

UNITED STATES VS. DIOP MCKENZIE
2:23-CR-88-SPC-KCD

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**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

UNITED STATES OF AMERICA,

v.

CASE No. 2:23-CR-88-SPC-KCD

DIOP MCKENZIE
_____ /

APPENDIX

DIOP MCKENZIE’S LETTER TO THE COURTA

CHARACTER LETTERS

ISABEL VALENZUELA..... B

MICHAEL MCKENZIE..... C

RENAT LIRANZOD

KRISTINA STEWART E

LINDSAY NEAL F

Diop Mckenzie

August 28, 2024

Re: *United States Of America v. Diop Mckenzie*

Dear Judge Sheri Polster Chappell

My name is Diop McKenzie & I stole approximately two hundred and thirty seven thousand dollars from the United States government during one of the most perilous times our nation has faced in recent history. I am not writing this letter to request leniency nor justify my criminal actions. To the contrary, I believe that every man should be held accountable for his own actions, even when it comes to myself. To be clear, as an imperfect man who strives to carry himself with integrity, I condemn stealing in any circumstance and believe it's a coward's way out of a less favorable situation. My intent with this letter is to give you the most accurate depiction of my character as well as shed some light on what led up to me standing as a defendant in your courtroom.

I grew up with a single mom on the rougher side of South Florida, Lauderhill to be exact. I had an awesome mother, I swear that lady would jump in front of a moving train to save me. But unfortunately, she had to work two jobs to make ends meet all while trying to go to college online to provide a better life for my brother and I. That resulted in me being home alone most of the time and inevitably spending a lot of time "running the streets" and "raising myself." Growing up I had dreams of becoming a professional basketball player, as my dad played professionally in Puerto Rico. Right before high school my mother had received a job offer from Keiser University in Fort Myers which led us to moving to Cape Coral around 2007.

At this point I was thirteen years old. It was a bit of a shell shock coming from where I was raised to Cape Coral, which at the time seemed like a quiet suburb. The crime, gangs, and overall rougher environment from where I was raised was virtually non-existent in Cape Coral. For the first time ever we had our own house and life was peaceful.

Unfortunately, bad habits die hard. I was a talented basketball player and played on travel basketball teams during the summer and for my school during the school year. Basketball kept me out of trouble, but being in the environment I was until I was thirteen definitely aided in me developing a few bad characteristics. Upon starting school in Cape Coral I initially felt like an outcast. Everybody here spoke differently than I did, dressed differently and we just had little in common. In search of a place to fit in I started acting out in school and quickly found myself expelled and assigned to the Alternative Learning Center for troubled students.

Ever heard the term "a familiar face is a comfortable place?" Well upon arriving at the Alternative Learning Center I oddly felt at home, the kids there were from similar backgrounds as me and I would end up carrying my friend group from that school into high school and beyond. Fast forward to 2011 and it's my junior year in high school. I found myself with just two credits of the twenty two I needed to graduate. This wasn't a result of my inability to pass my

classes but instead I had failed the majority of my classes by having poor attendance. Despite being placed in all advanced classes I was constantly skipping class to go play basketball in the gym or hit the weights in the school weight room.

Realizing I would never be able to graduate on time and my dreams of playing college and professional basketball were quickly going down the drain, I came up with a plan. The plan was to withdraw from high school, get my G.E.D and score high enough on my S.A.T to apply and be accepted into Florida Gulf Coast University. Confident in my basketball abilities, once accepted into FGCU I was going to try to get a "walk on" spot on their basketball team. Colleges allow one "non-scholarship" spot on their basketball team and I was determined to get that spot.

So in 2011 I withdrew from Island Coast High School. In the following weeks I quickly scheduled and passed my G.E.D. So far things are going as planned. About two months later I scheduled my S.A.T. Everything was riding on this one test, having a G.E.D meant that I needed a higher score than other applicants to be accepted because I didn't have any highschool transcripts to show them like the rest of the applicants.

I was scheduled to take my exam on a Saturday at seven in the morning. That night I went to bed around eleven and set the alarm on my phone for five thirty. I woke up Saturday morning in a panic, staring at my phone as it was 7:45 am. I never took my phone off "do not disturb" mode the night before when I was doing some last minute studying. The next test date was after the application deadline for FGCU, this was the last test date I had to apply in time. My plan had failed. Over the next few months I relentlessly contacted college coaches all over the country from Florida to New York. Nobody was interested in a seventeen year old highschool dropout with no S.A.T scores for highschool transcripts.

