

Shalom brother Rudy,

May 26, 2019

OF the books that you ordered I have not received the following:

Miracle On Main Street

Miracle In Atlanta

One In A Million

Montana Freeman

They brought me an empty envelope of a book that was sent to me but have not given it to me nor have they let me see the book to know the title. I have the tracking # from the envelope if this will help you determine what book this was. They said they placed it in my property for when I return to Scotland. The tracking # is [REDACTED] on

April 19, 2019 From Oceana Publishing Co.

They have my release date from the SHU between May 30 and June 3. I will call you as soon as I'm out. Also could you text your website and page you did for me to the following numbers: [REDACTED]

I want to see what their response will be. If they ask who you are just let them know of the ministry that

you and your wife have to help those who are innocent and incarcerated. Thanks brother and hopefully the next communication you receive from me will be a phone call.

Yours in Yeshua,

Brother Anthony

P.S. I enclosed the United States Attorney's office response to my motion. I do not need a copy of this back I have an extra copy already.

Anthony Williams
c Honolulu # 05963-122
P.O. Box 30080
Honolulu, HI 96820
Receipt Requested



HONOLULU P.O. BOX 30080
TUE 28 MAY 2019 PM

SPECIAL MAIL

YEAR OF JUBILEE.COM
MEDIA REPRESENTATIVE
RUDY DAVIS
P.O. BOX 2088
Forney, TX 75126

Mailpiece 5-26-19
From the SHU

KENJI M. PRICE #10523
United States Attorney
District of Hawaii

GREGG PARIS YATES #8225
Assistant United States Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
E-Mail: gregg.yates@usdoj.gov

Not redacted (see Exhibit A) →

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 17-00101 LEK
)	
Plaintiff,	)	UNITED STATES'S RESPONSE TO
	)	DEFENDANT'S SECOND MOTION TO
vs.	)	COMPEL; CERTIFICATE OF SERVICE
)	
ANTHONY T. WILLIAMS (1),)	
)	
Defendant.)	
)	
)	

UNITED STATES'S RESPONSE TO
DEFENDANT'S SECOND MOTION TO COMPEL
AND NINTH MOTION FOR ORDER TO SHOW CAUSE

The government respectfully submits this response to Defendant Anthony T. Williams's (Defendant) Second Motion to Compel (2d Motion to Compel). The defendant filed the 2d Motion to Compel as one of two related motions, together

with the Ninth Motion For Order To Show Cause (9th OSC Motion). *See* 2d Mot. Compel Exh. A, ECF No. 460-2. The 2d Motion to Compel seeks “the 2 Terabyte[s] of discovery in [the government’s] possession since November 2018,” and “demands that the discovery that are documents be sent to the undersigned in paper form” and “audio [or] video oriented [discovery]” “be sent in CD or DVD form.” 2d Mot. Compel Exh. A at 1, ECF No. 459-2.

In sum, the government made the complete forensic images from the working, accessible electronic devices that it seized from the defendant available to him through his standby counsel on January 23, 2019. Since then, the government has located the forensic images for two additional devices, as well as the results of searches that had been conducted earlier. These shall be promptly produced. The defendant is not entitled to any further processing of this data.

BACKGROUND

Because the discovery in this matter implicates some technical issues, we provide the following background for the Court’s benefit.

The Superseding Indictment arises out of a mortgage fraud scheme executed by the defendant in at least two states, Florida and Hawaii. FBI Miami Field Office (FBI Miami) and the Broward County Sheriff’s Department conducted investigations of the defendant’s conduct in the State of Florida, in parallel with the Federal Bureau of Investigation Honolulu Field Office’s (FBI Honolulu)

investigation in the State of Hawaii. According to FBI Miami's reports, the following digital media were seized from the defendant during the course of the investigations conducted in Florida:

1. Macbook Pro laptop, serial #CO2PGFASFVH3 (Item 1);
2. Black WD "My Passport" hard drive, serial #WXB1A3305540 (Item 2);
3. Black USB drive with blue tape (Item 3);
4. Sandisk USB drive (Item 4);
5. Lexar 8GB USB drive (Item 5);
6. Lexar 32GB USB drive (Item 6)
7. Toshiba Hard Drive, serial #846ZSVC1STT1 (Item 7);
8. WD Hard Drive, serial #WCC4E83TLT6C (Item 8);
9. Sandisk Ultra 8GB Micro (Item 9);
10. Black Amazon Kindle (Item 10);
11. Amazon device, model SR87CV ID-2ACBF-6708 (Item 11);
12. Black iPhone model A1387 ID-BCG-E2430A (Item 12);
13. White iPhone model A1349 ID-BCG-E2422A (Item 13);

