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1 Honorable Chief Judge Marsha J. Pechman

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###  UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

1. AT SEATTLE

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UNITED STATES OF AMERICA,

Plaintiff,

V.

HERMINIO SILVA,

Defendant.

### No. CR12-047MJP

1. DEFENDANT SILVA'S MOTION

TO CONTINUE TRIAL DATE AND

1. PRETRIAL MOTIONS DEADLINE
2. NOTED: AUGUST 3, 2012

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1. I.

**INTRODUCTION**

1. This drug conspiracy prosecution is one of the most complex drug prosecutions
2. brought in this District. The volume and complexity of the discovery is staggering. Since
3. defense counsel's appointment on April 26, 2012, the government has produced thousands of
4. pages of documents on electronic disks, video surveillance, pen registers, cell phone toll data,
5. GPS tracking data, thousands of pages of DEA reports, over fifty search warrants,1 tracking
6. warrants, pen register warrants, hundreds of hours of wire interceptions, over a hundred
7. hours ofrecordedjail conversations, and thousands of pages of line sheets and transcripts.

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1 Some of the search warrants are very detailed. For example,Case No. MJl 1-216, dated

25 March 1, 2012, was an application to search nineteen residences (homes and apartments), thirty-three automobiles, and two storage facilities. The affidavit in support of the search

26 contains 593 paragraphs and is 138 pages long.

MOTION TO CONTINUE - 1

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1. Along with a 500 gigabit hard drive, the government has provided ten disks of discovery that
2. are not properly indexed. The process of reviewing and analyzing this vast amount of data
3. and discovery will take many months - until such time, the defendant cannot complete his
4. trial preparations. For these reasons, and those set forth below, Herminio Silva requests that
5. his current trial date be continued to a date in May 2013.
6. II. **BACKGROUND**

# A.

**This case is extraordinarily complex.**

#### The government has been investigating the Juarez-Santos drug trade organization

1. ("DTO") for the last five years. The investigation was wide ranging involving nearly thirty
2. defendants. DEA agents and local law enforcement in Snohomish, King, and Pierce
3. Counties in the Western District of Washington and elsewhere were involved in the extensive
4. investigation. The government alleges that Herminio Silva and others, including, but not
5. limited to, Eduardo Herrera-Gonzalez, Gilberto Juarez-Santos, Juventino Juarez-Santos,
6. Alejandro Juarez-Santos, Arturo Ramirez-Santos, Ramon Palacious-Rodriguez, Pedro
7. Vazquez-Lopez, Angel Vazquez-Lopez, and Silvestre Santos-Diaz knowingly and
8. intentionally agreed to distribute controlled substances including heroin, cocaine, and
9. methamphetamine.
10. The government claims that Herminio Silva supplied the Juarez-Santos DTO with
11. controlled substances by making arrangements to bring drugs from California into
12. Washington State. They claim that Mr. Silva managed and organized at least five other
13. individuals, including co-conspirator Eduardo Herrera-Gonzales, in carrying out this task.
14. The government believes that Mr. Silva used numerous telephones to communicate and
15. arrange the deliveries. As part of their investigation, the government sought wiretaps, pen
16. registers, and GPS tracking devices on several of these phones - seeking to monitor Mr.
17. Silva.

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* 1. Mr. Silva is listed in the number one position in the indictment. The government
	2. appears to believe that Mr. Silva is the ringleader in the conspiracy. In the government's
	3. initial plea offer, they calculated his offense level at 38 (Mr. Silva is not safety valve eligible)
	4. with a guideline range of 235 to 293 months. In the offer, Mr. Silva also had to agree to a
	5. term of imprisonment of no less than 168 months. The plea offer was contingent on a
	6. package plea agreement with several other defendants. Mr. Silva declined the government's
	7. plea offer. Based on what the government believes is Mr. Silva's role in this case, it appears
	8. that a trial will be necessary.
	9. Defense counsel was appointed to represent Mr. Silva on April 26, 2012. The first
	10. status conference was held the next day, April 27, 2012. At that conference, trial was set for