To say I was devastated would be an understatement. I had a front row seat to watch my life long dream go down the drain. At this point I had turned eighteen. This would end up being the beginning of me going down the wrong path. For a few months I did what any eighteen year old would do, I went to parties, hung out with friends and just lived life. But I always wanted more out of life, I wanted to maximize my potential and make a change; potentially on a global scale. That's when I decided to join the military.

I quickly stopped the pity party for myself and got back to business. I had decided I wanted to join the Army and try out for the United States Army Special Forces. One of our military's most elite combat units. Things started to look positive again and I was stoked at the possibility of serving my country at the highest level. After about a month of going back and forth with my recruiter, getting paperwork in order and taking the military entrance exam, I received a phone call from my recruiter. He told me that with my vision not only would I not be eligible to try out for Army Special Forces but I wouldn't be able to enlist in the Army at all. I had been legally blind my entire life but with my contact lenses my vision was correctable to almost perfect so I never thought it would be an issue. Nobody would even know I was wearing contact lenses unless I told them.

After visiting four different ophthalmologists they all came to the same conclusion. "At only eighteen years old they did not feel comfortable doing lasik surgery on me as my cornea was not fully developed yet." Again I felt completely devastated. But determined to be successful in life I refused to have a pity party with myself and kept on pushing. I got a job at Fuccillo Kia in Cape Coral as a car salesman and enrolled at FSW (formerly Edison state college) and decided to major in pre-law with a goal of becoming an attorney and working in corporate law.

Around this time I began dating my first wife. She eventually became pregnant and had my first son Nolan McKenzie. Things became hard very quickly. My wife stayed home taking care of our son Nolan while I worked and went to school to provide a good life for us. I eventually made the decision that I had to put college on hold and work full time to take care of my family. We had three children together, of which one (Kanan) is severely autistic and required my wife's full attention. I was a young father with a G.E.D and limited work experience trying to take care of a whole family.

With mounting financial pressure from expenses and medical bills for our son and the normal 9-5 just not paying enough anymore. I decided to start a carpentry company repairing old rotted decks. A series of bad decisions on my behalf in conjunction with being desperate to not fail as a provider led to me racking up criminal charges such as unlicensed contracting and grand theft. Throughout the years of our marriage we would struggle financially, being evicted over ten times in a five year span. This would all lead to our eventual divorce in 2019.

In 2019 at the age of twenty five years old I found myself divorced with four children, a criminal record, an absurd amount of credit card debt and child support bills coming in faster than I could pay. I knew I needed to do something. I refused to just be a deadbeat father and a failure. After a few months of brainstorming I decided to start my own real estate firm and called it "McKenzie Acquisitions." The whole idea revolved around a concept called "Real Estate Wholesaling" and does not require you to be a licensed real estate agent.

I registered the company in September of 2019 and by December of 2019 was ready to start marketing and advertising. In the coming weeks as I officially started operating my business, the coronavirus rolled in and flipped the whole world upside down. I had heard about the "PPP" loans but knew I didn't qualify as I hadn't even made a dollar in revenue yet. But, being in an odd state of mind as I had just lost my family to divorce a few months prior, being under extreme financial distress and facing another eviction, I did it. I fraudulently inflated my new company's income and forged documents to receive a twenty thousand dollar PPP loan.

Upon receiving that first PPP loan, for the first time in years I didn't feel like a failure. I was able to take my son Kanan to Dr. David Berger, one of the top Autism Specialists in the Country. I was finally able to get up in the middle of the night and walk to the kitchen without bumping into a wall as I had paid four thousand dollars for corrective eye surgery at Collin's Vision in Fort Myers and was no longer legally blind. For the first time since I was a teenager I felt like I could breathe again, I didn't feel like a failure. Unfortunately, I took the coward's way

out and I still regret that till this very day. I believe that a real man should struggle through adversity and figure out an ethical solution. I hold to the principle that stealing for your own financial gain is a coward's way out.

Over the next few months I would repeat the same crime using information of random people I found on the internet. I became greedy and selfish. I became addicted, not addicted to the money but addicted to the false feeling of success the money had given me. I had told everyone around me the money was coming in from my booming real estate business.

In reality, I was nothing but a failure and a fraud who took the easy way out. Disgusted with my actions and feeling like a fraud I vowed to become a successful and honorable man. Two years had passed by and I was never contacted by a detective, indicted or anything. I figured I had somehow slipped through the cracks. With all the proceeds from the loans long gone by now in 2022, I began studying software development by myself through various online platforms. In late 2022 I decided to move to Manhattan and attend the "Flatiron School" in Manhattan. They offered a 16 week software development program. I finished the software development program in 2023 and returned to Florida.