FBI Miami reports indicate that the above-listed items were seized pursuant to Federal warrants. In addition, FBI Miami obtained and served search warrants to Yahoo!, Inc., the e-mail service provider, for e-mail messages to and from two e-mail addresses, "troyceo" and "barbarawilliams2003" at yahoo dot com.

In order to search the above-referenced devices, the FBI created forensic images of the devices. Forensic imaging involves making a bit-for-bit copy of all data contained within each electronic device, including files, file metadata, files that were marked for deletion, and free space. Of the 13 devices seized in Florida, Items 1-9 listed above could be forensically imaged at the time of their seizure.¹ Of the nine devices that could be imaged, FBI Miami imaged Items 1-8. Forensic examiners were not able to access and extract data from Items 10-13.

The FBI searched the complete forensic images of each working, accessible device for files within the scope of the search warrants by bookmarking relevant files and creating a report of results for use in the investigation, which were captured on results disks. The results disks contained all files that were responsive to the search warrant, and were in a readable format.

Sometime prior to September 2018, the FBI Miami discontinued its investigation. In Fall 2018, FBI Miami transferred all thirteen aforementioned electronic devices seized from the defendant to FBI Honolulu. Moreover, FBI Miami transferred forensic images of certain devices to FBI Honolulu.

¹ Due to the fact that FBI Miami later closed its investigation of the defendant, final forensic examination reports were not generated in connection with the defendant's devices. In light of the potential relevance of these reports to discovery in this prosecution, FBI Miami will generate all necessary forensic examination report(s) of the defendant's digital media for production to defense.

A forensic examiner for FBI Honolulu copied the forensic images that were received onto a 3 terabyte (TB) external hard drive. The same examiner also forensically imaged another device, which had not previously been imaged, for the sole purpose of discovery and included this forensic image on the same 3TB hard drive. Finally, the FBI examiner also loaded onto the 3TB hard drive all messages associated with the troyceo@yahoo.com email account that Yahoo sent to FBI Miami in response to the search warrant. After copying the digital files, the 3TB hard drive contained 2.146TB of data.

On January 23, 2019, the government made the aforementioned 3TB hard drive available to all parties, and to defendant Anthony Williams, through his standby counsel, Lars Isaacson, Esq. Exhibit A. During the week of April 15, 2019, counsel for the government reiterated its offer to make the aforementioned 3TB hard drive available to the defendant through Mr. Isaacson, and informed him that the defendant's hard drive, as well as hard drives containing data seized from other defendants, had been prepared for him to pick up. Mr. Isaacson responded that we "leave him out of it," as the defendant was "not his client."

The Bureau of Prisons (BOP) will not permit an incarcerated inmate such as the defendant to possess a stand-alone hard drive within the Federal Detention Center. However, the government has confirmed that the BOP will accommodate

the defendant by permitting him to review electronic evidence on hard drives at the FDC in the presence of his standby counsel. Exhibit B.

In connection with its investigation to respond to this motion, the FBI Honolulu determined that the 3TB hard drive included only the forensic images for 7 electronic devices (Items 1-6, and 9), and omitted the images for two others (Items 7 and 8). Moreover, the results disks of the prior FBI Miami searches had not been included as a result of an oversight.

ARGUMENT

The motion should be denied. The government has been in compliance with its discovery obligations, and will continue to be compliance as it uncovers additional information.

At issue is a single 3TB hard drive that the government prepared, which contains forensic images of working, accessible devices that were seized from the defendant as part of the FBI's investigation into his mortgage fraud conduct in Florida, as well as e-mail messages provided by Yahoo, Inc. in response to a search warrant. This hard drive has been available to the defendant through his standby counsel since January 23, 2019. Moreover, the government has located the forensic images for two additional devices and the reports of the warranted searches that were conducted upon the devices. The government will produce these promptly.