11 October 29, 2012; the pretrial conference was set for October 19, 2012; and the pretrial

1. motions deadline was set for September 3, 2012. These dates were proposed by the defense
2. counsel who had been meeting and discussing scheduling prior to undersigned counsel being
3. appointed and afforded the opportunity to provide input regarding the dates.
4. At the status conference held on July 13, 2012, the Court ordered that by July 24,
5. 2012, the government file an outline as to how the defendants in this case shall be grouped
6. and why; the proposed order in which the groups shall be tried; and an estimated length of
7. trial for each of the groups. The Court ordered that the defendants have until July 31, 2012 to
8. respond to the government's grouping. 20
	1. **The government has provided defense counsel with an enormous volume**
9. **of unorganized and complex discovery materials that will require substantial time to review and analyze.**
10. Counsel incorporates by reference the description in Mr. Palacios-Rodriguez's Case
11. Status Memorandum, Dkt. No. 368, of the voluminous, complex, and unorganized discovery
12. provided on ten DVD/CD disks. In addition to the materials described in that Memorandum,
13. the government has provided defense counsel with a hard drive that contains 19,112 files in
14. 1,249 subfolders. The sheer number of files and folders presents a substantial organizational

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1. challenge, which is compounded by the fact that no usable index accompanied the drive and
2. the files and folders are haphazardly organized and frequently unlabeled. For example, one
3. folder on the drive, "Non DEA Drug Exhibits," contains over a thousand subfolders labeled
4. only with numbers (N-0001 -N-2507). *See,* "2012\_05-30. Silva Hard Drive Contents
5. Index," attached as Exhibit A. Those subfolders contain everything from photos of unknown
6. suspects to data files to untitled audio tracks with unknown speakers and subjects to cell
7. phone data to unidentified photos. There is no index of what is contained within those
8. thousands of folders on the hard drive. Similarly, there is no detailed index of the ten disks
9. of discovery. *See,* "2012.07.13 Discovery Index," attached as Exhibit B. Thus, there is no
10. feasible way defense counsel can determine whether there is information that pertains to Mr.
11. Silva in these files. At this point, defense counsel has been tasked with manually clicking on
12. each folder to try to determine the contents thereof.
13. Another subfolder entitled "Cell Phone Information" contains hundreds of
14. spreadsheets that each appear to contain thousands of lines of data. The volume of data is so
15. large and the organization so obscure, that it will take defense counsel substantial time
16. simply to determine *what the discovery is.* Counsel must then undertake the laborious task of
17. determining *what the discovery means* for Mr. Silva.
18. Additionally, no discovery master was appointed in this case. This decision was made
19. before counsel for Mr. Silva was appointed, and is a decision that counsel does not support
20. given the complexity and volume of the discovery.
21. III. **RECOMMENDATION REGARDING TRIAL DATE**
22. Based upon the extensive, lengthy criminal investigation of these defendants as well
23. as the massive amount of pretrial discovery which defense counsel must review and evaluate
24. prior to trial preparation, defense counsel respectfully recommends to the Court: 25

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1 1.

2 2.

#### 3 3.

Find this case to be complex pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii); Strike the present trial date; and

Set a May 2013 trial date.

* 1. Defense counsel also recommend that the Court continue to schedule periodic
	2. status conferences to assess and monitor issues which might affect the trial date.
	3. **IV. DISCUSSION**
	4. **A.**

**The Court should find this case complex pursuant to 18 U.S.C.** § **3161.**

* 1. The government's investigation of this matter lasted several years from inception to
	2. arrests. The volume of discovery as detailed in this motion is simply staggering. We have
	3. not yet received the government 's witness list or the Jencks material.
	4. The Speedy Trial Act at Section 3161(h) of Title 18 identifies the periods of time that
	5. are deemed excludable in computing the time within which the trial of an offense must
	6. commence. Subsection (7)(B)(ii) of that section provides that one of the factors which a
	7. judge shall consider in determining to grant a continuance beyond the normal parameters of
	8. the Speedy Trial Act is: "Whether the case is so unusual or so complex, due to the number of
	9. defendants, the nature of the prosecution, or the existence of novel questions of fact or law,
	10. that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial
	11. itself within the time limits established by this section" by the Act.
	12. Based upon all the factors discussed above, this case clearly qualifies as being
	13. "complex" within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii). Accordingly, defense
	14. counsel requests the Court to find that this case is complex and set a trial date that will
	15. provide defense counsel with adequate time to review and evaluate the facts of this complex
	16. case. 24

