

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 21-5229**

**September Term, 2021**

**1:21-cv-02181-UNA**

**Filed On: February 17, 2022**

In re: Priscilla Ann Ellis,

Petitioner

**BEFORE:** Pillard and Walker, Circuit Judges, and Sentelle, Senior Circuit Judge

**ORDER**

Upon consideration of the petition for writ of mandamus and the supplements thereto, and the motion for leave to proceed in forma pauperis, it is

**ORDERED** that the motion for leave to proceed in forma pauperis be granted. It is

**FURTHER ORDERED** that the petition for writ of mandamus be denied. The district court did not abuse its discretion in transferring petitioner's case to the Middle District of Florida. See McFarlane v. Esquire Magazine, 74 F.3d 1296, 1301 (D.C. Cir. 1996) (district court's decision to transfer a case under 28 U.S.C. § 1406(a) reviewed for abuse of discretion). Petitioner's underlying criminal conviction and sentence were entered in that district, as were the alleged "special administrative measures" of which petitioner complains. The fact that component agencies and senior officers of the Department of Justice are based in the District of Columbia is not, by itself, sufficient to establish venue in the district court here. See Cameron v. Thornburgh, 983 F.2d 253, 256-57 (D.C. Cir. 1993). Insofar as petitioner seeks additional relief in her mandamus petition beyond rescission of the district court's transfer order, she has not demonstrated a clear and indisputable right to such relief. See Gulfstream Aerospace Corp. v. Mayacamas Corp., 485 U.S. 271, 289 (1988).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Manuel J. Castro  
Deputy Clerk

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-5229

September Term, 2021

1:21-cv-02181-UNA

Filed On: May 27, 2022

In re: Priscilla Ann Ellis,

Petitioner

**BEFORE:** Srinivasan, Chief Judge, and Henderson, Rogers, Millett, Pillard, Wilkins, Katsas, Rao, Walker, and Jackson\*, Circuit Judges, and Sentelle, Senior Circuit Judge

**ORDER**

Upon consideration of the petition for rehearing en banc and the supplement thereto, and the absence of a request by any member of the court for a vote, it is

**ORDERED** that the petition be denied.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Michael C. McGrail  
Deputy Clerk

\* Circuit Judge Jackson did not participate in this matter.

EXHIBIT D2

INITIAL APPEARANCE TRANSCRIPT FROM WACO, TEXAS  
8-31-2015  
WA-15-MJ-184 (1) JCM Judge Manske

Priscilla Ellis was denied Due Process to have an attorney at a most critical stage in the criminal proceeding a 5.1 Hearing in which Plaintiff had no idea what this was and as to why she was being denied the right to SPEAK to or see her ATTORNEY until AFTER she had seen the Judge

See Page 9 to 12 of 22  
BOX 10  
Line 10 through 16,

Priscilla Ellis is telling the Judge that they said that I COULD NOT Call my attorney until after I saw you

The ~~Judge~~ Judge blatantly denied Priscilla Ellis Equal Protection under 42 USC 1981 and Due Process under the 14th Amendment of the Untied States COnstitution as well as Denied Due Process under the 5th Amend and denied the right to an attorney under Sixth Amend after the criminal charges attached.

~~Instead~~==

Instead of the Judge Manske, a ~~seasoned~~ WHITE Judge telling the bailiff to take Priscilla out to call an attorney and then re-appear before him with her attorney, he went on to perform a 5.1 hearing and sign to extradite Priscilla Ellis for a crime out of her ~~home~~ state of Texas and Venue that had no jurisdiction and in which she had NEVER traveled to, NEVER WIRED any monies, NEVER received any WIRES, and NEVER in life knew that it existed.

Line 14 Clearly tells the ~~Judge~~ that they say that I cannot call him until after I speak to you

Line 16, the Judge tells Priscilla Ellis that we will Notify him, this is not how Due Process works, but he knows that most Black women, as Priscilla Ellis did not know this and they took advantage of her knowingly denying her access to her Attorney and Due Process.

Lines 20 and 21 CXlearly again states that they did not give me a phone call and would not let me call my attorney although Miranda rights say that you have the right to have your attorney present.

See Line 22, he tells them to allow me to call from the Holding area AFTER he went ahead with the signing of the removal and the initial hearing without allowing me an attorney as I had requested to the FBI Agents and to the Judge as the transcript clearly shows.