I. The FBI Created And Made Available To The Parties Forensic Images Of Working, Accessible Electronic Devices Seized From The Defendant

The government has complied with its discovery obligations with respect to the forensic images on the 3TB hard drive. As noted below, the forensic images themselves are not technically evidence or discoverable. In any event, the government has made the 3TB hard drive available to the defendant through his standby counsel.

The government created and possessed forensic images of the defendant's devices to facilitate its warranted search of those devices. The seizure of electronic devices and creation of forensic images to conduct searches of electronic devices has been recognized and accepted by Federal courts. *See United States v. Hay*, 231 F.3d 630, 637 (9th Cir. 2000) (upholding warrant authorizing seizure of a defendant's entire computer system because the circumstances justified taking the entire computer system off site because of the time, expertise, and controlled environment required for a proper analysis). The defendant's devices contained electronically stored information (ESI), which is "volatile" and "can be altered, overwritten or destroyed simply by running conflicting software or by conducting routine maintenance." *Javeler Marine Svcs. LLC v. Cross*, 175 F.Supp.3d 756, 761 (S.D. Tex. 2016). To preserve ESI for proper searching, the FBI created forensic images of the working, accessible seized devices, which are a "functional reproduction of the physical storage disk" and allows access to "any application

file or electronic document on the hard drive with all that document's original properties and metadata intact." *Colosi v. Jones Lang LaSalle Ams., Inc.*, 781 F.3d 293, 297 (6th Cir. 2015).

The forensic images that the government created fall outside the government's discovery obligations because they contain a substantial amount of information that is irrelevant to the prosecution and outside the scope of the search warrants obtained by the FBI. *See, e.g. United States v. Gray*, 78 F.Supp.2d 524, 529 (E.D.Va. 1999) ("[S]earches of computer files present the same problem as document searches—the intermingling of relevant and irrelevant materials—but to a heightened degree because of the massive storage capacity of modern computers."). Indeed, specialized software and expertise is required to explore the data on these forensic images. *See, e.g., United States v. Ganius*, 824 F.3d 199 (2d Cir. 2016) ("Forensic software gives a forensic examiner access to electronically stored information (ESI) that is otherwise unavailable to a typical computer user.") (quoting Daniel B. Garrie & Francis M. Allegra, Fed. Judicial Ctr., *Understanding Software, the Internet, Mobile Computing, and the Cloud: A Guide for Judges* 39 (2015)). Only the items viewed and copied pursuant to the warrants are "seized" for the purposes of the Fourth Amendment and are therefore discoverable. *Cf. Gray*, 78 F.Supp.2d at 528 (discussing applicability of Fourth Amendment plain view exception to computer file search). Despite this, the government has made

the complete forensic images of six of the working, accessible electronic devices seized from the defendant available for all parties to copy and inspect.

The fact that the government has made the forensic images available to the defendant through his standby counsel does not render the government noncompliant with its discovery obligations. All defendants have the same rights with respect to the forensic images that have been made available. Although the defendant is incarcerated, he can access the forensic images through his standby counsel, or obtain the results of any analysis, just as any other defendant. The defendant cannot selectively use his standby counsel to file frivolous motions, and then refuse acceptance of discovery through his counsel to provide himself a basis upon which to file a motion to compel.

Moreover, the defendant is not entitled to further processing of the above-referenced data and discovery by the government. *See* Df. 2d Mot. Compel Exh. A (demand for documents “in paper form” and “audio [or] video oriented” files in “CD or DVD form”). To the extent that the defendant, or any party, wishes to conduct his own analysis of the metadata or files that had been marked for deletion on the devices, he or she can petition the Court for an expert to access and review the forensic images, either him/herself or through his/her counsel. Indeed, the government is not in a position to re-search the forensic images. The warrants pursuant to which the FBI conducted its searches were obtained in 2015, and

would likely not support another search today. *Durham v. United States*, 403 F.2d 190, 193 (9th Cir. 1968) (affidavit must be based on facts “closely related to the time of the issue of the warrant . . . to justify a finding of probable cause).

In sum, the government has satisfied its discovery obligations with respect to the forensic images on the 3TB drive. In addition, as noted, the government recently located forensic images for two additional electronic devices, and will make these available to the defendant promptly.