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MOTION TO CONTINUE - 5

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* + 1. **B. Counsel for Mr. Silva has previously scheduled conflicts with current deadlines.**
		2. Defense counsel for Mr. Silva will be out of the country with "Water Access Now" in
		3. Ghana, Africa, from July 21 through August 10, 2012, on a previously scheduled trip.
		4. During this trip, defense counsel will not have access to the internet or have any cell phone
		5. service. Thus, counsel will not be in a position to respond to the government's groµpings by
		6. the date set by the Court. Additionally, given the volume of discovery, the haphazard way in
		7. which it is organized, the lack of a cogent index or folder and file labels, and counsel's
		8. unavailability for three weeks in the month prior to the pretrial filing deadline, defense
		9. counsel cannot meet the deadlines previously set by the Court.
		10. Furthermore, defense counsel has significant obligations that were scheduled prior to
		11. appointment in this case. Defense counsel is a CLE co-chair for the National Association of
		12. Criminal Defense Lawyers ("NACDL") and is the co-chair of the NACDL Fall Conference
		13. and Meeting in New Orleans to be held October 24 through 28, 2012. Defense counsel is
		14. also scheduled to present at the conference. Defense counsel is also scheduled to present at
		15. the Oregon Criminal Defense Attorneys Association ("OCDLA") winter program held in
		16. Hawaii the week of November 4 through 11, 2012. Flights and hotel arrangements were
		17. booked prior to defense counsel's appointment in this case. *(See,* attached program agendas,
		18. Exhibit C.)
		19. The discovery was delivered to defense counsel as follows: Discovery Disks 1 and 2
		20. and one hard copy ROI were delivered on April 27, 2012 (other defendants received Disk 1
		21. on or about April 10, 2012); a hard copy of Mr. Silva's criminal history was received on May
		22. 4, 2012; Disks 3 through 7 were received on June 4, 2012; Disk 8 was received on June 11,
		23. 2012; Disk 9 was received on June 18, 2012; the 500 GB hard drive was delivered on May
		24. 11, 2012; and Disk 10 was delivered at the July 13, 2012 status conference. It is noteworthy
		25. that defense counsel was first allowed to bring the hard drive to Mr. Silva on June 28, 2012,
		26. after receiving notice from FDC SeaTac Legal Assistant Autumn Norris that the Warden

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1. approved a standing memo for attorneys in this case to enter the institution with the external
2. drive (some defense counsel may have gotten individual access prior to this date). 3
	1. **A May 2013 trial date is both appropriate and necessary given the**
3. **complexity of the case, the amount and type of discovery, and scheduling conflicts of defense counsel.**
4. The government has taken years to investigate, develop its theories, and prepare its
5. case. The discovery is the product of years of investigation by multiple federal and state law
6. enforcement agencies, contains information on dozens of defendants and suspects, and
7. ranges from wiretaps, pen registers, GPS tracking, photos, videos, data downloads from
8. electronic devices, search warrants, and administrative subpoenas. As noted above, no
9. discovery master was appointed in this case. This decision was made before counsel for Mr.
10. Silva was appointed and is a decision that counsel does not support given the complexity and
11. volume of the discovery. Counsel for Mr. Silva has been diligently working to organize and
12. analyze the materials provided so far. Nevertheless, given the staggering volume,
13. complexity, and lack of organization in the discovery materials, counsel for Mr. Silva is not
14. currently in a position to effectively assist him in making a fully informed decision about
15. how to proceed with his case. As this Court is well aware, counsel has an ethical obligation
16. to review and evaluate all pre-trial discovery and to fully investigate the facts of the case.
17. Until counsel has had an opportunity to review and analyze this discovery, counsel cannot
18. anticipate what follow-up investigation will be required. And without first understanding the
19. discovery and conducting investigation, counsel cannot anticipate what pretrial motions will
20. be necessary. Preparation of these motions will be time-consuming. Finally, counsel cannot
21. rely exclusively on the summaries the government has provided. As counsel has learned,
22. minor errors in nuance in transcripts and line sheets can have enormous effects on the
23. meaning of a conversation, requiring that a defense team perform their own analysis of
24. recorded conversations. Each of these tasks is necessary to an effective defense. Each of

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1. these tasks will take substantial time, even with counsel's current diligent efforts. As a
2. result, May of 2013 is an appropriate and realistic date for trial.
3. **V. CONCLUSION**
4. We believe that a May 2013 trial date is appropriate given the extreme complexity
5. and volume of this case, the vast amount of pre-trial work confronting the defense, and pre­
6. existing scheduling commitments. Mr. Silva therefore respectfully requests the Court grant
7. his Motion to Continue. Further, once a new trial date has been set, parties can work together
8. to propose new pretrial motions and other deadlines.
9. DATED this 20th day of July, 2012.
10. Respectfully submitted,
11. SC ROETER, GOLDMARK & BENDER

***V*** ,

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15 Fax: (206) 682-2305

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##### 16 *Attorneys for Defendant Silva*

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1 **CERTIFICATE OF SERVICE**

2

I hereby certify that on July 20, 2012, I electronically filed the foregoing with the

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Clerk of the Court using the CM/ECF system, which will send notification of such filing to

### 4

Assistant United States Attorneys Matthew Pittman and Matthew Thomas, attorneys of

#### 5

record for co-defendants, and all others requesting electronic notice.