With my eyesight now corrected I made the decision to use my computer skills to serve as a Cybersecurity Expert in the United States Army. I met with Staff Sergeant Christopher Fields at the Army Recruiting Station in Kissimmee FL. Sergeant Fields was awesome. He prepared and submitted waivers for my criminal history and even gave me a voucher to have a small tattoo on my face removed prior to enlistment. I went to take the ASVAB (Military Entrance Exam) in Late August of 2023 and scored extremely well. Upon getting home that same day, I found out I had been indicted by the federal government.

I have learned so much through this entire legal process from the day I was indicted until now. But, most importantly I have learned that there's no shortcuts in life and there's no substitute for hard work. Cheaters never prosper. When the road got rough I attempted to cheat my way to success and now have to pay the consequence. It's a tough lesson to learn, but like I said in the beginning of this letter "every man should be accountable for his own actions." I fully take responsibility for my cowardly and unethical actions.

Upon release from prison I plan on working solely in the software development industry hopefully as an entry level IOS Developer and build my career as a developer from there. I also plan on finishing the development of a mobile app I have been working on since late 2022. It's a social media app geared towards individuals who suffer from mental health issues like bipolar and depression. Once my supervised release term is up I plan on buying a piece of land way out in the country and building a small home, hopefully I can work remotely as a software developer. I know this was a long one, but thanks for taking the time to read it.

Sincerely,

Diop Mckenzie

Honorable Judge Sheri Polster Chappell of United States District Judge U.S. Courthouse,
2110 First St. Ft. Myers, Florida 33901

Re: United States vs. Diop Mckenzie

Tuesday, September 27th, 2024

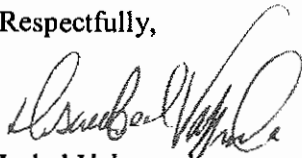
Dear Honorable Judge Polster Chappell:

I am the mother of Diop Mckenzie. I have three children ages 33, Diop 30 and my daughter 18 years old. I have been a single parent for many years. For the past 20 years I have worked as an admissions counselor for higher education at Keiser University. I have also been a volunteer for City Takers of Southwest FL, feeding the indigent and the marginalized community while sharing the love of God. I also volunteer as a church translator as needed. I am a firm believer of community engagement. I have taught my children that we all have something to give; whether it be money, time, talent, a shoulder to lean on or a listening heart.

I am proud to say that my son Diop Mckenzie is self-motivated and enjoys a healthy lifestyle. He is a low-key unassuming individual that enjoys being at home spending time with his young kids. When he is not at work or with his kids, he is at the gym working out. I raised Diop to be a vegetarian, and he takes great care of his body and how he eats. This lifestyle is challenging and requires great discipline. Diop does not have medical insurance, and for this reason he is adamant about staying fit and healthy. He recently shared with me that he works on building his back muscles to prevent back pain and recurring sciatica issues. Diop is a quiet person that loves the simple things in life, like family time and playing with his children. I am thankful that he is present to raise my grandkids; flaws and all I could not ask for a better son. My hopes and future for Diop is that he continues to raise my grandkids and is present to see all the beautiful milestones as they grow.

I am sincerely thankful for the opportunity of writing this letter and your time in reading it. Please feel free to contact me as needed.

Respectfully,



Isabel Valenzuela

17604 Wayside Bnd Punta Gorda, FL 33982

ivalenzuela@keiseruniversity.edu

239-281-3141

Dear Judge Chappell,

Re: United States v, Diop Mckenzie

I am the father of Diop Mckenzie, my son was born in Milwaukee Wisconsin on May 5th, 1994. We eventually moved to Plantation Florida in 1993. I raised my son with good work ethics, discipline, character and a philosophy emphasizing a positive outlook towards life regardless of his situation.

During his early childhood, it became obvious that Diop had some form of a degenerative eye disease. This would cause him many problems and frustration growing up. He was declared legally blind in his early adulthood. At this point, Diop was not able to see more than five feet in front of himself. This would cause Diop not to have the opportunity to play basketball in college and enlist in the army. It was at this point in his life that things started to unravel legally and eventually boiled over in his mid-twenties. Diop ultimately had a risky eye surgery that resulted in Diop not being legally blind anymore. He also has a son that was born blind, so I am not sure if this is genetic or not.