II. The FBI Searched The Forensic Images For Relevant ESI And Created Reports Of Results

The government will continue to comply with its discovery obligations in connection with the recently-discovered search results disks. As noted, FBI Miami conducted warranted searches of the forensic images of the six electronic devices that they had imaged. This process involves scanning the files on the forensic images, bookmarking relevant documents within the scope of the FBI’s search warrants, and copying only those relevant documents onto a report of results.

United States v. Defreitas, 701 F.Supp.2d 297, 307 (E.D.N.Y. 2010).

As noted, the FBI has recently located the reports of results for the searches that were conducted upon the forensic images of six of the defendant’s electronic devices. The reports of these previous searches results contain files in readable format that should be viewable by the defendant within the FDC. The government

does not dispute that these reports contain discoverable information, and will make these available to the defendant promptly.

III. The Government Has Made The Forensic Images Of The Electronic Devices It Seized Available For Inspection And Will Produce All Recently Discovered Search Results

In sum, the government has complied with its discovery obligations and will continue to do so. For ease of review, the government sets forth below a chart of the devices that it seized from the defendant, the information—if any—that the government was able to obtain from each device, and whether the information was or will be made available to the defendant.

#	Device	Forensic Image Made	Search of Image Completed and Report Created	Other Disposition
1	Macbook Pro laptop, serial #CO2PGFASFVH3	Yes, made avail. To defendant 1/23/2019	No	
2	Black WD "My Passport" hard drive, serial # WXB1A3305540	Yes, made avail. To defendant 1/23/2019	Yes, will be produced	
3	Black USB drive with blue tape	Yes, made avail. To defendant 1/23/2019	No	
4	Sandisk USB drive	Yes, made avail. To defendant 1/23/2019	Yes, will be produced	
5	Lexar 8GB USB drive	Yes, made avail. To	Yes, will be produced	

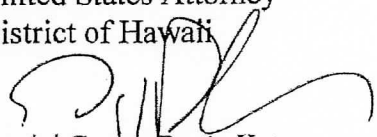
		defendant 1/23/2019		
6	Lexar 32GB USB drive	Yes, made avail. To defendant 1/23/2019	Yes, will be produced	
7	Toshiba Hard Drive, serial #846ZSVC1STT1	Yes, will be produced	Yes, will be produced	
8	WD Hard Drive, serial #WCC4E83TLT6C	Yes, will be produced	Yes, will be produced	
9	Sandisk Ultra 8GB Micro.	Yes, made avail. To defendant 1/23/2019	No	
10	Black Amazon Kindle	No	No	Will return device
11	Amazon device, model SR87CV ID-2ACBF-6708 (described as a "laptop")	No	No	Will return device
12	Black iPhone model A1387 ID-BCG-E2430A	No	No	
13	White iPhone model A1349 ID-BCG-E2422A	No	No	
14	Yahoo, Inc. Warrant response re troyceo@yahoo.com	Yes, made avail. To defendant 1/23/2019	No	

CONCLUSION

In light of the foregoing, the government respectfully requests that the Court deny the 2d Motion to Compel.

DATED: May 17, 2019, at Honolulu, Hawaii.

KENJI M. PRICE
United States Attorney
District of Hawaii


By /s/ Gregg Paris Yates
GREGG PARIS YATES
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served via CM/ECF:

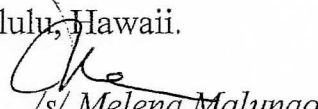
Lars R. Isaacson, Esq.
hawaii.defender@earthlink.net

Attorney for Defendant
ANTHONY WILLIAMS

Served via Certified Mail:

Anthony T. Williams
Register No. 05963-122
FDC Honolulu
Federal Detention Center
Inmate Mail
PO Box 30080
Honolulu, HI 96820

DATED: May 22, 2019, at Honolulu, Hawaii.



/s/ Melena Malunao
United States Attorney's Office
District of Hawaii

EXHIBIT A

Yates, Gregg (USAHI)

From: Yates, Gregg (USAHI)
Sent: Wednesday, January 23, 2019 6:44 PM
To: [REDACTED]; Lars Robert Isaacson; 'Birney Bervar'
Cc: Johnson, Ron (USAHI)
Subject: Williams electronic media

Counsel:

We have completed copying various electronic media and are making these available for your inspection. There is a total of about 2.146 TB of data available for inspection. If you would like us to make copies of the files on these drives for you, please provide us with either a single 3TB hard drive or two 2TB hard drives.