### 6

#####  *sl Andrea Crabtree*

1. ANDREA CRABTREE

Paralegal

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MOTION TO CONTINUE - 9

(Case No. CR12-047MJP)

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**EXHIBIT A**

|  |
| --- |
| **Contents of Hard Drive** |
| **Misc Photo and Video** |  |  |  |  |  |  |
| Photos of Drug Exhibits from 4425 Meridian Ave. N, #13, Marysville |  |  |  |
| Photos of NY Surv. of Manuel Gonzalez-Lara |  |  |  |  |  |
| Photos of Search of 12414 Ambaum #3 |  |  |  |  |  |
| Photos of Search of 16905 32nd Ave. W Lynnwood |  |  |  |  |  |
| Photos of Search of 19818 50th Ave. W Lynnwood L-10 |  |  |  |  |
| Video of Search of 19818 50th Ave. W #913 Lynnwood |  |  |  |  |
| Canul-Solis, Consent to Search Form.pdf |  |  |  |  |  |
| Items obtained from Silva's Wallet.pdf |  |  |  |  |  |
| Sketch.16905 52nd Ave. W, Lynnwood.pdf |  |  |  |  |  |
| Sketch.19818 50th Ave. W, Lynnwood.pdf |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| **Non-Drug DEA Exhibits (Audio, Video, Misc)** |
| N-0001 | N-0031 | N-0062 |  | N-0093 |  | N-0124 |  |
| N-0002 | N-0032 | N-0063 |  | N-0094 |  | N-0125 |  |
| N-0003 | N-0033 | N-0064 |  | N-0095 |  | N-0126 |  |
| N-0004 | N-0034 | N-0065 |  | N-0096 |  | N-0127 |  |
| N-0005 | N-0035 | N-0066 |  | N-0097 |  | N-0128 |  |
| N-0006 | N-0036 | N-0067 |  | N-0098 |  | N-0129 |  |
| N-0007 | N-0037 | N-0068 |  | ,\_ | N-0099 |  | N-0130 |  |  |
| ----·-··N-0008 | N-0038 | N-0069 | - |  | N-0100 |  | N-0131 |  |
| N-0009 | N-0039 | N-0070 |  | N-0101 |  | N-0132 |  |
| N-0009a | N-0040 | N-0071 |  | N-0102 |  | N-0133 |  |
| N-0010 | N-0041 | N-0072 |  | N-0103 |  | N-0134 |  |
| N-0011 | N-0042 | N-0073 |  | N-0104 |  | N-0135 |  |
| N-0012 | N-0043 | N-0074 |  | N-0105 BULK | N-0136 |  |
| N-0013 | N-0044 | N-0075 |  | N-0106 |  | N-0137 |  |
| N-0014 | N-0045 | N-0076 BULK |  | N-0107 |  | N-0138 |  |
| N-0015 | N-0046 | N-0077 |  | N-0108 |  | N-0139 |  |
| N-0016 | N-0047 | N-0078 |  | N-0109 BULK | N-0140 |  |
| N-0017 | N-0048 | N-0079 |  | N-0110 |  | N-0141 |  |
| N-0018 | N-0049 | N-0080 |  | N-0111 |  | N-0142 |  |
| N-0019 | N-0050 | N-0081 |  | N-0112 |  | N-0143 |  |
| N-0020 | N-0051 | N-0082 |  | N-0113 |  | N-0144 |  |
| N-0021 | N-0052 | N-0083 BULK |  | N-0114 |  | N-0145 |  |
| N-0022 | N-0053 | N-0084 |  | N-0115 |  | N-0146 |  |
| N-0023 | N-0054 | N-0085 |  | N-0116 BULK | N-0147 PHONE |  |
| -- ··N-0024 | ·-t------N-0055 | N-0086 |  | --- -N-0117 BULK | N-0148 | ---- ------------ |
| N-0025 | N-0056 | N-0087 |  | N-0118 |  | N-0149 |  |
| N-0026 | N-0057 | N-0088 |  | N-0119 |  | N-0150 PHONE |
| N-0027 | N-0058 | N-0089 |  | N-0120 |  | N-0151 PHONE |
| N-0028 | N-0059 | N-0090 |  | N-0121 |  | N-0152 |  |
| N-0029 | N-0060 | N-0091 |  | N-0122 |  | N-0153 |  |