They took advantage of a US Army Veteran, successful Business woman with assets and used her as a scapegoat for the crime of others and out of the Venue and Home state of Texas before a White Judge that denied her clear Due Process and whom signed a faulty Search Warrant W15-179M that allowed the Middle District of Florida to remove all of my hard earned funds from all of my Bank accounts the day after arrival in Florida without having a Show Cause hearing or verifying or creating a NEXUS to a crime, in which they could not because Ellis was not involved in a crime knowingly and went through her bank statements and matched with the victim list and no one from the state of Florida and less than \$150,000 total for

1. Cusamano
2. Theriot
3. Hart

No one from Florida and all testified in court that Ellis did not contact or solicit funds from them nor had they ever heard of Vicken International Traders LLC and one testified that her Boyfriend was involved in a Trade to obtain a SBLC for Private Placement Trade, which is and was Priscilla Ellis' legal line of Business in Private Placement Trading and Busiess Consulting and had Been in the Wireless retail and Wholesale Busines for Well over 25 plus years , prior military and Military Spouse evidenced by Bell County records for over 30 years combined and also in teh restaurant and Night Club Industry evidenced by TABC website for the Liquor license for well over 11 plus years.

Was very successful and no reason to beinvolved in a crime with anyone knowingly.

Box 14 Page 13 to 16 of 22

Ellis and Cortese are telling the Judge that we don't know anyone in Tampa, Florida nor ever been there.

This was out of the region and had he allowed me to contact my attorney we could have had this unlawful indictment Quashed.

This is what being denied Due process gets you when you are a Black person in Prison for crimes that you didn't commit and then entrapped for another crime when you ferociously advocate for your innocence as a victim.

1 UNITED STATES DISTRICT COURT  
 2 WESTERN DISTRICT OF TEXAS  
 3 WACO DIVISION  
 4 UNITED STATES OF AMERICA ) Docket No. WA 15-MJ-184(1) JCM  
 5 )  
 6 vs. ) Waco, Texas  
 7 )  
 8 PRISCILLA ANN ELLIS ) August 31, 2015  
 9  
 10 6  
 11 TRANSCRIPT OF INITIAL APPEARANCE  
 12 7 BEFORE THE HONORABLE JEFFREY C. MANSKE  
 13 8  
 14 9 APPEARANCES:  
 15 10 For the United States: (No Appearance)  
 16 11  
 17 12  
 18 13 For the Defendant: (No Appearance)  
 19 14  
 20 15  
 21 16 Transcriber: Ms. Lilly Iva Reznik, CRR, RMR  
 22 17 501 West 5th Street, Suite 4153  
 23 18 Austin, Texas 78701  
 24 19 (512) 391-8792  
 25 20  
 26 21  
 27 22  
 28 23  
 29 24  
 30 25 11:51:45 Proceedings reported by digital sound recording,  
 transcript produced by computer aided-transcription.

LILY I. REZNIK, OFFICIAL COURT REPORTER  
 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

1 11:55:46 1 THE COURT: Thank you.  
 2 11:55:47 2 Ms. Ellis.  
 3 11:55:50 3 DEFENDANT ELLIS: Priscilla Ann Ellis. I have a  
 4 doctorate.  
 5 11:56:15 5 THE COURT: How old are you?  
 6 11:56:15 6 DEFENDANT ELLIS: Fifty years old.  
 7 11:56:27 7 THE COURT: Mr. Cortese.  
 8 11:56:30 8 DEFENDANT CORTESE: I'm Perry Don Cortese.  
 9 11:56:55 9 THE COURT: Cortese. All right.  
 10 11:56:57 10 DEFENDANT CORTESE: I'm 52 years old.  
 11 11:56:59 11 THE COURT: How far'd you go in school?  
 12 11:57:17 12 DEFENDANT CORTESE: I have a doctorate in  
 13 11:57:19 13 jurisprudence.  
 14 11:57:19 14 THE COURT: Do either of you folks suffer from --  
 15 11:57:21 15 any of you folks suffer from any physical or mental  
 16 11:57:23 16 condition that might affect your ability to understand why  
 17 11:57:25 17 you're here in court today? Mr. Caufield?  
 18 11:57:38 18 DEFENDANT CAUFIELD: No, sir.  
 19 11:57:39 19 THE COURT: Ms. Ellis?  
 20 11:57:41 20 DEFENDANT ELLIS: No. I don't agree with why I'm  
 21 11:57:48 21 here, sir. But,  
 22 11:57:54 22 THE COURT: All right. I understand that.  
 23 11:57:58 23 Mr. Cortese?  
 24 11:58:00 24 DEFENDANT CORTESE: No.  
 25 11:58:01 25 THE COURT: Any of you currently under the

