UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

UNITED STATES OF AMERICA,
Plaintiff,

CASE NO. 17-00101 LEK

vs.

ANTHONY T. WILLIAMS,
Defendant.

MOTION FOR SUPPRESSION OF EVIDENCE

COMES NOW, Private Attorney General (PAG) Anthony Williams, who is a servant of the Most High Yahweh Elohim and Yahshua the Mahshyah, pursuant to Fed. R. Crim. Pro. 12(b)(3)(c) and 41(h), to move the court for: (1) a suppression hearing regarding certain searches carried out by the FBI following its targeting of PAG Anthony Williams; (2) the suppression of all evidence obtained as a result of the illegal searches; and (3) dismissal of all counts of the indictment derived from illegally obtained evidence.

I. INTRODUCTION

"A loose interpretation of the mail fraud statute creates 'a catch-all political crime which has no use but misuse." United States v. Murphy, 323 F. 3d 102, 118 (3d Cir. 2003).

For 15 years before the indictment, PAG Anthony Williams has conducted business in approximately nine (9) different states operating the same business in the same manner and offering the same exceptional service without any complaints against the undersigned nor the company.

In 2012 the FBI under the direction of the mortgage companies started calling the undersigned's clients and telling clients that the undersigned is criminal, a crook and that the undersigned is wanted by the FBI. The undersigned upon receiving numerous calls from clients complaining about the FBI harassing them and calling them about the undersigned, the undersigned went to the Nashville FBI office to confront Agent Joe Craig for harassing the undersigned's clients and for slandering and

defaming the undersigned's name. The FBI were claiming that the undersigned and his company Mortgage Enterprise Investments (hereinafter "MEI") were scamming homeowners and misrepresenting what the undersigned and his company could do for homeowners, which is the same allegations the FBI Hawaii office has charged the undersigned with. The undersigned confronted the Nashville FBI office for the lies they were spreading about the undersigned and the undersigned video recorded the incident with the FBI and uploaded it to you tube under "Anthony Confronts FBI part 3". No charges were ever filed against the undersigned by the Nashville Office for mail, wire or mortgage fraud because they KNEW that the undersigned had not committed any crime but wanted the undersigned's business shut down because the undersigned exposed that the FBI was taken bribes from the mortgage companies to turn a blind eye to the fraud they were committing against homeowners.

Five (5) years later after this incident the undersigned is now being charged with the same offense in Hawaii conducting the exact same business in numerous other states and never being charged even though the undersigned has been operating his business in other states much longer than in the State of Hawaii. Prior to the undersigned uploading videos of the corruption in the judicial system and the FBI, the undersigned was never harassed, detained, or arrested for his business practices. However, after the undersigned starting posting it on You Tube videos, the harassment by the FBI and local law enforcement agencies commenced.

No complaint by a citizen for whom the undersigned assisted in foreclosure triggered this investigation. Not one private client to whom the undersigned had rendered his expert services complained about him in any way. No district attorneys from other states complained about the undersigned services then or now. The very FBI office in Miami that the US Attorney is claiming they have received 2 Terabytes of discovery information, declined to file charges against the undersigned because they could find NO EVIDENCE of fraud in any of the undersigned documents or business practices. Neither has the FBI Miami office receive any complaints from any homeowners in Florida that utilized the undersigned's service. This investigation and indictment was purely political and retaliatory against the undersigned for exposing the corruption that is prevalent in the government.

Following this highly politically-motivated investigation commenced on pre-textual reasons, the ensuing investigation into the undersigned was, by definition, of the "let's find something" genre. It is a classic case of exactly the type of "misuse" of the mail fraud statute condemned in this and other circuits and, as such, raises troublesome issues regarding selective and vindictive prosecution, as well as statutory and constitutional issues which this Court will have to address. The means and methods of such government misuse thereafter are a textbook example of what can happen when government agents ignore controlling law and conduct investigations without regard to clear limiting principles on honest services cases and simply toss aside the Fourth Amendment when seeking the powers of search and seizure in what is clearly a fishing expedition. The evidence outlined below, and which will be developed more fully at a hearing, establishes that:

1) United States Magistrate Barry Kurren issued the search warrants in question solely on the affidavits of FBI Agent Megan Crawley. Crawley's affidavits were deliberately and recklessly false in material respects.

2) The warrants in question were based solely on affidavits of Crawley and are so lacking in indicia of probable cause and infected with her deliberate and reckless falsehoods as to render any belief in existence of probable cause entirely unreasonable.

3) The warrants in question are facially defective and repeatedly and consistently failed to adequately particularize the place to be searched or the things to be seized.

4) Crawley used the warrants in question as if the warrants were general rights of search and seizure, which was their plan all along.

II. FACTS

1. Following the unlawful arrest of the undersigned in Florida based on the same business practices, Crawley devised a plan to obtain search and seizure powers - all of which required her to demonstrate probable cause to a neutral magistrate.

2) An email from Crawley to Ronald Johnson to update him on the progress of the undersigned's trial in Florida for the same business acts, exposes the FBI's devious intent to file bogus charges against the undersigned before the conclusion of the Florida case to ensure the undersigned continued to be pre-trial incarcerated without the possibility of obtaining a bond.