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|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| N-0030 | N-0061 | N-0092 |  | N-0123 BULK | N-0154 |  |
| N-0155 PHONE | N-0305 |  |  | N-0703 CURRENCY |  |
| N-0156 |  | N-0306 |  |  | N-0704 BULK |  |
| N-0157- ----·---··-· - ·-- ---N-0158 | -----··------ - -----·-----------··-----·-------·-- | N-0307 |  |  | N-0705 PHONE |  |
| N-0308 |  |  | N-0706 PHONE |  |
| N-0159 |  | N-0309 |  |  | N-0707 PHONE |  |
| N-0160 |  | N-0310 |  |  | N-0708 BULK |  |
| N-0161 |  | N-0311a CURRENCY |  | N-0709 PHONE |  |
| N-0162 |  | N-0311b CURRENCY |  | N-0710 |  |  |
| N-0163 |  | N-0311c CURRENCY |  | N-0711 PHONE |  |
| N-0164 |  | N-0311d CURRENCY |  | N-0712 PHONE |  |
| N-0165 |  | N-0312 |  |  | N-0713 PHONE |  |
| N-0166 |  | N-0313 |  |  | N-0714 PHONE |  |
| N-0167 BULK |  | N-0400 |  |  | N-0715 PHONE |  |
| N-0168 CURRENCY | N-0401 |  |  | N-0716 |  |  |
| N-0169 |  | N-0402 BULK |  |  | N-0717 |  |  |
| N-0170 |  | N-0403 |  |  | N-0718 |  |  |
| N-0171 BULK |  | N-0404 CURRENCY |  | N-0719 |  |  |
| N-0172 |  | N-0405 CURRENCY |  | N-0720 |  |  |
| N-0173 |  | N-0406 |  |  | N-0721 |  |  |
| N-0174 |  | N-0407 BULK |  |  | N-0722 |  |  |
| N-0175 PRODUCED PREVIOUSLY | N-0408 |  |  | N-0723 |  |  |
| N-0200 CURRENCY | N-0409 |  |  | N-0724 |  |  |
| N-0200a BULK |  | N-0410 |  |  | N-0800a CURRENCY |  |
| N-0201 |  | N-0411 |  |  | N-0800b CURRENCY |  |
| N-0202 BULK |  | N-0412 BULK |  |  | N-0800c CURRENCY |  |
| N-0203 |  | N-0413 BULK |  |  | N-0801 |  |  |
| N-0204 CURRENCY | N-0414 |  |  | N-0802 |  |  |
| N-0204a BULK |  | N-0500 CURRENCY |  | N-0803 |  |  |
| N-0205 CURRENCY | N-0501 |  |  | N-0804 |  |  |
| N-0205a BULK |  | N-0502 PHONE |  | N-0805 |  |  |
| N-0206 |  | N-0503 PHONE |  | N-0806 |  |  |
| N-0207 |  | N-0504 |  |  | N-0807 |  |  |
| N-0208 BULK |  | N-0600 PHONE |  | N-0808 |  |  |
| N-0209 |  | N-0601 PHONE |  | N-0809 |  |  |
| N-0210 |  | N-0602 |  |  | N-0810 |  |  |
| N-0211 BULK |  | N-0603 |  |  | N-0811 |  |  |
| N-0212 |  | \_,,,..\_ | N-0604 PHONE |  | N-0812., , --- | -···---- -- --··---···-- |  .,  |
| N-0213 |  | N-0605 |  |  |
| N-0813 BULK |
| N-0214 |  | N-0606 BULK |  |  | N-0814 |  |  |
| N-0215 BULK |  | N-0607 |  |  | N-0815 |  |  |
| N-0216 BULK |  | N-0608 |  |  | N-0816 |  |  |
| N-0217 |  | N-0609 |  |  | N-0817 |  | - |
| N-0300 |  | N-0610 |  |  | N-0818 |  |  |
| N-0301 |  | N-0611 |  |  | N-0819 |  |  |