Most of the data (1.95 TB) represent files kept on media belonging to Anthony Williams, which were seized in connection with the investigation of Mr. Williams in Miami, Florida, and which were maintained by the FBI field office there. We received the files in November 2018 after the U.S. Attorney for the Southern District of Florida declined prosecution. We recently completed processing these files and are making the files available for your inspection now.

Two other data sources, namely Barbara Williams's HP laptop (117 GB), and Maryjane Castillo's Apple desktop, which was utilized by Anthony Williams in Honolulu (included in figure above), were reviewed and relevant documents were previously produced in discovery. Nonetheless, the entirety of the files on these computers is now being made available for inspection.

Finally, the contents of Anabel Cabebe's Toshiba laptop (79 GB) is also being made available for inspection, and is being produced in its entirety.

Let me know if you have any further questions.

Gregg Paris Yates
Assistant U.S. Attorney
United States Attorney's Office
300 Ala Moana Boulevard, Room 6-100
Honolulu, Hawaii 96850

[REDACTED]



↑
Notice this idiot
redacted his email
address but didn't
redact it on the
cover page!

Exhibit H

EXHIBIT B

From: Timothy Rodrigues
To: Yates, Gregg (USAHI)
Subject: Williams hard drives - wait until May
Date: Thursday, April 18, 2019 2:19:46 PM
Attachments: Threats 2.pdf
Fire.pdf
Threats 1.pdf

Hi Gregg,

The Warden approved the hard drives and there is a memo in place allowing Lars to enter with them. However, Lars may as well not attempt this for the next three weeks. Williams will be in SHU until then and getting Lars a contact visit in SHU for this purpose is another hurdle.

Williams got a 30-day suspended SHU sentence following his attempt to incite a group demonstration on 3/13 (see att "Fire" email). The email is Williams' characterization of what occurred. In reality, using his oratory prowess, he completely obstructed the fire drill and attempted to rally the unit to resist the staff, lest they court death during an actual fire.

Following his threatening/insolent emails to staff on 4/9, he was sent to SHU. Williams just had his disciplinary hearing and got the 30 days imposed from the group demonstration charge. We're being mindful of allowing him access to research and his other e-discovery while in SHU and I've asked them to thoroughly document everything.

He should be back in GP around May 9th. The memo is already in the lobby for when that time comes.

Tim

>>> Timothy Rodrigues 4/10/2019 2:22 PM >>>
Hi Gregg,

Williams was put in SHU for insolence and threats to staff. Please see attached.

I'll be out tomorrow and Friday but can follow up on this and the hard drive issue on Monday.

Tim

Timothy A. Rodrigues | Senior Attorney
US Department of Justice | Federal Bureau of Prisons

REDACTED

It's May 26 and I'm still in the SHU

A complete lie and I wasn't charged with this they ended up charging me with disobeying an order cause the officer lied and said she told me to stop talking and I continued to talk, which never happened

Responses & Replies1:17-cr-00101-LEK USA v. Williams et al**U.S. District Court****District of Hawaii****Notice of Electronic Filing**

The following transaction was entered by Yates, Gregg on 5/22/2019 at 3:35 PM HST and filed on 5/22/2019

Case Name: USA v. Williams et al**Case Number:** 1:17-cr-00101-LEK**Filer:** USA**Document Number:** 487**Docket Text:****RESPONSE by USA as to Anthony T. Williams re [459] Second MOTION to Compel (Attachments: # (1) Exhibit A, # (2) Exhibit B)(Yates, Gregg)****1:17-cr-00101-LEK-1 Notice has been electronically mailed to:**

Birney B. Bervar bbb@bervar-jones.com, pg@bervar-jones.com

Gregg Paris Yates gregg.yates@usdoj.gov, CaseView.ECF@usdoj.gov,
kari.sherman@usdoj.gov, melena.malunao@usdoj.gov,
USAHI.ECF.Narcotics@usdoj.gov

Lars R. Isaacson hawaii.defender@earthlink.net

Michael Jay Green michaeljgreen@hawaii.rr.com, edna@michaeljaygreen.com,
joell@michaeljaygreen.com, kelly@michaeljaygreen.com, laura@michaeljaygreen.com**1:17-cr-00101-LEK-1 Notice will not be electronically mailed to:**Anthony T. Williams
05963-122
FDC HONOLULU
FEDERAL DETENTION CENTER
Inmate Mail/Parcels
P.O. BOX 30080