3) By her affidavits, Crawley sought the magistrate's approval to seize a laptop computer, desktop computer and in the words of the ensuing warrant, any and all evidence contained in the computer files maintained at the office location of the undersigned.

4) In all affidavits, Crawley spun an incredible yarn for both the assertion of federal investigatory jurisdiction and the factual basis for requesting that the extraordinary power of search and seizure be vested in her.

5) The stated jurisdictional basis for federal investigatory power was that Crawley was investigating whether the undersigned had committed mail, wire and mortgage fraud and alleged violations of 18 USC 1341 and 18 USC 1343, a federal statute specifically designed for those who defraud others by use of the mail and wire. Crawley's probable cause theory was SOLELY that the undersigned had allegedly violated the mail and wire fraud statute by misrepresenting to clients through the mail and email.

6) The theory that the undersigned committed mail and wire fraud in Crawley's affidavits failed entirely to demonstrate probable cause to allege mail and wire fraud under then and now existing law. Indeed

the Government's failure to consider the requirements for a mail and wire fraud charge continued up to the time the undersigned was indicted for mail and wire fraud.

7) In the indictment the Government babbles on about the undersigned's company Mortgage Enterprise Investments and how the undersigned's mortgage was fraudulent and how the undersigned made promises within its application that the undersigned's company could not make and enumerated five (5) alleged homeowners who were defrauded by the undersigned's services. Yet in the affidavit or the indictment did the government allege or present one complaint from any of the enumerated homeowners, neither did they outline in the body of the indictment in what manner the undersigned committed wire fraud through the email and mail. However, the 32 counts in the indictment contain emails from former employees, the undersigned's mother, and a few clients who had questions regarding certain legal issues. The government listed these as the wire fraud counts but did not specify in one paragraph in the indictment with particularity on how these emails constituted fraud and what exactly in the emails were false and were stated to consumers which caused them to pay the undersigned's company under false pretenses which defrauded them.

8) In the indictment the government alleged that the undersigned's company never refunded any homeowners that requested a refund and KNEW this was a lie because they were in possession of the refund affidavits submitted by several homeowners who did not want to complete the program and requested a refund and was refunded immediately upon signing the affidavit that they requested a refund.

9) The government in its affidavit for probable cause NEVER mentioned the FACT that not one homeowner complained about the undersigned's services and that the investigation was not generated by a complaint by a citizen but was strictly initiated as a retaliatory measure against the undersigned for standing up to the corruption of the government and publicizing it on you tube.

10) The government secretly attended a seminar that the undersigned gave and secretly recorded the seminar which was attended by clients and potential clients who eventually signed up for the program. The government initiated it's own investigation into the undersigned's business and went around to clients homes unsolicited and tried to get homeowners to say that the undersigned defrauded or scammed them. NOT ONE of these clients told the FBI that they were scammed yet the FBI told these clients to stop paying for the undersigned services when the undersigned has not been charged or indicted for his business practices.

11) Proceeding in violation of law since Crawley had no probable cause for anything under controlling law, Crawley nevertheless created a fanciful yarn designed to get judicial approval for warrants authorizing her to kick over the rocks in the undersigned's life to see what he could find and to then proceed with a general search without ever disclosing that she did so or what he found doing so. As will be demonstrated, whether by design or accident, Magistrate Kurren did not give Crawley kick-over-the-rocks" warrants, and it should not be presumed that Magistrate Kurren would intentionally execute a general search warrant forbidden by the Fourth Amendment.

12) A central anchor of Crawley's yarn, and one which is both fanciful and false on its face, was that the undersigned somehow misled consumers and made promises and misrepresentations that he could not make. Indeed, and as stated, the undersigned has been openly doing this business for over 16 years and has been very transparent with his operation and business practices, so much so that the undersigned sent copies of his mortgage documents and process to the headquarters FBI office for scrutiny to determine if there was anything that could be considered fraudulent. On top of that, the undersigned received a Certificate of Exemption from the Anti-Predatory Lending Database in Illinois which issues certificates to mortgage companies in order that their mortgages can be filed in the county recorder's office. The Certificate certifies that there is nothing fraudulent about the document so that it can be filed in the recorder's office. Without this certification no mortgage document can be filed. Soon after that the undersigned tried to have his mortgage filed in Orange County Recorder's office in California and was denied the filing of the mortgage because the manager refused to file it before it was scrutinized by the District Attorney to ensure there was nothing fraudulent about Mortgage Enterprise Investments or its mortgage documents. The Orange County District Attorney's Office scrutinized the MEI mortgage and determined there was nothing fraudulent about MEI or its mortgage documents and approved it for filing in the county recorder's office in October 2014. This incident was memorialized on You Tube under "Orange County Confrontation: The Denial" and "Orange County Confrontation 2: The Triumph".

13) The FBI had all of this factual information yet chose to manipulate an affidavit to make it appear that the undersigned was scamming and defrauding homeowners when the opposite was true.