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|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| N-0302 |  | N-0700 CURRENCY |  | N-0820 |  |  |
| N-0303 |  | N-0701 CURRENCY |  | N-0821 |  |  |
| N-0304 |  | N-0702 CURRENCY |  | N-0900 CURRENCY |  |
| N-0901 CURRENCY | N-1401 BULK |  |  | N-1719 |  |  |
| N-0902 |  | N-1402 |  |  | N-1720 BULK |  |
| N-0903 |  | N-1403 PHONES |  | N-1721 |  |  |
| N-0904 |  | N-1404 PHONES |  | N-1722 |  |  |
| N-0906 |  | N-1405 |  |  | N-1723 |  |  |
| N-0907 CURRENCY | N-1406 |  |  | N-1800 CURRENCY |  |
| N-1000 |  | N-1407 |  |  | N-1801 |  |  |
| N-1001 |  | N-1500 |  |  | N-1802 PHONE |  |
| N-1002 |  | N-1501 |  |  | N-1803 PHONE |  |
| N-1003 |  | N-1502 BULK |  |  | N-1804 |  |  |
| N-1004 |  | N-1503 PHONE |  | N-1805 PHONES |  |
| N-1005 BULK |  | N-1504 |  |  | N-1806 |  |  |
| N-1006 |  | N-1505 CURRENCY |  | N-1807 |  |  |
| N-1007 CURRENCY | N-1506 |  |  | N-1808 BULK |  |
| N-1100 |  | N-1507 BULK |  |  | N-1900 |  |  |
| N-1101 BULK |  | N-1600 CURRENCY |  | N-1901 |  |  |
| N-1102 BULK |  | N-1601 CURRENCY |  | N-1902 BULK |  |
| N-1103 | PHONEPHONE | N-1602 PHONE |  | N-1903 |  |  |
| N-1104 | N-1603 |  |  | N-1904 |  |  |
| N-1105 PHONE | N-1604 |  |  | N-2000 CURRENCY |  |
| N-1106 |  | N-1605 |  |  | N-2001 BULK |  |
| N-1107 |  | N-1606 BULK |  |  | N-2002 |  |  |
| N-1108 |  | N-1607 |  |  | N-2003 PHONES |  |
| N-1109 PHONE | N-1608 |  |  | N-2004 |  |  |
| N-1110 |  | N-1609 |  |  | N-2005 |  |  |
| N-1111 |  | N-1700 CURRENCY |  | N-2100 BULK |  |
| N-1112 |  | N-1701 CURRENCY |  | N-2200 (Nothing seized) |
| N-1113 PHONE | N-1702 |  |  | N-2201 |  |  |
| N-1114 CURRENCY | N-1703 |  |  | N-2202 |  |  |
| N-1114a BULK | N-1704 BULK |  |  | N-2203 |  |  |
| N-1200 |  | N-1705 |  |  | N-2204 PHONE |  |
| N-1201 |  | N-1706 |  |  | N-2205 BULK |  |
| N-1202 |  | N-1707 |  |  | N-2300 |  |  |
| N-1203 |  | N-1708 BULK |  |  | N-2301 |  |  |
| N-1300 BULK |  | N-1709 BULK |  |  | N-2302 CURRENCY |  |
| --·-N-1301 BULK |  | N-1710 |  |  | N-2303 |  |  |
| N-1302 BULK |  | N-1711 |  |  | N-2304 CURRENCY |  |
| N-1303 |  | N-1712 |  |  | N-2305 |  |  |
| N-1304 |  | N-1713 |  |  | N-2306 |  |  |
| N-1305 |  | N-1714 BULK |  |  | N-2307 CURRENCY |  |
| N-1306 |  | N-1714a BULK |  |  | N-2308 PHONES |  |
| N-1307 PHONES | N-1715 BULK |  |  | N-2309 |  |  |

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| N-1308 |  | N-1715a |  |  | N-2310 |  |  |
| N-1309 |  | N-1716 |  |  | N-2311 |  |  |
| N-1310 CURRENCY | N-1717 BULK |  |  | N-2312 |  |  |
| N-1311 CURRENCY | N-1717a BULK |  |  | N-2500 BULK |  |
| N-1400 | "-- | N-1718 |  |  | N-2501 BULK |  |
| N-2502 BULK |  |  |  |  |  |  |  |
| N-2503 |  |  |  |  |  |  |  |
| N-2504 BULK |  |  |  |  |  |  |  |
| N-2505 |  |  |  |  |  |  |  |
| N-2506 |  |  |  |  |  |  |  |
| N-2507 BULK |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| **Other Agency Photo and Video** |  |  |  |  |  |  |
| 2010.12.23 SSCNTF 10-20161 |  |  |  |  |  |  |
| 2010.12.28 SSCNTF 10-20163 |  |  |  |  |  |  |
| 2011.07.26 KCSO 11-164172 (BERMEO-Escandon.Junior) |  |  |  |  |
| OPNET 2011-12251 |  |  |  |  |  |  |
| OPNET 2011-14814 |  |  |  |  |  |  |
| OPNET 2011-15050 |  |  |  |  |  |  |
| OPNET 2011-17069 |  |  |  |  |  |  |
| WSP 11-012239 |  |  |  |  |  |  |