LILY I. REZNIK, OFFICIAL COURT REPORTER  
 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

2

4

1 11:51:45 1 (Proceedings commence at 2:05 p.m.)  
 2 11:51:50 2 THE CLERK: Case No. W-99-CR-17, The United  
 3 11:52:15 3 States of America vs. Michael Wayne Caufield; Case No.  
 4 11:52:35 4 W-15-184-M, Reference 8:15-CR-320, The United States of  
 5 11:53:20 5 America vs. Priscilla Ann Ellis, Defendant No. 1, and  
 6 11:53:57 6 Perry Don Cortese, Defendant No. 2, for an initial  
 7 11:54:04 7 appearance.  
 8 11:54:43 8 Raise your right hands, please.  
 9 11:54:44 9 Do you, and each of you, solemnly swear the  
 10 11:54:44 10 statements which you may give in the cases now before the  
 11 11:54:44 11 Court shall be the truth, the whole truth, and nothing but  
 12 11:54:57 12 the truth, so help you God?  
 13 11:54:57 13 (Affirmative responses given.)  
 14 11:55:06 14 THE COURT: All right. Good afternoon, everyone.  
 15 11:55:08 15 Beginning first with Mr. Caufield, I would like  
 16 11:55:14 16 for each of you to state your full name, first, middle and  
 17 11:55:17 17 last, for the record, then tell me how old you are and,  
 18 11:55:19 18 finally, how far you went in school.  
 19 11:55:21 19 Mr. Caufield.  
 20 11:55:24 20 DEFENDANT CAUFIELD: Michael Wayne Caufield.  
 21 11:55:39 21 THE COURT: How old are you?  
 22 11:55:41 22 DEFENDANT CAUFIELD: Forty-three and I have a  
 23 11:55:43 23 GED.  
 24 11:55:43 24 THE COURT: What was the last grade you attended?  
 25 11:55:45 25 DEFENDANT CAUFIELD: Eleventh.

LILY I. REZNIK, OFFICIAL COURT REPORTER  
 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

1 11:58:02 1 influence of any drug, alcohol, or medication that might  
 2 11:58:04 2 affect your ability to understand why you're here in  
 3 11:58:06 3 court? Mr. Caufield?  
 4 11:58:08 4 DEFENDANT CAUFIELD: No, sir.  
 5 11:58:16 5 THE COURT: Ms. Ellis?  
 6 11:58:18 6 DEFENDANT ELLIS: No. I'm on medicine, but that  
 7 11:58:28 7 doesn't --  
 8 11:58:28 8 THE COURT: But it does not have any effect on  
 9 11:58:34 9 your ability to comprehend?  
 10 11:58:36 10 DEFENDANT ELLIS: No, sir. It's (indiscernible).  
 11 11:58:41 11 THE COURT: All right. Mr. Cortese?  
 12 11:58:48 12 DEFENDANT CORTESE: No.  
 13 11:58:54 13 THE COURT: Folks, this proceeding is called an  
 14 11:58:56 14 initial appearance. It's called that just because it's  
 15 11:58:59 15 your first time to appear in court before me on these  
 16 11:59:02 16 charges. Purpose of this hearing is for me to advise you  
 17 11:59:08 17 of your constitutional and statutory rights, go over with  
 18 11:59:16 18 you what you're charged with, explain to you the range of  
 19 11:59:20 19 punishment you're facing, and to let you know when and  
 20 11:59:22 20 what your next court appearance will be.  
 21 11:59:24 21 I do need to advise each of you that you do have  
 22 11:59:27 22 the right to remain silent. You're not required to speak  
 23 11:59:30 23 to anybody from law enforcement about the charges pending  
 24 11:59:32 24 against you. If you start to speak to anybody from law  
 25 11:59:36 25 enforcement about these charges, you can stop at any time.