14. To further such a false assertion, the FBI alleged that the undersigned was claiming he was an attorney at law, when the undersigned expressly told every client that he was not and neither did he want to be one or a member of the bar. The FBI withheld the fact that the undersigned had a power of attorney from every client to act on their behalf regarding their property, real estate and legal matters which gave the undersigned the lawful authority to act on their behalf pursuant to HRS 551D, Federal Rule 17(c)(2)NEXT FRIEND and Supreme Court ruling, Johnson v. Avery, 393 US 483, 21 LEd 2d 78, 89 S Ct 747 (1969).

III. ISSUANCE OF THE WARRANTS

A. THE SEARCH WARRANT APPLICATION WAS GROSSLY DEFECTIVE AND VIOLATED THE FOURTH AMENDMENT

1. Magistrate Barry Kurren issued two warrants in response to Crawley's affidavits on 12-14-2015 at 3:25 p.m and 3:30 p.m. The search warrant application submitted by Meagan Crawley of the FBI stated in paragraph 3 that she was seeking evidence, fruits or instrumentalities of violations of 18 USC 1343 (wire

fraud), 18 USC 1341 (mail fraud), 18 USC 1344 (Bank fraud), 18 USC 1956, 1957 (money laundering) and subsection (b) any data that resides on computers, digital devices or electronic storage media that was created or modified on or after January 1, 2012; (c) any data that resides on ANY computer, digital devices or electronic storage media currently UNKNOWN to this investigation; (d) any materials that are themselves an instrumentality of the subject offenses and (e) any business records to include but not limited to documents, digital files, or data relating to the history and operation of mortgage related businesses from 2002 to present.

2. In paragraph 6, Crawley stated in her affidavit that based upon her own investigation and information related to her by other individuals, including other law enforcement officers the undersigned was engaged in criminal activity.

3. In paragraph 7, Crawley stated as part of the scheme, the undersigned made material misrepresentations, created false documents and false appearances that MEI was authorized to perform services it was offering.

4. In paragraph 18, Crawley stated that according to a confidential source she was told where the undersigned met and conferred with clients.

5. In paragraph 27, Crawley stated she received a call from DFI Criminal Investigator who reported to the FBI a number of complaints received from distressed homeowners. However, these complaints were not against the undersigned.

6. In paragraph 30, Crawley stated the undersigned conspired with others to defraud homeowners by making materially false and fraudulent representations thereby creating false impressions that CLOA and MEI are licensed businesses that were authorized to legitimately provide mortgage services represented to clients. She goes on to state that MEI didn't have the ability to execute a mortgage reduction program legitimately and successfully and stated this was confirmed by MULTIPLE WITNESSES. However, Crawley conveniently failed to state that MEI was registered in Hawaii to do business for the purpose of Mortgage and Foreclosure Assistance but not for any of the services listed in HRS because MEI was not operating or offering any of the services which required licensing. Crawley conveniently failed to identify any of these MULTIPLE WITNESSES that were an authority on whether the program could be executed legitimately and successfully.

7. In paragraph 36, Crawley mention an alleged victim M.V. who is Melvyn Ventura who NEVER contacted the FBI nor told them that the undersigned defrauded him or anyone else, but Crawley visited this client's home unannounced and unwanted and had this client added as a victim in her application when the client never authorized nor complained about the services of the undersigned. This client has already submitted a sworn affidavit that nothing the undersigned told him was false and that he was satisfied with the services of the undersigned and MEI and that the current charges against the undersigned are malicious and retaliatory because of the undersigned exposing the corruption here in Hawaii.

8. Under the probable cause section, in paragraph 38, Crawley rambles on with generalized statements regarding how businesses maintain documents and that they are kept in both electronic and paper format, which it doesn't take a rocket scientist to understand those are the only two ways documents can be maintained by a business.

9. Under the probable cause section in paragraph 42, Crawley mentioned that she reviewed multiple emails sent and received by the undersigned and the undersigned's mother Mrs. Barbara Williams in connection with the above described scheme. Crawley did not state how she was able to view private emails between the undersigned and his mother BEFORE she got a search warrant to illegally search the subject emails. This shows that Crawley violated the law BEFORE she obtained a search warrant and illegally obtained and confiscated emails from the undersigned and his mother. Crawley also stated she reviewed a recording between a confidential source and the undersigned where the undersigned utilized a computer at multiple points to further the business meeting. However, Crawley did not state what computer it was and what was fraudulent about the undersigned using a computer to conduct business as ALL business owners in America utilize.

10. In paragraph 45, Crawley states, "IF" a computer is found, she believes there is probable cause records are stored on the computer or storage medium.

11. In paragraph 46, Crawley states that she knows computer technology, (as well as every 9 year old in America) and the way individuals who commit financial crimes are able to launder money and how computers can connect to banking websites and initiate the transfer of funds between accounts, make deposits and make payments (as if no one understands how computers are used to conduct business online), yet Crawley did not outline nor specify how the undersigned committed a crime or what specifically the undersigned did regarding banking online which constituted a crime in order to get a search warrant to search the undersigned's computer and bank records.

12. Not one paragraph in Crawley's affidavit states that she KNOWS, had credible information from someone who had firsthand knowledge or access to the undersigned's files or complaints from anyone that the undersigned had committed bank fraud, money laundering, mail or wire fraud against.