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**EXHIBITB**

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| Disk# | D scription ...·.·. | ..*ii>* | * ..
 | . | ·.·. | Bates Range |
| 1 | **INVESTIGATION PLEADINGS** |  |
| **Wire Interceptions** | **(WT** ) |
| 08-16-2011 TT8 | WT 000001 - WT 000114 |
| 08-29-2011 Progress Report | WT 000115 - WT 000159 |
| 09-07-2011 Progress Report | WT 000160 - WT 000203 |
| 09-19-2011 TT8 and TT12 | WT\_000204 - WT\_000284 |
| 09-27-2011 Progress Report | WT 000285 - WT 000359 |
| 10-07-2011 MtO SealWire | WT 000360 - WT 000368 |
| 10-07-2011 Progress Report | WT\_000369 - WT\_000424 |
| 10-18-2011 MtO SealWire | WT\_000425-WT 000433 |
| 10-21-2011 TT14 and TT23 | WT 000434 - WT 000540 |
| 10-31-2011 Progress Report | - | WT\_000541- WT 000581 |
| 11-14-2011 Progress Report | WT 000582 - WT 000609 |
| 11-23-2011 TT23, TT25, and TT35 | WT\_000610 - WT\_000717 |
| 11-29-2011 MtO SealWire | WT 000718 - WT 000727 |
| 12-05-2011 Progress Report | WT\_000728 - WT\_000769 |
| 12-12-2011 MtO SealWire | WT 000770 - WT 000778 |
| 12-13-2011 TT36 | WT\_000779 -WT 000859 |
| 12-14-2011 Progress Report | WT 000860 - WT 000890 |
| 12-19-2011 MtO SealWire | WT\_000891 - WT\_000899 |
| 12-27-2011 MtO SealWire | WT 000900 - WT 000907 |
| 12-27-2011 Progress Report | WT\_000908 - WT\_000933 |
| 12-30-20 11 MtODelaylnv | WT\_000934 - WT 000938 |
| 01-03-2012 Progress Report | WT 000939 - WT 000965 |
| 01-10-2012 MtO SealWire | WT\_000966 - WT 000974 |
| 01-23-2012 MtODelaylnv | WT 000975 - WT 000979 |
| 02-17-2012 MtODelaylnv | WT\_000980 -WT\_000984 |
| 03-09-2012 MtODelaylnv | WT 000985 - WT 000989 |
|  |
| **Pen Register/Trap and Trace** | **(PEN\_)** |
| 03-21-2011 425-931-9616 | PEN 000001 - PEN 000027 |
| 05-04-2011 TT5 | PEN 000028-PEN 000065 |
| 05-19-2011 TT6 | PEN\_000066-PEN\_000103 |
| 05-19-2011 TT7 | PEN 000104-PEN 000141 |
| 07-12-2011 TT6 through TTll | PEN\_000142-PEN\_000219 |
| 09-23-2011 Juarez-Santos/Ramirez-Santos | PEN\_000220-PEN 000236 |
| 09-29-2011 425-905-4192 | PEN 000237 - PEN 000257 |
| 10-03-2011 TT21 and TT22 | PEN\_000258-PEN\_000287 |
| 10-06-2011 TT12 | PEN 000288 - PEN 000317 |
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| 1cont | **Tracking Warrants** | **(TW\_)** |
| 03-16-2011 TTl | TW\_00000l - TW\_000011 |
| 03-17-2011 MtoClarify Notification | TW 000012 - TW 000024 |
| 03-28-2011 TT2, TT3, and TT4 | TW\_000025 -TW\_000048 |
| 03-31-2011 SVl through SV5 | TW 000049 - TW 000080 |
| 05-04-2011 MtODelayNotification | TW\_000081 - TW\_000087 |
| 05-04-2011 SV6 and SV7 | TW 000088 - TW 000121 |
| 05-04-2011 TT5 | TW\_000122 - TW\_000149 |
| 05-05-2011 TT5 | TW\_000150 - TW\_000177 |
| 05-19-2011 TT6 | TW 000178 - TW 000206 |
| 05-19-2011 TT7... ·----------·------06-14-2011 MtODelayNotification | TW\_000207 - TW\_000235 |
| TW\_000236 -TW\_000243 |
| 07-12-2011 TT6 through TT11 | TW\_000244 - TW\_000292 |
| 07-14-2011 MtODelayNotification | TW- 000293 - TW- 000299 |
| 08-01-2011 MtODelayNotification | TW 000300 - TW 000306 |
| 08-24-2011 MtODelayNotification | TW\_000307 - TW\_000314 |
| 08-24-2011 TT12 and TT13 | TW 000315 - TW 000334 |
| 09-23-2011 MtODelayNotification | TW\_000335 - TW\_000342 |
| 09-23-2011 SV8 | TW 000343 - TW 000357 |
| 09-23-2011 TT14 through TT20 | TW- 000358 - TW- 000412 |
| 10-02-2011 TT21 and TT22 | TW 000413 -TW 000441 |
| 10-02-2011 TT22 | TW\_000442 - TW\_000466 |
| 10-06-2011 TT12 | TW 000467 - TW 000490 |
| 10-27-2011 MtODelayNotification | TW\_000491- TW\_000499 |
| 11-02-2011 TT24 | TW\_000500 - TW\_000531 |
| 11-02-2011 TT24 corrected | TW 000532 - TW 000559 |
| 11-10-2011 TT26 through TT34 | TW\_000560 - TW\_000636 |
| 11-29-2011 MtODelayNotification | - --- ------ | TW 000637 - TW 000647--- ------------- - -------- ·------- .TW- 000648 - TW- 000708 |
| 12-02-2011 TT36 through TT42 |
| 12-29-2011 TT43 | TW- 000709 - TW- 000731 |
| 01-05-2012 TT44 and TT45 | TW\_000732 - TW\_000760 |
| 01-06-2012 TT46 | TW\_000761 - TW\_000787 |
| 01-23-2012 MtODelayNotification | TW\_000788 - TW\_000793 |
| 01-30-2012 MtODelayNotification | TW- 000794 - TW- 000800 |
| 02-13-2012 TT26, 27, 34, 39, 40, 44, 47 - 54, SV 9 - 20 -App/Affidavit | TW- 000801- TW- 000851 |
| 02-13-2012 TT26, 27, 34, 39, 40, 44, 47 - 54, SV 9 - 20 -Tracking Warrants | TW- 000852 - TW- 000929 |
| 02-13-2012 TT49 corrected | TW\_000930 -TW\_000980 |
| 02-15-2012 MtODelayNotification | TW 000981 - TW 000988 |
| 02-17-2012 MtODelayNotification | TW 000989 - TW 000993 |