LILY I. REZNIK, OFFICIAL COURT REPORTER

U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

<p>11:59:39 1 You simply do not have to talk to them if you don't want 11:59:41 2 to.</p> <p>11:59:42 3 The reason I tell you this is, if you do speak to 11:59:44 4 anyone from law enforcement about these charges, anything 11:59:48 5 that you tell them can and probably will be used against 11:59:50 6 you in a future proceeding. Additionally, anything you 11:59:53 7 say in open court about the charges could also be used 11:59:56 8 against you in a future proceeding.</p> <p>11:59:58 9 Mr. Caufield, do you understand your right to 12:00:00 10 remain silent?</p> <p>12:00:01 11 DEFENDANT CAUFIELD: Yes, sir.</p> <p>12:00:05 12 THE COURT: Ms. Ellis?</p> <p>12:00:06 13 DEFENDANT ELLIS: Yes, sir.</p> <p>12:00:07 14 THE COURT: Mr. Cortese?</p> <p>12:00:08 15 DEFENDANT CORTESE: I do.</p> <p>12:00:11 16 THE COURT: Mr. Caufield, you're charged with 12:00:14 17 violating the terms and conditions of your supervised 12:00:43 18 release. There are four violations against you. Any one 12:00:47 19 of the four violations is found to be true, your term of 12:00:49 20 supervised release could be revoked, and you could go back 12:00:52 21 to jail for up to five years.</p> <p>12:00:55 22 Violation one is that on or about March 6 of 12:00:59 23 2015, you used and possessed cocaine, and that you 12:01:02 24 submitted a urine sample which tested positive for that 12:01:16 25 substance;</p> <p>LILY I. REZNIK, OFFICIAL COURT REPORTER U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)</p>	5	<p>12:02:33 1 as well as a \$100 mandatory special assessment, which goes 12:02:38 2 to the Crime Victims Fund.</p> <p>12:02:40 3 Count 1, the one I just named the statute of, is 12:02:44 4 wire fraud conspiracy and it is described in the 12:02:47 5 indictment.</p> <p>12:02:49 6 In Count 2, you're charged with a violation of 12:02:51 7 Title 18, United States Code, Section 1956, international 12:02:56 8 money-laundering conspiracy. That carries a 20-year 12:03:00 9 maximum term of imprisonment, a \$500,000 maximum fine, a 12:03:05 10 three-year term of supervised release, and a \$100 12:03:08 11 mandatory special assessment.</p> <p>12:03:10 12 Have each of you received a copy of the 12:03:14 13 indictment naming you? Ms. Ellis?</p> <p>12:03:17 14 DEFENDANT ELLIS: Yes, but --</p> <p>12:03:18 15 THE COURT: That's this document here.</p> <p>12:03:20 16 DEFENDANT ELLIS: I see the indictment, but, sir, 12:03:23 17 this has nothing to do with me.</p> <p>12:03:25 18 THE COURT: I understand that. But did you 12:03:26 19 receive a copy --</p> <p>12:03:27 20 DEFENDANT ELLIS: Yes, sir.</p> <p>12:03:27 21 THE COURT: -- of it? All right. And I 12:03:28 22 understand you may disagree with what's contained in 12:03:33 23 there, and you certainly will have the right to plead not 12:03:37 24 guilty, but do you understand what it is the government is 12:03:40 25 at least claiming that you've done, whether it was you or</p> <p>LILY I. REZNIK, OFFICIAL COURT REPORTER U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)</p>	7
<p>12:01:16 1 Violation two, that on or about July 2 of 2015, 12:01:24 2 you possessed marihuana, and that you were discovered by 12:01:26 3 the Waco, Texas Police Department in possession of 12:01:29 4 marihuana in a drug-free zone;</p> <p>12:01:31 5 Violation three, on or about July 2 of 2015, you 12:01:34 6 possessed cocaine, and that you were discovered by the 12:01:35 7 Waco PD in possession of cocaine in a drug-free zone;</p> <p>12:01:39 8 And finally, violation four, that you violated 12:01:42 9 standard condition No. 14, and that you failed to notify 12:01:46 10 the probation officer within 72 hours of being arrested or 12:01:49 11 questions by a law enforcement officer on July 2 of 2015.</p> <p>12:01:52 12 Do you understand what it is you're alleged to 12:01:55 13 have done as well as the range of punishment?</p> <p>12:01:56 14 DEFENDANT CAUFIELD: Yes, sir.</p> <p>12:01:57 15 THE COURT: Any questions about those things?</p> <p>12:01:59 16 DEFENDANT CAUFIELD: No, sir.</p> <p>12:02:00 17 THE COURT: Did you receive a copy of the 12:02:02 18 petition naming you?</p> <p>12:02:02 19 DEFENDANT CAUFIELD: Yes, sir.</p> <p>12:02:03 20 THE COURT: All right. Ms. Ellis, and, Mr. ✓ 12:02:07 21 Cortese, you're charged with a violation of two different 12:02:10 22 statutes. In Count 1, a violation of Title 18, United 12:02:14 23 States Code, Section 1349. That particular offense 12:02:23 24 carries a 20-year maximum term of imprisonment, a \$500,000 12:02:29 25 maximum fine, and a three-year term of supervised release</p> <p>LILY I. REZNIK, OFFICIAL COURT REPORTER U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)</p>	6	<p>12:03:43 1 not who did it --</p> <p>12:03:44 2 DEFENDANT ELLIS: Oh, I under --</p> <p>12:03:45 3 THE COURT: -- do you understand what's set forth 12:03:47 4 on the paper?</p> <p>12:03:47 5 DEFENDANT ELLIS: Oh, I understand what they're ✓ 12:03:49 6 saying, but this is all lies.</p> <p>12:03:50 7 THE COURT: All right. That's fair enough. And 12:03:52 8 you are certainly entitled to maintain that position. My 12:03:56 9 job at this point is just to make certain that you 12:03:58 10 understand what it is the government is charging you with 12:04:01 11 and the range of punishment as well as your other rights.</p> <p>12:04:04 12 Mr. Cortese, do you understand the charges and 12:04:06 13 the range of punishment?</p> <p>12:04:07 14 DEFENDANT CORTESE: I do.</p> <p>12:04:08 15 THE COURT: Mr. Caufield, you're entitled to a 12:04:11 16 hearing with respect to these charges. The government 12:04:14 17 will have the burden of proving the charges against you to 12:04:16 18 be true by what's called a preponderance of the evidence.</p> <p>12:04:19 19 That just means more likely true than not in order for a 12:04:24 20 violation to be found.</p> <p>12:04:25 21 Mr. Cortese, and, Ms. Ellis, you're entitled to a ✓ 12:04:27 22 trial by jury. The government has the burden of proving 12:04:31 23 each of you guilty beyond a reasonable doubt. None of you 12:04:34 24 would ever have to prove your own innocence. At your 12:04:37 25 hearing and your trial, your attorneys would have the</p> <p>LILY I. REZNIK, OFFICIAL COURT REPORTER U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)</p>	8

