



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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

November 15, 2021

BY ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Adedayo Ilori*, 20 Cr. 378 (LJL)

Dear Judge Liman:

The Government writes to inform the Court regarding the status of the production of new discovery relating to the defendant Adedayo Ilori's sentencing. At sentencing, the Government anticipates requesting that the Court consider the following four relatively discrete violations of pretrial release as relevant sentencing factors pursuant to 18 U.S.C. § 3553(a): (1) in or about summer 2021, the defendant Adedayo Ilori rented an apartment at 123 Melrose Street in Brooklyn using a false identity, (2) in or about September 2021, the defendant leased a Mercedes using a stolen identity, (3) in or about summer and fall 2021, the defendant made multiple purchases using a credit card in the name of a stolen identity, and (4) at the time of his arrest, on or about October 8, 2021, the defendant possessed various bank cards and identification cards in the names of other individuals.¹ The Government's recent production of discovery relevant to sentencing is focused on these four areas.

On October 26, 2021, the Government produced the search warrant for the defendant's person that led to the defendant's arrest on October 8, 2021, as well as a report summarizing the evidence recovered during the search of the defendant's person and the leased Mercedes. On November 12, 2021, the Government produced the following: (1) records relating to the 123 Melrose Street Apartment; (2) records relating to the lease of the Mercedes; (3) records and surveillance video regarding the defendant's use of a credit card in the name of a stolen identity; and (4) evidence recovered from a cellphone at the time of the search relating to the 123 Melrose

¹ In addition, the Government continues to investigate the defendant's role in a conspiracy to fraudulently obtain COVID-19 relief loans and expects to charge the defendant in connection with that conduct. The Government does not intend to ask the Court to consider the COVID-19 loan fraud scheme in imposing sentence in this case as the COVID-19 loan fraud scheme will be the basis for separate charges.

Street Apartment. By the end of this week, the Government anticipates producing additional, limited evidence from the cellphone regarding the lease of the Mercedes. This constitutes the materials currently in the Government's possession that is relevant to proving this fraud and identity theft conduct.

The Government's review of the electronic devices seized during the search is ongoing. As identified in the defendant's letter filed today, the Government has requested a 2TB drive from defense counsel in order to provide the defendant with a complete copy of his own devices. This production is being made to ensure that the defendant has access to any materials helpful to his case at sentencing. Beyond the portions of data stored on the devices that has or will be produced separately and distinctly identified as relevant to proving the pretrial release violations identified above, the Government does not currently intend to rely on additional evidence from the devices. To the extent the Government obtains any additional evidence relevant to proving the defendant's commission of the four additional bail violations enumerated above, it will provide it to the defense promptly and specifically identify its import.

Respectfully submitted,

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