



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DMP/JSC
F. #2014R00196

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 30, 2015

By Hand Delivery and ECF

Thomas Dunn, Esq.
225 Broadway, Suite 1515
New York, New York 10007

Re: United States v. Asia Siddiqui
Criminal Docket No. 15-213 (SJ)

Dear Mr. Dunn:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure, which is being produced pursuant to the Stipulation and Order entered by the Court on July 29, 2015.

The government also requests reciprocal discovery from the defendant. Please contact me if you wish to arrange a time to inspect, copy and/or photograph the evidence and original documents discoverable under Rule 16

I. **The Government's Discovery**

A. **Statements of the Defendant**

The defendant Asia Siddiqui ("Siddiqui") was interviewed on July 11, 2014, after arriving at LaGuardia Airport on a flight from Toronto, Canada. Handwritten notes and an FBI report pertaining to that interview are enclosed, bearing Bates stamps Siddiqui 000235-000240 and VS 000280-000281, respectively. An audio recording and corresponding draft transcript of Siddiqui's conversations with an undercover law enforcement officer on the same date are included, bearing Bates stamps VS 000001 and VS 000002-000130, respectively.

Siddiqui was arrested by law enforcement officers on April 2, 2015. A report pertaining to that arrest is attached, bearing Bates numbers Siddiqui 000010-000011. Additionally enclosed are the Custody/Detention Report, Bates stamped Siddiqui 000001-

000004; the defendant's fingerprint information card, Bates stamped Siddiqui 000005-000006, and fingerprint card, Bates stamped Siddiqui 000007-000008. The arrest warrant is enclosed, bearing Bates stamp Siddiqui 000015.

Upon her arrest, Siddiqui was transported to FBI offices, where she was read and invoked her Miranda rights. An initialed, unsigned advice of rights form is attached, Bates stamped Siddiqui 000009. A report regarding the event is attached, Bates stamped Siddiqui 000012-000014. A video recording of the post-arrest interview is contained as well, bearing Bates number Siddiqui 000748.

Also enclosed are poems authored by Siddiqui, Bates stamped VS 000131-000136, as well as the issues of *Jihad Recollections* in which those poems were published, Bates stamped VS 000137-000206 and VS 000207-000279.

Other statements by Siddiqui are contained in the balance of the discovery material produced and to be produced.

B. The Defendant's Criminal History

At the present time, the government is not aware of any prior criminal history for Siddiqui.

C. Documents and Tangible Objects

On April 2, 2015, agents executed a search of Siddiqui's residence pursuant to a search warrant. An inventory of the items seized during this search and the worksheets pertaining to the search are attached, Bates stamped Siddiqui 000016-000033. Photographs documenting the search are included, Bates stamped Siddiqui 000645-000747. All of the physical items seized are available for your review and inspection.

Law enforcement officers also seized the following media objects from Siddiqui's residence: several cell phones including an LG LX370, LG MS323, Siemens model, Nokia model, HTC P4600, Metro PCS 4G 2TE, LG Nexus, Kyocera 3G and a Blackberry. Additionally seized were a Sony cybershot camera, Panasonic video camera, Lenovo Thinkpad Laptop Computer, memory stick, Metro PCS 2TE with keyboard, Canon SD memory card, and a Western Digital external hard drive. The contents of these items, with the exception of the external hard drive, are currently available for your review and inspection. If you would like a copy of the contents of any of this media, please provide the government with a 1 terabyte hard drive, and we will arrange for the materials to be loaded onto the hard drive and returned to you.

Also enclosed are federal Grand Jury subpoena returns from the following companies: AOL, AT&T, Citibank, Facebook, Time Warner, Photobucket, MetroPCS, Hisgadget, Inc., Google, Chex Systems, Equifax, Experian, Federal Reserve Bank of New York, MoneyGram, PayPal, Western Union, Mettel, Tracfone, Verizon, Yahoo, Home

Depot, Hotmail and TMobile, Bates stamped Siddiqui 000034-000234 and Siddiqui 000241-000644.

On April 2, 2015, agents executed a search of the residence of Noelle Velentzas, Siddiqui's co-defendant, pursuant to a search warrant. An inventory of the items seized during this search and the worksheets pertaining to the search are attached, Bates stamped Velentzas 002189-002204. Photographs documenting the search and items seized are included, Bates stamped Velentzas 002078-002188 and Velentzas 002205-002230. Law enforcement officers also seized the following media objects from Velentzas' residence: LG-MS323 Optimus L70 Cell Phone, LG 695, LG-MS769, Samsung SCH-R360, Kyocera Presto, Blackberry, SD Card and a 500 GB Western Digital Hard Drive (from an Aspire laptop).

D. Reports of Examinations and Tests

The government will provide you with copies of any reports of examinations or tests in this case as they become available.

E. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion.

The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

F. Brady Material

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

Before trial, the government will furnish materials discoverable pursuant to Title 18, United States Code, Section 3500, as well as impeachment materials. See Giglio v. United States, 405 U.S. 150 (1972).

G. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

II. The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow

inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

III. Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a "formal offer" or a "plea offer," as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

KELLY T. CURRIE
Acting United States Attorney

By: /s/ Jennifer S. Carapiet
Jennifer S. Carapiet
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Enclosures, bearing Bates stamps Siddiqui 000001-000748, VS 000001-000281 and Velentzas 002078-002230

cc: Clerk of the Court (SJ) (by ECF) (without enclosures)