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| 1cont | **Tracking Warrants - continued** |  |
| 02-23-2012 TT32, 34, 55 - 57 | TW- 000994 - TW- 001034 |
| 03-19-2012 MtODelayNotification | TW\_001035 - TW 001040 |
|  |
| **Search Warrants** | **(SW\_)** |
| MJll-216 (1) SearchWarrant | SW- 000001 - SW- 000027 |
| MJll-216 (1) Mtn/Order Seal | SW\_000028 - SW\_000030 |
| MJll-216 (2-3) SearchWarrant | SW\_000031- SW 000044 |
| MJll-216 (2-3) SW Return | SW\_000045 - SW\_000059 |
| ----------·----····-··-MJll-216 (4-6) SearchWarrant | SW- 000060 - SW- 000077 |
| MJll-216 Mtn/Order to Seal | SW 000078 - SW 000082 |
| MJll-216 (7-60) SW App/Affidavit | SW\_000083 - SW\_000233 |
| MJll-216 (7-60) SearchWarrants | SW- 000234 - SW- 000578 |
| MJll-216 (7-60) SW Return/Not executed | SW- 000579 - SW- 000707 |
| MJll-216 (7-60) Mtn/Order to Seal | SW- 000708 - SW- 000712 |
| MJll-216 03-09-12 3 phones/camera SW | SW- 000713 - SW- 000729 |
| MJll-216 03-09-12 SW return | SW- 000730 - SW- 000733 |
| MJ12-5012 Search Warrant | SW- 000734 - SW- 000770 |
| MJ12-5012 Search Warrant Return | SW\_000771-SW\_000776 |
| MJ12-5012 SW Mtn/Order to Seal | SW- 000777 - SW- 000780 |
| MJ12-143 (1-57) Search Warrants | SW- 000781 - SW- 001144 |
| MJ12-143 (1-57) SW App/Affidavit | SW 001145 - SW 001318 |
| MJ12-143 (58) Search Warrant | SW\_001319 - SW\_001351 |
| MJ12-153 Search Warrant | SW- 001352 - SW- 001405 |
|  |
| **Wire Audio and Linesheets** |  |
| TT8, TT12, TT14, TT23, TT35, TT36 | n/a |
|  |
| **Transcripts** | **(TRx\_)** |
| Draft Transcripts from Intercepted Calls(See List of Calls Detail) |  |
| TT8 206-579-9936 | TRx 000001 - TRx 000623 |
| TT12 425-905-0752 | TRx\_000624 - TRx\_001307 |
| TT14 425-905-4192 | TRx 001308 - TRx 001802 |
| TT23 425-212-0018 | TRx- 001803 - TRx- 002764 |
| TT35 425-750-4370 | TRx- 002765 - TRx- 002856 |
| TT36 425-318-5021 | TRx 002857 - TRx 003149 |

















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