

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 22-80157-CR-SINGHAL

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEREK JAMES ACREE,
Defendant.

NOTICE OF FILING EXPERT FORENSIC REPORTS

NOTICE IS HEREBY GIVEN that Defendant, **DEREK JAMES ACREE**, by and through his undersigned attorney, hereby files Expert reports, which are attached hereto as Exhibits.

Expert reports of Neville S. Marks, M.D., and Stanley M. McKnight, Board Certified Addiction Specialist

Respectfully submitted,

/s/ Christopher Haddad
CHRISTOPHER HADDAD, ESQ.
Florida Bar No. 879592
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 28, 2022, I electronically filed the foregoing document with the Clerk of Court using CM/ECF.

Respectfully submitted,

/s/ Christopher Haddad

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NEVILLE S. MARKS, M.D.

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December 21, 2022

Re: Mr. Derek Acree

D.O.B. May 5, 1975

The above patient was first seen at my office on August 29, 2022. He presented as an urgent patient due to signs and symptoms of an Agitated Depressive illness and a serious chemical dependency on Alcohol. His Acute Depression plus Anxiety was secondary to his being charged with a felony concerning fraudulent government loans. In addition, he had to declare bankruptcy (Chapter 7). The Depression and Anxiety were severe to the point of having suicidal thoughts. He did not act on his suicidal ideation because he realized how his suicide would impact his only child, an 11-year-old son.

His severe drinking problem, which worsened during the Covid shutdown, was a daily occurrence. He had no insight into his chemical dependency on alcohol, despite both of his parents being alcoholics. His mother apparently died from the effects of her chronic alcoholism. His parents were divorced. His father was a special agent with the FBI, who physically abused Derek Acree till he was old enough to stand up to his father. There is also a history of sexual abuse by members of his family.

Despite his traumatic childhood, he graduated from the University of Miami, and is a

licensed lawyer / 2

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licensed lawyer, though he expects to lose his license due to now being designated as a Felon. He is now unemployed. His recent employment history involved business companies; both having failed. The last one due to the fraudulent government loans. He is now bankrupt and fears the loss of his home, despite it being homesteaded, due to his debts.

He was an avid sportsman till a serious injury curtailed his soccer career. He now spends much of his time coaching his son and attending his son's soccer matches. He is most concerned about his son's welfare (and his wife's welfare) if he is incarcerated in prison for any length of time. He is extremely remorseful for his actions; obsessing daily about the guilt he feels.

He is a regular church goer, and a religious person, as is his wife. For exercise, to keep fit, he walks three miles per day on his own. Generally, he prefers to be on his own.

Since being in therapy with me, he has been taking Antidepressant medication and tranquilizers on a regular basis as per my prescriptions. He is also taking Antabuse, under visual supervision by Mr. Stanley McKnight, an addiction counsellor, who is counselling Mr. Acree on a regular basis. (Antabuse is a daily medication that prevents a patient from drinking any alcohol, because the interaction of Alcohol plus the Antabuse causes a strong unpleasant effect physiologically in the body). Mr. Acree has not imbibed any alcohol since starting Antabuse in August 2022. He is also attending daily AA meeting. He has gained insight and overcome any denial about his chemical dependency on alcohol. He realizes that he probably inherited his alcoholism from his parents, whilst taking full responsibility for starting drinking alcohol at the age of 16 years and drinking excessively for many years.

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He is also receiving therapy from Ms. Sarah Gentry, a psychotherapist. He is seeing his probation officer weekly.

Psychotherapy with Mr. Acree has included, in addition treating his mood disorder and alcoholism, focus on the traumatic effects of his Father's physical abuse of him as an authoritarian figure. The senior partner at his last company also represented an authoritarian figure, who threatened to sack Mr. Acree if he did not follow his orders: Including signing fraudulent government loan applications. Apparently later blaming Mr. Acree for signing these documents. Mr. Acree pleaded guilty to the charges against him.

He completed a Millon Clinical Inventory, which is a psychometric test, measuring clinical signs and symptoms and personality traits and personality pathology. He completed this at the height of his distress when first seen prior to medication, and when he had been drinking alcohol the day before.

Validating the results, allowing for the extreme response to his legal problems, showed he had a poor self-image, tended to avoid people, dependent on others, mistrusting, with chronic anxiety and severe depression, alcohol dependence with physical sequelae. It showed he was preoccupied with his health; difficulties interpersonally; emotional dyscontrol; preoccupied with his childhood abuse; and demonstrating self-destructive potential.