HONOLULU, HI 96820

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1095854936 [Date=5/22/2019] [FileNumber=2623032-0]
] [8e4e2f3e2f7c2103d9c4897fd604be29559d804416620f19acb794421b11bd1cff4
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Document description:Exhibit A

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1095854936 [Date=5/22/2019] [FileNumber=2623032-1]
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0d98db83d2b585cdf4d58474a8cfee474bacb01db077689bf9a8b074d12ff]]

Document description:Exhibit B

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1095854936 [Date=5/22/2019] [FileNumber=2623032-2]
] [52c23eb8c5ceeaac9e7300d5d05591215de00bbcab98bf86d05784318cbccf68ad8
28b46d33395a6d053b03ac225454d9217512f9a7fe75688807e0884ee80f4]]

KENJI M. PRICE #10523
United States Attorney
District of Hawaii

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Fax: (808) 541-2958
E-Mail: Gregg.Yates@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 17-00101 LEK
)	
Plaintiff,	)	UNITED STATES'S MOTION FOR
	)	MISCELLANEOUS RELIEF
vs.	)	RELATING TO ITS RESPONSE TO
	)	DEFENDANT'S SECOND MOTION TO
ANTHONY T. WILLIAMS,	)	COMPEL; CERTIFICATE OF SERVICE
)	
Defendant.)	
)	

UNITED STATES'S MOTION FOR MISCELLANEOUS RELIEF RELATING
TO ITS RESPONSE TO DEFENDANT'S SECOND MOTION TO COMPEL

The government respectfully submits this motion for miscellaneous relief relating to its Response To Defendant's Second Motion To Compel, ECF No. 482.

KENJI M. PRICE #10523
United States Attorney
District of Hawaii

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Telephone: (808) 541-2850
Fax: (808) 541-2958
E-Mail: Gregg.Yates@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 17-00101 LEK
)	
Plaintiff,	)	UNITED STATES'S MOTION FOR
	)	MISCELLANEOUS RELIEF
vs.	)	RELATING TO ITS RESPONSE TO
	)	DEFENDANT'S SECOND MOTION TO
ANTHONY T. WILLIAMS,	)	COMPEL; CERTIFICATE OF SERVICE
)	
Defendant.)	
)	

UNITED STATES'S MOTION FOR MISCELLANEOUS RELIEF RELATING TO ITS RESPONSE TO DEFENDANT'S SECOND MOTION TO COMPEL

The government respectfully submits this motion for miscellaneous relief relating to its Response To Defendant's Second Motion To Compel, ECF No. 482.

First, the government seeks leave to file this response brief out-of-time.

Good cause supports this request. Pursuant to an oral Order of this Court, dated

May 10, 2019, the deadline to respond to the Defendant's Second Motion to

Compel was May 17, 2019. The undersigned counsel for the government filed two

Another bogus
excuse for
missing a
filing deadline
~~other briefs in this matter on May 17, 2019, and attempted to timely file this~~

~~other briefs in this matter on May 17, 2019, and attempted to timely file this~~

response brief, but encountered technical difficulties with filing via the Court's

ECF system beginning at approximately 11:45 p.m. Attachment A is a print-out of

15 minutes
before deadline
the error message received from the ECF website after every attempted filing.

Accordingly, the undersigned counsel hand-delivered a hardcopy brief to the

Court's late night dropbox, but did not do so until 12:22 a.m. on May 18, 2019.

Second, the government intended to file Exhibit B to its response in

opposition with certain information redacted. Exhibit B represents an e-mail sent

from Bureau of Prisons counsel to the undersigned counsel, and should have the

signature block of the sender redacted. However, the Exhibit B that was filed with

the Response brief left the signature block unredacted.

Accordingly, the government moves to have the original Exhibit B removed

from the docket, and replaced with the attached Exhibit B. Alternatively, the

government moves to have its entire Response Brief and exhibits removed from

the ECF docket, with leave to promptly re-file the brief together with a corrected,

redacted Exhibit B.

CONCLUSION

For the reasons above, the government respectfully requests that the Court grant leave to file its Response To Defendant's Second Motion to Compel out of time, and to file a corrected, redacted Exhibit B.