9

12:04:40 1 right to cross-examine or ask questions, if you will, of  
 12:04:43 2 any witnesses that the government calls to testify against  
 12:04:45 3 you. Also at trial, in your hearing, you'd have the right  
 12:04:49 4 to testify in your own behalf. On the other hand, you'd  
 12:04:52 5 also have the right to remain silent, and the fact that  
 12:04:54 6 you chose to remain silent couldn't be used against you in  
 12:04:57 7 determining whether or not you're guilty, or in the case  
 12:05:00 8 of Mr. Caufield, whether or not the charges are true.  
 12:05:02 9 You have the right to be represented by an  
 12:05:06 10 attorney of your own choosing. You can't afford one, one  
 12:05:09 11 will be appointed for you. You also have the right to  
 12:05:12 12 talk to your lawyer before any questioning by law  
 12:05:15 13 enforcement. You also have the right to have your lawyer  
 12:05:18 14 with you during any questioning by law enforcement.  
 12:05:21 15 I see that all of you have completed financial  
 12:05:24 16 affidavits; that tells me you'd like the Court to appoint  
 12:05:27 17 an attorney for you. That form that you've completed is  
 12:05:29 18 subject to the penalties of perjury. So if you haven't  
 12:05:32 19 been truthful in completing that form, you can also be  
 12:05:34 20 prosecuted for that offense, which carries jail time and a  
 12:05:38 21 fine, as well.  
 12:05:39 22 Mr. Caufield, were you truthful in completing  
 12:05:41 23 your financial affidavit?  
 12:05:42 24 DEFENDANT CAUFIELD: Yes, sir.  
 12:05:43 25 THE COURT: Thank you.

LILY I. REZNIK, OFFICIAL COURT REPORTER  
 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