13. Crawley's affidavit was a tedious, unnecessarily long drawn out irrelevant explanation of what all businesses use computers and their technology for and how information is stored. Based on Crawley's affidavit, the FBI can obtain a search warrant to obtain all information from every business in America to "fish" for probable cause to see if they can "find evidence" of bank fraud, money laundering, mail and wire fraud.

14. It is obvious that Magistrate Barry Kurren either didn't read the affidavit and just signed off on the search warrant trusting that the affidavit had sufficient probable cause or he disregarded the fact that the affidavit points to no justifiable reason for the violation of the undersigned's Fourth Amendment right to be violated and his whole personal privacy being infringed and ALL of his files in ALL of his computers confiscated and copied.

15. On the basis of information supplied her from unnamed hearsay declarants, Crawley's affidavit, proceed to try to justify seizing all documents, computers, electronic devices and their contents used by the undersigned from 2002. There is no justification in law to even request for information that would ultimately be outside the statute of limitations even if there was something found from 2002.

16. Missing from Crawley's affidavits are any complaints made by consumers the FBI asserts were defrauded and lied to by the undersigned. In essence Crawley simply found out some of the names of the undersigned's clients and arbitrarily listed them as alleged victims without the clients themselves stating such or filing any complaints regarding any alleged misrepresentation of false statements made to them by the undersigned.

17. Crawley stated in her affidavit that the undersigned used computers and other electronic devices to conduct business but failed to specify any particular incident that the undersigned used the computer or other electronic device to defraud homeowners or where the undersigned particularly committed the mail and wire fraud offenses using these devices.

18. None of the mail fraud counts contain any use of any electronic device but are payments made to the undersigned's company by only two clients who mailed their payments in lieu of bringing them by the local office as most other clients do.

19. Aside from conclusory language of how computers can be used to commit money laundering, bank fraud and wire fraud, Crawley did not mention any EVIDENCE OF CRIME allegedly involving any of the undersigned's computers or electronic devices. As a matter of law, Crawley's basis for believing probable cause existed on the basis of such non-remarkable statements and declarations are woefully inadequate.

20. Crawley did not cite any specific allegations justifying seizure of the desktop computer, laptop computer, external hard drives, jump drives or any other electronic device, were even more sparse and lacking in probable cause. Other than citing unnamed individuals and other law enforcement officers, Crawley made no further statements establishing probable cause to believe that the undersigned's computers contained evidence of bank fraud, money laundering, wire or mail fraud.

21. No federal criminal statute prohibits the use of computers to conduct business.

22. No federal criminal statute prohibits the use of computers to conduct banking business on line.

23. No federal criminal statute prohibits the use of smart phones to deposit checks into a business bank account.

24. No federal criminal statute prohibits the sending of funds by money gram.

25. No federal criminal statute prohibits the use of emails between: 1)an employee & employer; 2) a mother and son; 3) a client and representative.

26. No federal criminal statute prohibits a business owner from receiving payments for services rendered through the mail.

27. No federal criminal statute prohibits conducting a business that is registered but not licensed because there is no license for that particular business.

28. All of these acts the undersigned has been charged with that allegedly constitute mail and wire fraud, even though there was nothing false, fraudulent or misrepresented to any clients or could be construed as misrepresenting any aspect of MEI's business, once the emails and money gram wires were scrutinized.

29. No formulation of mail fraud or wire fraud renders doing such acts to be subject to federal mail and wire fraud statute. Such actions are clearly not the type of conduct within the mail fraud and wire fraud statutes.

30. Such information also does not establish probable cause to believe that 18 USC 1341 and 1343 cited by Crawley as being violated, is implicated either .

31. No reasonable person would believe that someone mailing in their payment to a business for honest services rendered would constitute mail fraud on the part of the owner of the company.

32. Crawley did not stop at the computers. On largely the basis of the same information, Crawley sought permission to seize, any and all files and documents located at the place of business of the undersigned. Citing an unnamed source, Crawley represented that there was probable cause to believe that a federal crime had been committed.

33. Nowhere in Crawley's affidavit does she establish, or attempt to establish, probable cause to rummage through the office generally to look for "ANY" evidence of some type of crime. Nowhere does she identify any specific file she is searching for. Nowhere does she identify any specific files she intends to search or the probable cause for doing so.

34. Insofar as the computers were concerned, Crawley's affidavits relating to the seizure plan for both contained identical language. She stated she "believe" the search of the computer files would contain evidence of a crime.

35. None of the warrants establish probable cause to believe the crimes being investigated had occurred or that the items being seized contained evidence of such federal crimes being committed.

36. Aside from the lack of probable cause to allege the undersigned committed bank fraud, money laundering, mail or wire fraud, Crawley's affidavits also completely fail to identify any incident which would give rise to the suspicion that the undersigned has committed a federal crime of bank fraud, money laundering, mail or wire fraud.

