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Reply to: **Fort Myers, FL**

DGL

February 6, 2015

Jim Lappan, Esq.
Assistant Federal Public Defender
1514 Broadway, Suite 301
Fort Myers, FL. 33901

Re: United States v. Jeffrey Ihm
Case No. 2:15-cr-3-FtM-29DNF

Dear Mr. Lappan:

Pursuant to the standing Criminal Scheduling Order, and Rule 16 of the Federal Rules of Criminal Procedure, all discovery material is available for you to review at the United States Secret Service in, in Fort Myers, Florida. However, specifically provided herewith are pages numbered 00001 through 01395. You can make arrangements to view the originals and obtain copies of any items you deem necessary by calling Special Agent Jim Mundo at (239) 334-0660. Please call in advance for an appointment. These materials are being tendered to you pursuant to Rule 12(d)(1) of the Federal Rules of Criminal Procedure.

As you know, a superseding indictment has been returned in this case. As a result of the superseding indictment, a second discovery disclosure will be forthcoming.

It is likely that additional materials and/or scientific results will come into the possession and control of the United States which are discoverable under Rule 16 and the local standing Criminal Scheduling Order. We recognize our continuing duty to disclose and will notify you promptly upon receipt of such materials.

In response to the Order the government provides the following:

A. Opting Out

Defendant did not opt out.

B. Written or Recorded Statements of the Defendant

The Defendant did not testify before the Grand Jury.

C. Oral Statements of Defendant

See discovery materials.

D. Prior Record

See Discovery materials. Updated criminal history to be provided upon receipt.

E. Documents and Tangible Objects

As to Rule 16 documents and tangible objects, you are free to inspect items, which will be used by the government in their case-in-chief. Please contact Special Agent Jim Mundo at (239) 334-0660.

F. Reports of Examinations and Tests

None at this time. Additional reports of examinations and tests, if any, to be provided upon receipt.

G. Expert Witness

H. Electronic Surveillance

None.

I. Rule 404(b) Evidence

The government will provide separate notice of any intent to offer 404(b) evidence if applicable.

J. Confidential Informants

A confidential informant was not used in the investigation.

K. Conflict of Interest

The government is not aware of any conflicts of interest.

L. Photo Identification

A photograph of the defendant was shown to a witness. See report of Interview and photograph. Pages 42-44 and 1388-89.

M. Evidence Seized by Warrant

A search warrant was not utilized during the course of this investigation.

N. Rough Notes

The case agent has been instructed to save his rough notes.

O. Destruction of Evidence

The case agent has been instructed not to destroy evidence.

P. Speedy Trial

There are currently no speedy trial problems.

Q-S. Reciprocal Discovery

At this time the government requests, pursuant to Rule 16(b)(1)(A) and (B) that the defendant permit the government to inspect and copy or photograph;

1. Books, papers, documents, photographs, tangible objects, or copies or portions thereof, which are within the possession, custody or control of the defendant and which the defendant intends to introduce as evidence in chief at the trial; and

2. Any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with the particular case, or copies thereof, within the possession or control of the defendant, which the defendant intends to introduce as evidence in chief at the trial or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports relate to her testimony.

T. Brady Material

The government is aware of its ongoing commitment to provide any *Brady* material.

U. Giglio Material

Giglio Material will be disclosed as directed

V. Jencks Act Material

Jencks Material will be disclosed as directed.

Sincerely,

A. LEE BENTLEY, III
United States Attorney

By: s/David G. Lazarus
David G. Lazarus
Assistant United States Attorney