He presented as a 47-year-old man, with a slim physique. He was dressed casually but smartly. There was good eye contact, with no specific mannerisms. He spoke rapidly with no abnormality. His mood was anxious and depressed. His affect was flat but intense. His thought

processes were / 4

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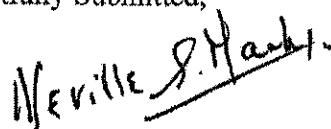
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processes were within normal limits, as were the thought contents. He denied suicidal or homicidal ideation. His perceptions showed no illusions nor hallucinations. He was fully conscious, orientated, with no apparent difficulty concentrating and his memory was intact. He showed a superior fund of knowledge. His judgment and insight into his alcoholism was poor. He was cooperative during the initial interview and subsequent psychotherapy and taking the medication prescribed for him.

He has responded well to the psychotropic medication, and the tranquilizers have been minimalized. He should remain on the antidepressant medication and the Antabuse for the foreseeable future: His prognosis is good, especially because of his motivation; gain in insight; overcoming any denial of his alcoholism; his extreme remorse for his actions; concerns for his family; and his high intelligence.

To supplement his recovery, if he is imprisoned, I would strongly recommend that he partakes in the Bureau of Prisons residential drug and alcohol programme.

Respectfully Submitted,

A handwritten signature in black ink, reading "Neville S. Marks". The signature is written in a cursive, slightly slanted style. The first name "Neville" is written in a larger, more prominent script, followed by "S. Marks" in a smaller, more compact script. The signature is positioned below the "Respectfully Submitted," text.

Professor Neville S. Marks M.D.

Completion Report of La Paz Palm Beach Mentor/Monitor Program

Client: Derek Acree

DOB: 5/05/1975

Address: 13058 Flamingo Terrace

Palm Beach Gardens, Fl 33410

Derek Acree began the La Paz Palm Beach Mentor/Monitor Program on September 6, 2022. He successfully completed this program on December 16, 2022.

This program requires that the client send to Stanley McKnight a daily video, showing the taking of a medication called Disulfam (Antabuse). This medication has no side effects unless the person taking it ingests ETOH into the body. ETOH side effects with Antabuse include severe nausea, vomiting, diarrhea, increased heart beat and skin rashes. Knowing that these side effects occur if alcohol (ETOH) is consumed by the user is termed AVERSION THERAPY. This therapy has been used to treat alcohol use disorder since 1952 in the United States.

In addition to submitting a video, verifying that the medication is being taken daily, the client must attend a minimum of 3 Support Group meetings such as Alcoholics Anonymous or another spiritual program. Mr. Acree was also required to see me once weekly for four months. During these therapeutic sessions, Mr. Acree was given an education on the disease of Alcohol Use Disorder (AUD) and the recovery process of the Twelve Steps of Alcoholics Anonymous.

Mr. Acree agreed to begin this program on September 6, 2022 as a result of his severe alcohol use disorder, which became chronic stage during the 2021 Covid 19 pandemic. During this time Mr. Acree stated that he was intoxicated almost daily and was making poor decisions, resulting in severe physical, mental and emotional consequences. Mr. Acree was also being seen by Forensic Addiction Psychiatrist Dr. Neville Marks for his ETOH addiction.

Mr. Acree stated that the most severe consequence of his disease was his pending incarceration for federal crimes, which he had pleaded guilty. Mr. Acree stated that he was very remorseful and felt shame for his actions and really wanted to correct his alcoholic behavior. During the four month period of the program, Mr. Acree was totally compliant with his videos and attending his meetings and therapy sessions.

During our therapy sessions, I mentioned to Mr. Acree that the Federal Prison System has a recovery program called Residential Drug and Alcohol Program (RDAP). I have worked with previous clients, who benefited greatly from this

program and are still clean and sober today. We researched to see if the RDAP program was still available, as it was discontinued during Covid 19. Our findings were that RDAP was back up and running and available at certain Federal Prisons. Mr. Acree stated that he had never been in an alcohol and drug rehabilitation program and that he would benefit greatly by such a program. Mr. Acree's personal background and his biopic of his childhood were discussed with both me and Dr. Marks. Mr. Acree stated that both his mother and father were alcoholics and that he had been around heavy drinking all of his life but had no idea how serious and debilitating the disease of AUD could be.

Mr. Acree lives with his wife and 12 year old son. Mr. Acree has been involved with his son on a daily basis, teaching him soccer and taking him to matches. He stated that he wants to continue to be clean and sober and watch his son become a soccer star athlete.

RECOMMENDATION

It is recommended that Mr. Acree continue to take Disulfiram (Antabuse) and attend AA meetings until such time that he is incarcerated.

I strongly recommend that Mr. Acree be given serious consideration to acceptance into the Federal Prison's RDAP program. He has been given a strong primer education into the effects of AUD and would benefit greatly by continuing this wonderful program.

Stanley M. McKnight
Board Certified Addiction Specialist
Fla Certification # 2101-A
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