B. NO PROBABLE CAUSE EXISTED

37. The application for search warrant, as far as the record before us reveals, the only evidence in this case offered to the magistrate to show "probable cause" for issuing the warrant consisted of a "complaint" presented to the magistrate, signed by Crawley. That complaint sets forth undersigned's name, but no date of the offenses, the name of the offenses and the statutory reference. This complaint sets forth the relevant crime in “general terms,” it refers to the undersigned, and says she "believes" he committed the crime. But nowhere does it indicate how Crawley knows, or why she believes, that the undersigned committed the crime. This same scenario was committed by a detective Woodson in the U.S. Supreme Court case, Overton v. Ohio, 534 US 982, 151 LED 2d 317, 122 S Ct 389, 2001 Lexis 9937 (2001) and was rejected by the Supreme Court when it stated, "This court has previously made clear that affidavits or complaints of this kind do not provide sufficient support for the issuance of an arrest warrant. In Giordenello v. United States, 357 US 480, 486, 2 LED 2d 1503, 78 S Ct 1245 (1958), which involved a federal prosecution, the court found that a complaint identical in all material respects to the one before us failed to meet the "probable cause" requirement contained in Rule 4 of the Federal Rules of Criminal Procedure because it contained "no affirmative allegation that the affiant spoke with personal knowledge of the matters contained therein," failed to "indicate any sources for the complainant's belief," and neglected to "set forth any other sufficient basis upon which a finding of probable cause could be made." For those reasons, the magistrate could not "assess independently the probability that [the] petitioner committed the crime charged." 357 US, at 487, 2 LED 2d 1503, 78 S Ct 1245.

Subsequently, in Aguilar v. Texas, 378 US 108, 112, n3, 12 L Ed 2d 723, 84 S Ct 1509 (1964)(abrogated on other grounds by Illinois v. Gates, 462 US 213, 230, 76 L Ed 2d 527, 103 S Ct 2317 (1983), which involved a state prosecution, the court noted that Giordenello had construed Rule 4's "probable cause" requirement" 'in light of the constitutional' requirement of probable cause which that Rule implements." And it added that the "principles announced in Giordenello derived, therefore, from the Fourth Amendment, and not from our supervisory power." 378 US, at 112, m 3, 12 L Ed 2d 723, 84 S Ct 1509.

Then, in Whiteley v. Warden, Wyo. State Penitentiary, 401 US 560, 28 L Ed 2d 306, 91 S Ct 1031 (1971), which also involved a state prosecution, the court again considered a complaint similar to the one before us. That complaint said:

"I, C.W. Ogburn, do solemnly swear that on or about the 23rd day of November, A.D. 1964, In the County of Carbon and State of Wyoming, the said Harold Whiteley and Jack Daley, defendants did then and there unlawfully break and enter a locked and sealed building [describing the location and ownership of the building]."Id., at 563, 28 L Ed 2d 306, 91 S Ct 1031(alteration in original)(internal quotation marks omitted).

The Court, citing Giordenello and Aguilar, wrote that the "decisions of this court concerning Fourth Amendment probable cause requirements before a warrant for either arrest or search can issue require that the judicial officer issuing such a warrant be supplied with sufficient information to support an independent judgment that probable cause exists for the warrant." 401 US, at 564, 28 L Ed 2d 306, 91 S Ct 1031. The Court added: "In the instant case-so far as the record stipulated to by the parties reveals the sole support for the arrest warrant issue at Sheriff's Ogburn's request was the complaint reproduced above. That complaint consists of nothing more than the complainant's conclusion that the individuals named therein perpetrated the offense described in the complaint. "Id., at 564-565, 28 L Ed 2d 306, 91 S Ct. 1031.

The Court went on to conclude that "the complaint on which the warrant issued here clearly could not support a finding of probable cause by the issuing magistrate." Id., at 568, 28 L Ed 2d 306, 91 S Ct 1031. I can find no relevant difference between the complaint before us and the one at issue in Whiteley. And Whiteley is clearly controlling on this point. Arizona v. Evans, 514 US 1, 13, 131 L Ed 2d 34, 115 S Ct 1185 (1995)(casting doubt on Whiteley's exclusionary rule discussion but stating that "Whiteley clearly retains relevance in determining whether police officers have violated the Fourth Amendment....").Nor can I find any basis on the papers before us, to conclude that the evidence was admissible despite the inadequacy of the arrest warrant.

Crawley's conduct was the exact same as Ogburn and Woodson. Crawley did not have any firsthand knowledge that any of the alleged offenses were committed by the undersigned and did not outline any where in her complaints, sufficient evidence that probable cause existed except for the notion "she believes" probable cause exists.

The two terabytes of discovery information recently received by the US Attorney's office from the Miami FBI office were the result of an illegal traffic stop because the Miramar police had never seen a tag like the undersigned and unlawfully pulled the undersigned over even though the undersigned had not broken any laws. As a result of that traffic stop, the undersigned's black Lexus was towed to the Miramar Police Department in order for them to so-called "verify" that the Lexis was not stolen which was asinine because had it been stolen it would have shown up as soon as they put the undersigned's VIN into the system. The Miramar police stated they received a call from the Miami FBI office wanting to search the undersigned's Lexus and obtained an illegal and unlawful search warrant to search the undersigned's Lexis and confiscated the undersigned's work bag that was in the back seat which

contained a laptop computer, external hard drive and client paper files, without having any suspicion of criminal activity, no probable cause and no complaints from any consumers in Florida which would have caused the initiation of an investigation. The FBI Miami office copied every document and file from the undersigned's computer, jump drives, external hard drives and paper files with client documents and found NO EVIDENCE of any crime and did not file any charges against the undersigned. As a matter of fact, when they were urged to file some type of charges against the undersigned, they declined prosecution and returned the undersigned's black Lexus but refused to return the undersigned's workbag and contents that were in the back seat.