12:06:43 1 the FBI made a call to my daughter, but they told me that  
 12:06:45 2 I couldn't get my free phone call until I talked to the  
 12:06:48 3 judge.  
 12:06:48 4 THE COURT: All right. Will you just let her  
 12:06:49 5 make a phone call to Mr. Hunt's office?  
 12:06:51 6 SPEAKER: (Indiscernible).  
 12:06:51 7 THE COURT: All right. Thank you.  
 12:06:52 8 DEFENDANT ELLIS: Trust me, I'm not trying to say  
 12:06:55 9 that you guys weren't -- you've been very professional.  
 12:06:56 10 THE COURT: It's all good.  
 12:06:56 11 All right. Mr. Cortese, did you want a  
 12:06:58 12 court-appointed attorney or not?  
 12:06:59 13 DEFENDANT CORTESE: Well, I -- at this time, I  
 12:06:59 14 don't have funds to -- for this kind of a thing, this type  
 12:07:06 15 of allegation.  
 12:07:06 16 THE COURT: So I will forward your financial  
 12:07:08 17 affidavit to Florida where you -- yes?  
 12:07:14 18 DEFENDANT CORTESE: Oh, I didn't mean to  
 12:07:16 19 interrupt you.  
 12:07:16 20 THE COURT: No. That's all right. No problem.  
 12:07:18 21 DEFENDANT CORTESE: I apologize. I can't see --  
 12:07:18 22 I've got to read through these glasses, but I can't see  
 12:07:18 23 you through these glasses.  
 12:07:18 24 THE COURT: Ah, I understand completely.  
 12:07:23 25 DEFENDANT CORTESE: Will you set us a bond at  
 LILY I. REZNIK, OFFICIAL COURT REPORTER  
 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

10

12:05:44 1 Ms. Ellis?  
 12:05:45 2 DEFENDANT ELLIS: Yes. I didn't ask for an  
 12:05:47 3 appointed attorney. ✓  
 12:05:49 4 THE COURT: Well, you signed the form, the  
 12:05:51 5 financial affidavit, indicating that you submitted this in  
 12:05:57 6 support of a request for a court-appointed attorney.  
 12:05:59 7 DEFENDANT ELLIS: Oh, no, not for a  
 12:06:01 8 court-appointed attorney. I wrote down there in the  
 12:06:02 9 notes that I wanted the Court to call attorney Russ Hunt.  
 12:06:05 10 I did not say I wanted a court-appointed attorney, sir. ✓  
 12:06:09 11 THE COURT: All right. Well, I don't see that in  
 12:06:11 12 notes on this particular form, but have you retained Mr.  
 12:06:14 13 Hunt?  
 12:06:15 14 DEFENDANT ELLIS: No. I need to call him. They  
 12:06:17 15 said I couldn't call him until I talked to you. ✓  
 12:06:21 16 THE COURT: All right. We will notify him --  
 12:06:21 17 DEFENDANT ELLIS: Yes. I think. ✓  
 12:06:24 18 THE COURT: -- that you have requested that he  
 12:06:26 19 contact you.  
 12:06:27 20 DEFENDANT ELLIS: Yeah. They didn't give me a  
 12:06:29 21 phone call. They said I needed to talk to you first. ✓  
 12:06:32 22 THE COURT: All right. Will you let her call Mr.  
 12:06:34 23 Hunt's office from the holding area?  
 12:06:39 24 SPEAKER: (Indiscernible).  
 12:06:39 25 DEFENDANT ELLIS: Oh, to my -- he made a call --  
 LILY I. REZNIK, OFFICIAL COURT REPORTER  
 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

12:07:27 1 this time for this case? This is a --  
 12:07:27 2 THE COURT: Well, this case is pending out of the  
 12:07:30 3 Middle District of Florida, Tampa Division, and the United  
 12:07:32 4 States is moving to detain you without bond in this case  
 12:07:36 5 currently. As such, I have been asked by the government  
 12:07:41 6 and have signed orders of removal, ordering the United  
 12:07:45 7 States Marshals to transfer you all within ten days to the  
 12:07:49 8 Middle District of Florida, Tampa Division, where you'll  
 12:07:52 9 be appointed an attorney then; and then, at that time, if  
 12:07:56 10 there are not any other holds on you, you'll have a  
 12:07:59 11 hearing to determine if you can be released on bond from  
 12:08:01 12 there.  
 12:08:03 13 DEFENDANT CORTESE: I'm not familiar with -- and  
 12:08:05 14 I apologize.  
 12:08:05 15 THE COURT: No. That's all right. There's --  
 12:08:07 16 DEFENDANT CORTESE: I'm not familiar with the  
 12:08:11 17 process of federal courts.  
 12:08:11 18 THE COURT: It's different. In state court,  
 12:08:13 19 you'd show up, you'd appear before a judge, a bond would  
 12:08:16 20 be set, you'd call the bail bondsman, post it, off you go.  
 12:08:19 21 It's a little different in federal court. The government  
 12:08:22 22 is entitled to an automatic continuance in certain cases.  
 12:08:29 23 This one certainly complies with that.  
 12:08:31 24 Yes, sir. Your question?  
 12:08:34 25 DEFENDANT ELLIS: Oh -- ✓  
 LILY I. REZNIK, OFFICIAL COURT REPORTER  
 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

12:08:34 1 DEFENDANT CORTESE: I was -- I mean, I'm -- my  
 12:08:34 2 family's been from here for over a hundred years, I --  
 12:08:34 3 from Temple, Texas. I -- I'm not a flight risk of any  
 12:08:34 4 kind.

