

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:24-CR-00192-1

KISHA SUTTON - 1

FOURTH SUPPLEMENTAL RESPONSE OF THE UNITED STATES OF AMERICA TO
DEFENDANT'S STANDARD DISCOVERY REQUESTS, NOTICE OF THE UNITED
STATES INTENT TO OFFER EVIDENCE OF RECORDS OF REGULARLY
CONDUCTED ACTIVITY, AND REQUEST OF THE UNITED STATES FOR
RECIPROCAL DISCOVERY

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, Rule 16.1(a) of the Local Rules of Criminal Procedure, and the Arraignment Order and Standard Discovery Request entered by the Court in this case, the United States of America, by counsel, herewith supplements its previous response as follows:

Request E: Permit the defendant to inspect and to copy or photograph books, papers, documents, data, photographs, tangible objects, building or places, or copies or portions of any of those items, if the item is within the government's possession, custody or control, and (i) the item is material to preparing the defense; (ii) the government intends to use the item in its case-in-chief at trial; or (iii) the item was obtained from or belongs to defendant. [Fed. R. Crim. P. 16(a)(1)(E)]

Response:

1. Today, the government provided a copy of a previously disclosed records certificate from Benworth Capital. The previous document did not contain a Bates number. The document produced today has been assigned Bates No. USAO-00014252.

2. Today, the government received a records certificate from WorkForce West Virginia, a state agency. The assigned Bates No. is USAO-00014250.
3. The government has produced an updated copy of its Rule 1006 Summary Charts regarding (A) Kisha Sutton's CashApp activity and (B) IP address associated with various PPP loans.
4. The government has also provided Rule 1006 Summary Charts regarding the following topics:
 - a. Shamiese Wright's CashApp and Banking Activity;
 - b. PPP Eligibility Rules; and
 - c. COVID-19 and PPP Background Information.

EVIDENCE OF RECORDS OF REGULARLY CONDUCTED ACTIVITY

Pursuant to Federal Rules of Evidence 902(11), notice is hereby given of the United States intent to offer into evidence certified domestic records of regularly conducted activity. The records are referred to more specifically in Response E above, as item numbers 1 & 2.

REQUEST OF THE UNITED STATES FOR RECIPROCAL DISCOVERY

Pursuant to Rules 16.1(b) and 16.1(d) of the Local Rules of Criminal Procedure, the United States of America requests that defendant provide all applicable reciprocal discovery within 14 days of the service of this response and the provision of materials requested by defendant in the Standard Discovery Request.

Respectfully submitted,

LISA G. JOHNSTON
Acting United States Attorney

By:

s/Jonathan T. Storage
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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "FOURTH SUPPLEMENTAL RESPONSE OF THE UNITED STATES OF AMERICA TO DEFENDANT'S STANDARD DISCOVERY REQUESTS, NOTICE OF THE UNITED STATES INTENT TO OFFER EVIDENCE OF RECORDS OF REGULARLY CONDUCTED ACTIVITY, AND REQUEST OF THE UNITED STATES FOR RECIPROCAL DISCOVERY" has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this 8th day of July, 2025, to:

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