Now the prosecution has received these files from the Miami FBI office and introducing it into discovery knowing full well there is no admissible evidence in it and none of it can be used because its irrelevant to this case and from another district and jurisdiction, notwithstanding the fact that there is nothing illegal or unlawful in any of the discovery, the prosecution is using this current discovery information for no other reason but to further delay the trial and keep the undersigned unlawfully pre-trial incarcerated for another year.

The undersigned was incarcerated in Florida when the application for a search warrant was applied for and executed by Crawley who sought to obtain the warrant in order to go on a "fishing expedition" to rummage through all of the undersigned's personal and business property to try to "find" some evidence to charge the undersigned with a crime. After rummaging through all of the undersigned's property, Crawley could find no evidence of the primary offenses of Bank fraud and Money Laundering, so she used the "catch-all" mail and wire fraud crime to charge the undersigned with making misrepresentations through the mail and wire but still did not outline not one instance in her affidavit when, where and how the undersigned committed these crimes and in what manner specifically did the undersigned commit them and the date and times alleged that they were committed. Crawley's affidavit is nothing more than a "blind faith" I have a "belief" that he committed these crimes but no evidence or any victims who complained to Crawley or the FBI that the undersigned committed these crimes against them or someone that they knew personally who gave them proof that the undersigned committed these crimes.

IV. THE EXECUTION OF THE WARRANTS

38. Armed with two warrants, Crawley determined that she would be personally involved in the seizure of the computers and files located at 1604 Democrat Street and 98-524 Kaimu Loop.

A. Seizure of the documents

39. To seize all the documents allegedly located in a specific place at MEI's place of business, Crawley with other FBI bandits confiscated all the files located at the office at 1604 Democrat Street.

40. In Crawley's affidavit in paragraph 3, she stated the items to be seized more specifically are: ANY records, documents, programs, application or materials pertaining to mortgage loans or mortgage reduction programs or when MEI or COLA is listed including but not limited to applications, UCC filings, Court filings, Bureau of Conveyance (BOC) filings, filed affidavits, Homeowner Service Guarantee Agreement documents, Short Form Power of Attorney documents, contracts, spreadsheets, client lists, clients original mortgage documents and client information sheets.

41. The use of "ANY" cannot be used to describe something specifically but the use of the word “any” is “general” and is not sufficient for probable cause requirement of specificity.

42. In the same paragraph 3, Crawley is somewhat specific on some of the items to be seized, but these items Crawley sought to be seized did not require a search warrant to rummage through the undersigned's computers and files and could have been obtained from clients that Crawley interviewed or obtained these files from the BOC or the court they were filed in. Crawley obviously already obtained some of these files because she listed the documents by name, namely the Homeowner Service Guarantee Agreement and Short Form Power of Attorney.

43. In paragraph 4, Crawley again uses the term "ANY" which is violative of the requirement of specificity in applying for a search warrant. Crawley did not specify what bank statements she sought, from what particular bank she was seeking the statements from and exactly what evidence she was seeking to find in these bank statements. Crawley also listed tax records and tax payments which are not remotely relevant to the alleged offenses or crimes Crawley is alleging the undersigned committed.

44. Crawley and her team of bandits confiscated ANY and EVERY paper document in the office, not particularly looking for anything specific, but searching for "ANYTHING" they could subsequently use as evidence to charge the undersigned with a crime.

45. The documents and files taken that day evidence a general search outlawed by the Constitution and unauthorized by the warrant and could not have been done pursuant to a good faith belief that they contained evidence of federal crimes in this district.

46. Thus, according to the inventory subsequently filed (exhibits can't be provided because this court and the FDC have deprived the undersigned of the ability to print documents from the discovery discs to provide in the motion as an exhibit), the FBI bandits seized that day, documents and files of various content and matters including:

* Business Cards

* Private Attorney General Stamp

* Religious CD's & DVD's

* Music CD's

* Movie DVD's

* ID Badges

* Motorola Flip Phone

* Two Samsung Flip Phones

* Black Cell Phone

* Black & Silver Cell Phone

* CLOA stamps

47. No investigative agent acting in good faith could possibly believe these files were relevant to the investigation outlined in Crawley's affidavit, and no probable cause was even attempted to demonstrate:

A. Basis to seize such files.

B. The Computers and Electronic Devices

48. During the time the FBI bandits were generally searching the premises of the undersigned's office, other FBI bandits conducted general searches of the contents of the computers with no judicial permission or supervision.

49. Crawley, however, did not disclose that she had done so. In her official inventory filed with the court after seizing the computers and other electronic devices, Crawley listed only the computers and devices themselves as having been seized. (Again the undersigned cannot provide a copy of the inventory list as an exhibit because of the deprivation by the FDC and the court of this essential and vital aspect of printing documents to be submitted as exhibits). Crawley did not identify any file or document on those computers which she looked at, or intended to look at, on the inventory filed with the court and did not file any amended inventory at any time, disclosing the files and documents she actually obtained, as a result of searching the computer contents.