DATED: May 20, 2019, at Honolulu, Hawaii.

KENJI M. PRICE
United States Attorney
District of Hawaii

By /s/ Gregg Paris Yates
GREGG PARIS YATES
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following by the method indicated on the date of filing:

Served Electronically through CM/ECF:

Lars Isaacson, Esq.
hawaii.defender@earthlink.net

Attorney for Defendant
ANTHONY T. WILLIAMS

Served by First Class Mail:

Anthony T. Williams
Register No. 05963-122
Inmate Mail
FDC Honolulu
PO Box 30080
Honolulu, HI 96820

DATED: May 20, 2019, at Honolulu, Hawaii.

/s/ Melena Malunao
U.S. Attorney's Office
District of Hawaii

Responses & Replies

1:17-cr-00101-LEK USA v. Williams et al

ERROR: Document is malformed or contains code which may cause an external action (such as launching an application). This PDF document cannot be accepted.

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Submitted Entries

File Type	Filename	Category	Description
Main Document	N:\CASES\CASES - ACTIVE\WHITE COLLAR\WILLIAMS\Drafts\WIL Govt REsp Mot Compel [FINAL final].pdf	-	-
Attachment #1	N:\CASES\CASES - ACTIVE\WHITE COLLAR\WILLIAMS\Drafts\WIL Exh A to Resp to Mot Compel.pdf	Exhibit	-
Attachment #2	N:\CASES\CASES - ACTIVE\WHITE COLLAR\WILLIAMS\Drafts\WIL Exh B to Resp to Mot Compel.pdf	Exhibit	-

Back

From: [Timothy Rodrigues](#)
To: [Yates, Gregg \(USAHI\)](#)
Subject: Williams hard drives - wait until May
Date: Thursday, April 18, 2019 2:19:46 PM
Attachments: [Threats 2.pdf](#)
[Fire.pdf](#)
[Threats 1.pdf](#)

Hi Gregg,

The Warden approved the hard drives and there is a memo in place allowing Lars to enter with them. However, Lars may as well not attempt this for the next three weeks. Williams will be in SHU until then and getting Lars a contact visit in SHU for this purpose is another hurdle.

Williams got a 30-day suspended SHU sentence following his attempt to incite a group demonstration on 3/13 (see att "Fire" email). The email is Williams' characterization of what occurred. In reality, using his oratory prowess, he completely obstructed the fire drill and attempted to rally the unit to resist the staff, lest they court death during an actual fire.

Following his threatening/insolent emails to staff on 4/9, he was sent to SHU. Williams just had his disciplinary hearing and got the 30 days imposed from the group demonstration charge. We're being mindful of allowing him access to research and his other e-discovery while in SHU and I've asked them to thoroughly document everything.

He should be back in GP around May 9th. The memo is already in the lobby for when that time comes.

Tim

>>> Timothy Rodrigues 4/10/2019 2:22 PM >>>

Hi Gregg,

Williams was put in SHU for insolence and threats to staff. Please see attached.

I'll be out tomorrow and Friday but can follow up on this and the hard drive issue on Monday.

Tim

Timothy A. Rodrigues | Senior Attorney
US Department of Justice | Federal Bureau of Prisons

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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 17-00101 LEK
)	
Plaintiff,	)	CORRECTED CERTIFICATES OF
	)	SERVICE FOR ECF NOS. 482 AND 483;
vs.	)	CERTIFICATE OF SERVICE
)	
ANTHONY T. WILLIAMS (1),)	
)	
Defendant.)	
)	
)	

CORRECTED CERTIFICATES OF SERVICE FOR ECF NOS. 482 AND 483

The certificates of service attached to ECF Nos. 482 and 483 were incorrect. Accordingly, the government submits corrected certificates of service for the following documents:

- Response to Defendant’s Second Motion to Compel, ECF No. 482;

My motion would have been stricken



- Motion to File Response Brief Out of Time and to Correct Exhibit Re [ECF No.] 482 Response to Motion by USA, ECF No. 483.