12:08:35 5 THE COURT: Unfortunately --

12:08:35 6 DEFENDANT CORTESE: The amount of time that it  
 12:08:35 7 takes to -- to go to -- I mean, this hearing could be a  
 12:08:35 8 number of days. I could literally be out -- completely  
 12:08:46 9 out of work at that point in time.

12:08:46 10 THE COURT: I understand that. Unfortunately,  
 12:09:01 11 these -- if these charges arise -- arose out of the Waco  
 12:09:05 12 Division, I could address that. They arise out of the  
 12:09:07 13 Tampa Division. That's where this indictment -- it's  
 12:09:11 14 controlled by that jurisdiction down there. It's possible  
 12:09:16 15 that Mr. Hunt might be able to do something on behalf of  
 12:09:19 16 Ms. Ellis. If you get an attorney here, they can contact  
 12:09:23 17 the U.S. Attorney's Office down there, the Pretrial  
 12:09:27 18 Services Office down there, and see if they could work  
 12:09:28 19 something out. I don't know what they can or can't do.

12:08:31 20 DEFENDANT CORTESE: Can I get a phone call out to  
 12:09:33 21 someone? Because I haven't been --

12:09:33 22 THE COURT: Yeah. I'll let you make a phone call  
 12:09:35 23 out to someone, if you like, and --

12:09:37 24 DEFENDANT CORTESE: I mean, I can call my -- If I  
 25 can call my office and get them to try to get somebody --

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14 1 try to get a hold of somebody. Because I don't have any  
 2 phone numbers: I don't have any ability to call anybody  
 3 without any phone numbers.

4 I don't -- I mean, this arises out of Tampa. I  
 5 have no contact with Tampa. I'm not aware that Ms. Ellis  
 6 has any contact. I -- I'll let you talk to Ms. Ellis  
 7 (Indiscernible).

8 DEFENDANT ELLIS: He's my business attorney.

9 I've never done any business with anyone out of Tampa.  
 10 Nothing.

11 DEFENDANT CORTESE: I'm not sure how they can --  
 12 how this --

13 THE COURT: All I can do is read the indictment  
 14 itself and explain it to you. I know no more about this  
 15 case than you do.

16 DEFENDANT ELLIS: Well, sir --

17 DEFENDANT CORTESE: I don't know -- I don't even  
 18 know who this Muhammad Naji is. I don't know who that is.  
 19 DEFENDANT ELLIS: No. That's the guy that called  
 20 wanting you to represent him is all I know.

21 DEFENDANT CORTESE: Well, that's --

22 THE COURT: I would recommend that you not make  
 23 any comments as to who he is or who he's --

24 DEFENDANT ELLIS: Okay --

25 THE COURT: -- who he's not, and that you not

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12:10:33 1 make any statement in open court --  
 12:10:35 2 DEFENDANT ELLIS: Okay. Well, can I be  
 12:10:36 3 transported --  
 12:10:36 4 THE COURT: -- until you've talked to your  
 12:10:38 5 attorney.  
 12:10:38 6 DEFENDANT ELLIS: Can I be transported to the VA  
 12:10:41 7 hospital then? I don't care if I stay in cuffs. I mean,  
 12:10:44 8 I just had surgery. I --  
 12:10:46 9 THE COURT: Let the nurse at the Jack Harwell  
 12:10:48 10 Unit know, if that's where she's going, that she's had  
 12:10:51 11 surgery and that she needs to be evaluated to see if she  
 12:10:55 12 needs to be medically treated.  
 12:10:58 13 DEFENDANT CAUFIELD: Excuse me, your Honor.  
 12:10:58 14 THE COURT: Yes, sir.  
 12:10:59 15 DEFENDANT CAUFIELD: I don't -- I don't own any  
 12:10:59 16 property --  
 12:10:59 17 THE COURT: For the record, Mr. Caufield.  
 12:11:02 18 DEFENDANT CAUFIELD: Yes. I don't own any  
 12:11:03 19 property, or business, or nothing like that. But I have  
 12:11:07 20 had a job, but I didn't see no slot for that, within the  
 12:11:11 21 last year.  
 12:11:12 22 THE COURT: Well --  
 12:11:17 23 DEFENDANT CAUFIELD: I didn't -- you know,  
 12:11:17 24 just --  
 12:11:17 25 THE COURT: You didn't -- you don't --