50. To this date, the corrupt government has not disclosed to any court or to Private Attorney General (PAG) Anthony Williams, the dates of any search of the computers, the person who conducted the search; the protocols used; or any information that the search was even conducted in the manner for which Crawley sought, but did not receive permission.

51. Information derived as a result of the illegal and unauthorized search of the contents of the computers and any and all documents, was used to subsequently file charges against the undersigned.

52. Recognizing that the computers she wanted to seize would contain information which could not be relevant to any legitimate investigation, Crawley represented in paragraph 16 of Crawley's application that the search team will make and retain notes regarding its search of the digital devices.

53. In paragraph 18 of Crawley's application she stated: “If the search determines that a digital device does not contain any data falling within the list of items to be seized, the government will, as soon as is practicable, return the digital device and delete or destroy all forensic copies thereof.”

54. As of today, Crawley has not provided the court nor the undersigned with notes regarding its search of the digital devices neither has she filed with the court or the undersigned any data on the digital devices that did not fall within the list of items to be seized nor has Crawley returned those devices to the undersigned.

55. Both affidavits filed by Crawley were placed under seal at the time and not available to the public or the undersigned, which further operated to conceal Crawley's then existing plans. The undersigned did

not know, and could not have known, of the falsehoods and contents of Crawley's affidavits until those affidavits were provided to the undersigned after the indictment.

56. It is evident that Crawley did not find any evidence of a crime she alleged the undersigned committed on any of the digital devices, evidenced and substantiated by the fact that all of the wire fraud and mail fraud counts have nothing to do with any of the files contained in the computers or other electronic devices. All of the wire fraud counts are regarding email communications with employees, clients and the undersigned's mother with the exception of the two money gram wires that were sent by Mary Jean Castillo in October 2013 to the undersigned's mother while the undersigned was unlawfully incarcerated for rape and child molestation, waiting on extradition back to Georgia, in which the case was ultimately dismissed after the undersigned proved his innocence. The undersigned's mother was charged for the two money grams sent to her, but Mary Jean Castillo, who was an employee at the time, was not charged for wiring the funds to the undersigned's mother. The government never explained how two people involved in the same transactions, but only one is charged with wire fraud.

57. The reason Castillo was not charged is because she is connected with the law enforcement agencies here in Hawaii and has done a lot of work for them in raising funds for their agencies for various causes and so they could not charge “one of their own” with wire fraud, because it would not look good on them charging someone who has benefitted them, financially.

58. It is an utter disgrace that Crawley and her FBI bandits were allowed to rummage through ANY and EVERY document, electronic devices and computer files owned by the undersigned under the pretext that the undersigned had committed bank fraud, was laundering money and committed mail and wire fraud in the process.

59. The fact that only 16 mailed in payments (12 attributed to Melvyn Ventura and 4 attributed to Evelyn & Arnold Subia), are the only counts of mail fraud the undersigned is charged with, and none of the hundreds of other payments mailed in by other clients, is evidence that there was no mail fraud and Crawley and the prosecutors randomly chose those payments to constitute mail fraud on the part of the undersigned, to at least, get an indictment filed.

60. What makes the actions of Crawley and Ronald Johnson so asinine is that they chose a client to list as a victim in the application for search warrant and indictment, who is one of the most trusted friends of the undersigned and they have used his payments to charge the undersigned with mail fraud when no such fraud was committed against him or any other homeowner.

V. COMPUTER SEARCHES: A 'GENERAL' WARRANT CAN NO LONGER SATISFY REQUIREMENTS

In a recent New York Law Journal published on Monday, May 22, 2017 under Volume 257-No. 97, it stated that the "Warrant Clause of the Fourth Amendment provides that "no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." In a recent opinion requiring search warrants for "smart phones," U.S. Supreme Court Chief Justice John G. Roberts expounded on the history behind the Fourth Amendment:

Our cases have recognized that the Fourth Amendment was the founding generation's response to the reviled 'general warrants' and 'writs of assistance' of the colonial era, which allowed British officers to rummage through homes in an unrestrained search of evidence of criminal activity. Opposition to such searches was in fact, one of the driving forces behind the Revolution itself. Riley v. California, 134 S.Ct. 2473, 2494 (2014). Unfortunately, "general" warrants, authorizing "rummaging" searches without specification, are alive and well in the 21st century. More often than not, such "general warrants" are relied upon to authorize "rummaging" searches of computers. Consider for one moment the following clause in a recent search warrant obtained and executed by a state prosecutor's office in New York City. In addition to business records, the search warrant sough: "any and all computers, as that term is defined in Penal Law 156.00(1) also known as electronic devices, desktop CPU's, laptops, cell phones and tablets." The warrant authorized the search of the entire contents of each and every computer found on the premises without specification or limitation with regard to the evidence sought or the crime to which that evidence related. One commentator has noted that computers "are postal services, playgrounds, jukeboxes, dating services, movie theaters, daily planners, shopping malls, personal secretaries, virtual diaries and more." Kerr, "Searches and Seizures in a Digital World," 119 Harv. L. Rev. 531, 569 (2005). With so much of our modern lives contained within our computers, what then is the distinction between a "general warrant" authorizing a "rummaging" search through someone's residence and a warrant, like the one above, authorizing a "rummaging" search of the entire contents of someone's computer? As is becoming clearer to courts in New York and around the country, there is absolutely no difference between the two.