I hereby certify that, on May 18, 2019, a brief entitled, “Response to Defendant’s Second Motion to Compel” was filed with the Court via its drop box. Subsequently, on May 20, 2019, a true and correct copy of that brief was served on the following electronically through CM/ECF:

Lars Isaacson, Esq.
hawaii.defender@earthlink.net

Stand-by Attorney for Defendant
ANTHONY T. WILLIAMS

Michael Jay Green, Esq.
michaeljgreen@hawaii.rr.com

Attorney for Defendant
ANABEL CABEBE

Birney B. Bervar, Esq.
bbb@bervar-jones.com

Attorney for Defendant
BARBARA WILLIAMS

I further certify that, on May 22, 2019, a brief entitled, “Response to Defendant’s Second Motion to Compel,” was served on the following by First Class Mail, that was true and correct with the exception that Exhibit B contains a single redaction that is the subject of a pending motion:

//
//

Anthony T. Williams
Register No. 05963-122
Inmate Mail
FDC Honolulu
PO Box 30080
Honolulu, HI 96820

In addition, I certify that, on May 20, 2019, a true and correct copy of a brief entitled, "Motion to File Response Brief Out of Time and to Correct Exhibit Re [ECF No.] 482 Response to Motion by USA," was served on the following electronically through CM/ECF:

Lars Isaacson, Esq.
hawaii.defender@earthlink.net

Stand-by Attorney for Defendant
ANTHONY T. WILLIAMS

Michael Jay Green, Esq.
michaeljgreen@hawaii.rr.com

Attorney for Defendant
ANABEL CABEBE

Birney B. Bervar, Esq.
bbb@bervar-jones.com

Attorney for Defendant
BARBARA WILLIAMS

I further certify that, on May 22, 2019, a true and correct copy of a brief entitled, "Motion to File Response Brief Out of Time and to Correct Exhibit Re [ECF No.] 482 Response to Motion by USA," was served on the following by First Class Mail:

Anthony T. Williams
Register No. 05963-122
Inmate Mail
FDC Honolulu
PO Box 30080
Honolulu, HI 96820

DATED: May 22, 2019, at Honolulu, Hawaii.

/s/ Gregg Paris Yates
U.S. Attorney's Office
District of Hawaii

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served via CM/ECF:

Lars R. Isaacson, Esq.
hawaii.defender@earthlink.net

Attorney for Defendant
ANTHONY WILLIAMS

Served via Certified Mail:

Anthony T. Williams
Register No. 05963-122
FDC Honolulu
Federal Detention Center
Inmate Mail
PO Box 30080
Honolulu, HI 96820

DATED: May 22, 2019, at Honolulu, Hawaii.

/s/ Melena Malunao
United States Attorney's Office
District of Hawaii

Service of Process1:17-cr-00101-LEK USA v. Williams et al**U.S. District Court****District of Hawaii****Notice of Electronic Filing**

The following transaction was entered by Yates, Gregg on 5/22/2019 at 2:49 PM HST and filed on 5/22/2019

Case Name: USA v. Williams et al**Case Number:** 1:17-cr-00101-LEK**Filer:** USA**Document Number:** 485**Docket Text:**

Certificate of Service by USA as to Anthony T. Williams re [483] MOTION to file response brief out of time and to correct exhibit re [482] Response to Motion , [482] Response to Motion (Yates, Gregg)

1:17-cr-00101-LEK-1 Notice has been electronically mailed to:

Birney B. Bervar bbb@bervar-jones.com, pg@bervar-jones.com

Gregg Paris Yates gregg.yates@usdoj.gov, CaseView.ECF@usdoj.gov,
kari.sherman@usdoj.gov, melena.malunao@usdoj.gov,
USAHI.ECF.Narcotics@usdoj.gov

Lars R. Isaacson hawaii.defender@earthlink.net

Michael Jay Green michaeljgreen@hawaii.rr.com, edna@michaeljaygreen.com,
joell@michaeljaygreen.com, kelly@michaeljaygreen.com, laura@michaeljaygreen.com

1:17-cr-00101-LEK-1 Notice will not be electronically mailed to:

Anthony T. Williams
05963-122
FDC HONOLULU
FEDERAL DETENTION CENTER
Inmate Mail/Parcels

P.O. BOX 30080
HONOLULU, HI 96820

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1095854936 [Date=5/22/2019] [FileNumber=2622965-0
] [072be39325fd63ed265c657f191d581775b5040a41eed0b1c5d7e1d2499cb6960e8
ead68ea3c02eaceb71cf6763e68e665af9ae12a4a95f6b6abc3955415e999]]