	
GX86.			02/24/25		Celtic Bank Application Information	
GX87.			02/24/25		Celtic Bank Loan Forgiveness Application	

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GX88.			02/24/25		Celtic Bank Loan Forgiveness Bank Account	
GX89.			02/24/25		Celtic Bank Promissory Note	
GX90.			02/24/25		Celtic Bank Defendant Driver's License	
GX91.			02/24/25		Cross River PPP Loan Application	
GX92.			02/24/25		Cross River PPP Loan Application E-Sign	
GX93.			02/24/25		Cross River Tax Document 1120	
GX94.			02/24/25		Cross River Void Check	
GX95.			02/24/25		Cross River Contact Information for Defendant	
GX96.			02/24/25		Cross River Defendant Driver's License	
GX97.			02/24/25		Cross River Defendant Email Chain 1	
GX97A.			02/24/25		Cross River Defendant Email Chain 2	
GX97B.			02/24/25		Cross River Defendant Email Chain 3	
GX98.			02/24/25		Cross River Loan Forgiveness Application	
GX99.			02/24/25		TVA Florida Scuba PGA Check 2.19.2021	
GX100.			02/24/25		TVA Florida Scuba Business Signature Card	
GX100A.			02/24/25		TVA Florida Scuba Statement 11.19	
GX100B.			02/24/25		TVA Florida Scuba Statement 12.19	
GX100C.			02/24/25		TVA Florida Scuba Statement 01.20	
GX100D.			02/24/25		TVA Florida Scuba Statement 02.20	
GX100E.			02/24/25		TVA Florida Scuba Statement 03.20	
GX100F.			02/24/25		TVA Florida Scuba Statement 04.20	
GX100G.			02/24/25		TVA Florida Scuba Statement 05.20	

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GX100H.			02/24/25		TVA Florida Scuba Statement 06.20	
GX100I.			02/24/25		TVA Florida Scuba Statement 07.20	
GX100J.			02/24/25		TVA Florida Scuba Statement 08.20	
GX100K.			02/24/25		TVA Florida Scuba Statement 09.20	
GX100L.			02/24/25		TVA Florida Scuba Statement 10.20	
GX100M.			02/24/25		TVA Florida Scuba Statement 11.20	
GX100N.			02/24/25		TVA Florida Scuba Statement 12.20	
GX100O.			02/24/25		TVA Florida Scuba Statement 01.21	
GX100P.			02/24/25		TVA Florida Scuba Statement 02.21	
GX100Q.			02/24/25		TVA Florida Scuba Statement 03.21	
GX100R.			02/24/25		TVA Florida Scuba Statement 04.21	
GX100S.			02/24/25		TVA Florida Scuba Statement 05.21	
GX100T.			02/24/25		TVA Florida Scuba Statement 06.21	
GX100U.			02/24/25		TVA Florida Scuba Statement 07.21	
GX100V.			02/24/25		TVA Florida Scuba Statement 08.21	
GX101.			02/24/25		TVA Florida Scuba Defendant Check 2.22.21	
GX102.			02/24/25		Florida Scuba State Recognition of Dissolution on 5.13.21	
GX103.			02/24/25		Florida Scuba Articles of Dissolution 5.13.21	
GX104.			02/24/25		Florida Scuba Articles of Incorporation 11.26.14	
GX105.			02/24/25		Florida Scuba Kristy McCabe Removal 3.25.20	
GX106.			02/24/25		Florida Scuba Annual Certifications 2019 & 2020	
GX107.			02/24/25		GPS Raw Data	

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GX107A.			02/24/25		SD Card Garmin	
GX107B.			02/24/25		SD Card V-1 Faruno Device	
GX108.			02/24/25		Piece of M.C.G.F. Wetsuit	
GX109.					[INTENTIONALLY OMITTED]	
GX109A.					[INTENTIONALLY OMITTED]	
GX109B.			02/26/25		Autopsy Photo 1	
GX109C.					[INTENTIONALLY OMITTED]	
GX109D.					[INTENTIONALLY OMITTED]	
GX109E.					[INTENTIONALLY OMITTED]	
GX109F.					[INTENTIONALLY OMITTED]	
GX109G.					[INTENTIONALLY OMITTED]	
GX109H.			02/26/25		Autopsy Photo 2	
GX109I.					[INTENTIONALLY OMITTED]	
GX109J.			02/26/25		Autopsy Photo 3	
GX109K.			02/26/25		Autopsy Photo 4	
GX109L.			02/26/25		Autopsy Photo 5	
GX109M.			02/26/25		Autopsy Photo 6	
GX109N.			02/26/25		Autopsy Photo 7	
GX110.			02/24/25		Defendant Merchant Mariner Oath	
GX111.			02/24/25		Defendant PGA Application	
GX112.			02/24/25		Marine Unlimited Check 2.21.20	
GX113.			02/24/25		TVA Florida Scuba Account Update 3.25.20	

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GX114.			02/24/25		TMCI Employee List	
GX115.			02/24/25		TVA Dustin McCabe Monthly Statement 05.20	
GX116.			02/24/25		TVA Florida Scuba Deposit Records	
GX117.			02/24/25		TVA Florida Scuba Defendant Check 5.15.20	
GX118.			02/24/25		TVA Florida Scuba Defendant Check 7.7.20	
GX119.			02/24/25		TVA Florida Scuba Defendant Check 9.4.20	
GX120.			02/24/25		TVA Florida Scuba Defendant Check 10.6.20	
GX121.			02/24/25		Celtic Bank Defendant Tax Form Schedule C	
GX122.			02/27/25		Trial Stipulation – Tax Forms Not Filed with IRS	

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on March 10, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

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