Your honor, I am not saying that his blindness led him to commit these crimes. But Diop watching himself lose his own vision from childhood to becoming an adult was quite traumatizing and caused a life full of psychological stress. This trauma affected his mental health and was a partial reason why he committed this crime. Diop used some of the funds from this crime to fund his surgery and anything else was just pure greed and foolishness.

Therefore, your honor, I ask that you consider deviating from the federal sentencing guidelines and give my son a chance to reintegrate back into society earlier. As a result, Diop would be able to pay restitution, redeem himself, make positive contributions to society, and make a better living for his family and kids.

Sincerely

A handwritten signature in black ink that reads "MICHAEL MCKENZIE". The signature is written in a cursive, slightly slanted style.

Michael Mckenzie

D

Honorable Judge Sheri Polster Chappell
United States District Judge U.S. Courthouse,
2110 First St. Ft. Myers, Florida 33901

Thursday August 29, 2024

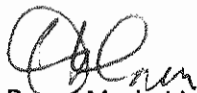
Re: United States vs. Diop Mckenzie

Dear Honorable Judge Polster Chappell:

I am the youngest sister of Diop Mckenzie. I am 18 years old. I live at home with our mom Isabel Valenzuela. I recently thought to fast track my high school completion and graduate a year earlier so that I can attend college. Before making my decision, I thought about it a lot and spoke with my mom for feedback. I was happy she allowed me to make my own decision. She gave me the okay on the condition that I start college in the fall/winter of 2024. I was surprised when she informed me that my brother Diop had this very same conversation with her many years ago when he was a junior in high school. Suddenly I had more confidence about my plan.

I knew my brother and I had plenty of things in common. After learning that he too completed high school a year earlier, I was less nervous about my decision. You see I have always looked up to my brother. Because he is 12 years older than me, I have a lot of respect and love for him. He has always been the quiet, kind guy, looking out for his little sister. I like to think that we are both more mature than people our age. I love having Diop in my life not because he is my big brother but because in many ways, he is like the dad I never had.

Most sincere and respectfully yours,


Renat Marie Liranzo

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Kristina Stewart
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Honorable Judge Sheri Polster Chappell
United States District Judge
U.S. Courthouse 2110 First St.
Ft. Myers, Florida 33901

Re: *United States v. Diop Mckenzie*

Dear Judge Sheri Polster Chappell,

My name is Kristina Stewart and I am a teacher here in Lee County. This is my fifth year teaching, all of which have been in third grade. I have a Bachelor of Science degree in Elementary Education and a Master of Education in Curriculum and Instruction. I am the mother of a ten year old daughter who has started fifth grade this school year. She is active in the community through National Elementary Honor Society, her volleyball team, and drama club. I am honored that I share this daughter with Mr. Mckenzie.

Mr. Mckenzie and I met in November of 2011 and became good friends instantly. After getting to know each other as friends, we entered a relationship in 2012. Through this relationship, it was apparent that family meant the most to Mr. Mckenzie. I was able to watch him care for his elderly grandmother, pick up his little sister from school each afternoon, run errands for his mother, and help his brother work on cars in the driveway. It was through my relationship with Mr. Mckenzie that I began regularly attending church, as service each Sunday is an important value to Mr. Mckenzie.

When we became first time parents in 2013 to our beautiful daughter, Mr. Mckenzie and I shared a once in a lifetime experience. Being young parents, we had many obstacles to overcome; however, we overcame these as a team for our daughter. When our daughter was first born, Mr. Mckenzie insisted on carrying her everywhere she needed to be carried - through a store, into and out of the doctor's office for appointments, in her car seat carrier. Being a father came very naturally to Mr. Mckenzie, and he wanted to be our daughter's protector.

Our daughter showed an interest in gymnastics at approximately six years old, during the COVID pandemic when gyms were closed. Mr. Mckenzie did not let gyms being closed stop our daughter from practicing her interest. He researched the best pullover bar and tumbling mat for her and bought the items for our daughter to practice at his house. This is just one of the many great memories I have of Mr. Mckenzie as a father, but one that continues to have a lasting positive effect on our daughter who is still using the equipment to this day to practice.

Seeing Mr. Mckenzie as a father has been such a privilege; I am honored to call him the father of our daughter. She loves showing off her dad when they go anywhere together whether it be a school function, out to dinner, or volleyball game. My hope for the future is that Mr.

Mckenzie is able to partake in these special moments of our daughter's life; that he is able to continue sharing her many upcoming milestones.