The symmetry between "rummaging" searches of homes and computers figured prominently in United States v. Galpin, 720 F. 3d 436 (2013), a case in which the U.S. Court of Appeals for the Second Circuit reviewed an order denying suppression of child pornography recovered pursuant to a search warrant for "any computer." The court noted the history of the Fourth Amendment as a bar to "general warrants," and then zeroed in on whether the unspecified search of "any computers" met the amendment's particularity" requirement. The Second Circuit stated: "Where, as here, the property to be searched is a computer hard drive, the particularity requirement assumes ever greater importance. As numerous courts and commentators have observed, advances in technology and the centrality of computers in the lives of average people have rendered the computer hard drive akin to a residence in terms of the scope

and quantity of private information it may contain. The potential for privacy violation occasioned by an unbridled exploratory search of a hard drive is enormous." Galpin, 720 F. 3d at 446. The Court held that the search warrant for "any computers" violated the Fourth Amendment's particularity requirement. Id. at 447.

In the recent case of People v. English, 52 Misc. 3d 318 (Sup. Ct. Bronx 2016), the defendant was arrested for an attempted kidnapping. A search warrant was secured for the defendant's cell phone as well as his residence, including authorizing "to search the contents of any computer equipment." Id. at 324. Relying in part on Galpin, the court suppressed evidence recovered pursuant to the computer search because it "lacked the requisite specificity" and "violated the Fourth Amendment's proscription against general searches." Id. It bears noting that Galpin and English are not aberrations, but rather part of a nationwide movement toward heightened scrutiny of computer search warrants and demanding particularity in computer search warrants. See, e.g., Wheeler v. State, 135 A. 3d 282, 304 (Delaware 2016); State v. Mansour, 381 P.3d 930, 943 (Oregon 2016); State v. Castagnola, 46 N.E. 3d 638, 659 (Ohio 2015); State v. Henderson, 854 N.W. 2d 616, 632-34 (Nebraska 2014); see also United States v. Otero, 563 F. 3d 1127, 1132-33 (10th Cir. 2009); United States v. Zemlyansky, 945 F. Supp. 2d 438, 458 (S.D. N.Y. 2013); United States v. Hunter, 13 F. Supp. 2d 574, 583-585 (D. Vt. 1998).

So then, what must a valid computer search warrant include to avoid being labeled the 21st Century equivalent of a "general warrant?" Here too, the English case provides the answer. In addition to granting the motion for the computer search, the court denied a similar motion for the defendant's "smart phone," which the Supreme Court characterizes as a "mini-computer." Riley v. California, 134 S. Ct. at 2489. The English court held that the "smart phone" warrant met the "particularity" requirement "in that it identified: (1) a specific offense for which the police had established probable cause; (2) the place to be searched (defendant's cell phone); and (3) the items to be seized (numbers, text messages, picture messages, etc.) by their relation to the designated crimes...." English, 52 Misc. 3d at 322.

The "particularity" requirements set forth in English are simple and straightforward. Hopefully, with a new awareness that "general warrants" for computers will no longer pass constitutional muster, our courts will become more reluctant to authorize such search warrants. That, in turn, may cause prosecutors to exercise more caution and regard for the rights of defendants when seeking to search their computers.

CONCLUSION

As a result of the foregoing action, the undersigned is entitled to have all evidence obtained by the Government as a result of its illegal searches, as well as the fruit of those searches, suppressed from evidence available to the prosecution in this matter. Although there is nothing illegal or fraudulent in the evidence obtained by the government, the undersigned's Fourth Amendment right has been grossly violated and this action was not triggered by any illegal activity by the undersigned, but was commenced

solely as a retaliatory measure against PAG Anthony Williams, for exposing the corruption of the FBI in complicity with the mortgage companies, banks and judicial systems in Florida and Hawaii.

WHEREFORE, PAG Anthony Williams, moves the court to grant the following relief:

1) An evidentiary hearing on this motion, in front of Judge Richard Puglisi, with compulsory process authorized by the Court;

2) Suppression of all evidence derived by the Government in its general searches of the computers and documents of the undersigned.

3) Suppression of all evidence derived from evidence illegally obtained by the Government.

4) Dismissal of all counts of the Indictment based upon or derived from illegally obtained evidence.

5) Order the FBI and US Attorney's office to issue a public apology to PAG Anthony Williams, and his mother Barbara Williams, for bringing this bogus and malicious prosecution against them.

6) Disbarment of Ronald Johnson and Gregg Paris Yates for racial discrimination, malicious prosecution, and prosecutorial misconduct.

7) Firing of Megan Crawley for filing false affidavits and for initiating a bogus investigation of the undersigned knowing full well, the undersigned had not broken any laws.

8) Such other relief as is appropriate and just that may be considered in the future.

Executed this 4th day of March, 2019.

Righteously submitted,

/s/Anthony Williams
Private Attorney General
Counsel to the Poor (Psalms 14:6)
Common Law Counsel (28 USC 1654, First Judiciary Act of 1789, section 35)