Overall, Mr. Mckenzie is a kind, gentle man. He enjoys the simple things in life and believes in spending quality time over materialistic things. In the almost thirteen years that I have known Mr. Mckenzie, he has always put his family and loved ones before his own happiness. Looking ahead to the years to come, I hope that Mr. Mckenzie is able to pursue his goals of being a computer coder and travel to new places. I look forward to sharing many first experiences with Mr. Mckenzie on our journey through parenthood.

I appreciate the time you have taken to read through this letter.

Respectfully,

Kristina Stewart

Lindsay Neal
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Cape Coral, FL 33909
(239) 424-9675

Honorable Judge Chappell
United States
District Judge U.S.
Courthouse 2110
First St. Ft. Myers, FL 33901

Re: United States v. Diop Mckenzie

Dear Judge Chappell,

My name is Lindsay Neal, I am the mother to three of Mr. Mckenzie's children. Me and Mr. Mckenzie met after his divorce, i have had the opportunity to know Diop on a friendship level and a romantic level The past five years. We welcomed our first child together in September of 2020, a baby boy named Zavian Mckenzie. I had a normal healthy pregnancy but after Zavian was born we noticed something was wrong. In November of 2020 Zavian was diagnosed with two rare congenital conditions called Optic nerve hypoplasia and Septo-optic dysplasia. Due to these diagnoses we were informed Zavian was completely blind in both eyes alongside many other health issues stemming from these conditions. In March of 2023 we were given Zavians diagnoses of autism. We as a team have fought a tough battle.

Diop has played an active role in Zavians journey since his birth, the unyielding faith he's shown to his son, the dedication and immense amount of love truly speak volumes to the father he is. Due to Diops active role in our family I was able to resign from my position at LEE health and become a full time stay at home mom to care for our disabled child. After Zavians birth we welcomed another baby boy in February of 2022 (Brayden Mckenzie) and a baby girl (Kyah Mckenzie) in April of 2023.

I have a specific instance that will always follow me, a moment I knew Diop would do anything and everything for his son. Zavian became very ill, he was a year old. I called Diop, who at the time was living in Orlando, one phone call and he was packed, loaded and driving to Cape coral. Zavian was admitted into the ICU due to being in an adrenal crisis and having hypoglycemia. We spent 5 nights in the ICU with our son.

Diop's presence in my life has been a true blessing, he is filled with so much knowledge. There isn't a subject left untouched, I can speak of something so left field and he would be able to discuss the topic like it's his life's duty. Diop consistently strives for self improvement and expanding his knowledge. Over the course of the last five years I have been given the opportunity to watch Diop grow tremendously in life. In fall of 2022 Diop moved across the country to New York to pursue his career in coding, he attended school for computer science. He was able to earn his credits and become proficient in coding. Growing up we lived completely different lives and that plays a huge part in the reason he is very persistent in bettering his life. I was born and raised in Cape Coral, he is from the projects in Fort Lauderdale. He would spend a lot of his time reading and researching to fill himself with knowledge and deter himself from being a product of the environment he grew up around. Still to this day he spends a lot of time researching and reading. Thinking of ways to prosper and grow in life. To Diop knowledge is power, having the complete ability to acquire knowledge, preserve and pass it on to our children is one of his life's missions.

I know due to these circumstances it's easy to see the negative, but Diop truly has a strong sense of integrity and morals, somewhere along the way those were tested. But I know in my heart and from my personal experience Diop has great remorse for the actions that led up to this. If he has one regret in life it would without a doubt be the choices he made to land himself in your court room. Prior to this indictment Diop was in the process of enlisting into the Army, he was so excited to have a fresh start, to be doing something he loved, defending our beautiful country. He had finally found an outlet to the everyday rat race, our son would have been set for life along with our other kids. But then the unthinkable happened when we discovered the indictment, his world crashed. He had instant regret for the choices that were made in the prior years.

Although the military is out of the question now, I know once he is home Diop will do great things. I have never met such a resilient person. He has many dreams and goals in life. Some sound a little far-fetched, maybe a little unrealistic. But knowing the man he is he will succeed and conquer the life he has always dreamed of. One of his dreams and goals in life is to own a piece of land in Colorado and build his own home. To live off his land, grow his own food and raise his children in the country away from the city life, away from trouble. Diop thus far has shown a steadfast and resolute demeanor in moving past this mistake in a constructive manner. It is my hope that this letter regarding Mr. McKenzie and this case will act as a positive and contributing factor.

Respectfully,
Lindsay Neal