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14 1 DEFENDANT ELLIS: And how --  
 12:11:17 2 THE COURT: You're saying you didn't get any  
 12:11:20 3 benefit out of having a job? Is that what you're saying?  
 12:11:23 4 Or -- oh, you mean on your financial affidavit.

12:11:26 5 DEFENDANT CAUFIELD: Yes.  
 12:11:26 6 DEFENDANT ELLIS: (Indiscernible).  
 12:11:26 7 THE COURT: All right. It says -- where'd you  
 12:11:32 8 previously work?

12:11:33 9 DEFENDANT CAUFIELD: At Barsh Construction.  
 12:11:35 10 THE COURT: Spell it.

12:11:36 11 DEFENDANT CAUFIELD: B-A-R-S-H, Construction.  
 12:11:40 12 DEFENDANT ELLIS: (Indiscernible).  
 12:11:40 13 THE COURT: All right. I'm writing on there in  
 12:11:42 14 my own handwriting, previously worked at Barsh  
 12:11:47 15 Construction. From what time period?

12:11:54 16 DEFENDANT CAUFIELD: Roughly two-and-a-half  
 12:12:03 17 years.

12:12:03 18 THE COURT: Making?

12:12:05 19 DEFENDANT CAUFIELD: \$10 an hour.

12:12:06 20 THE COURT: All right. Well, you do qualify  
 12:12:07 21 for --

12:12:07 22 DEFENDANT ELLIS: (Indiscernible).

12:12:10 23 THE COURT: -- a court-appointed attorney. I've  
 12:12:11 24 made that note and I've initialed it. So they'll know  
 12:12:15 25 it's my writing as opposed to yours. You won't get in

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Attorney  
Caufield

12:12:17 1 trouble for that.  
 12:12:17 2 DEFENDANT CAUFIELD: All right.  
 12:12:18 3 THE COURT: No worries. All right? All right.  
 12:12:20 4 Do you understand your rights, Mr. Caufield?  
 12:12:21 5 DEFENDANT CAUFIELD: Yes, sir.  
 12:12:22 6 THE COURT: All right. Sam Martinez will be  
 12:12:26 7 appointed to represent you. Your final revocation hearing  
 12:12:38 8 will be September 9th at 1:00 before Judge Walter Smith,  
 12:12:43 9 who sentenced you previously.  
 12:12:45 10 All right. Ms. Ellis, do you understand your  
 12:12:46 11 rights?  
 12:12:47 12 DEFENDANT ELLIS: Your Honor, I understand, but I  
 12:12:53 13 don't understand.  
 12:12:53 14 THE COURT: I understand that. I'm imagining  
 12:12:55 15 that today is incredibly overwhelming for you both and  
 12:13:01 16 your processing and dealing with everything. All I can do  
 12:13:04 17 is let you know that you're going to be taken to the jail  
 12:13:08 18 at this point, you'll be processed. There's not a bond  
 12:13:12 19 currently set. You'll both have the opportunity to make  
 12:13:15 20 phone calls from the marshal's holding cell before you'll  
 12:13:19 21 be transferred.

12:13:21 22 Mr. Siegel, you've confirmed that Tampa is  
 12:13:24 23 wanting both of these individuals detained; is that  
 12:13:27 24 correct?  
 12:13:28 25 PRETRIAL OFFICER: Yes, your Honor. They want

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12:14:45 1 THE COURT: Do you have any questions for me?  
 12:14:46 2 DEFENDANT CORTESE: No, sir.  
 12:14:47 3 THE COURT: All right. Good luck to you folks.  
 12:14:49 4 DEFENDANT ELLIS: Oh, can I ask you one thing?  
 12:14:55 5 THE COURT: Yes, ma'am.  
 12:14:56 6 DEFENDANT ELLIS: When will we see you again,  
 12:14:58 7 your Honor?  
 12:14:58 8 THE COURT: You won't see me again. You'll be  
 12:14:59 9 going into custody and you'll be transferred. They'll put  
 12:15:05 10 you on a plane. You'll fly out of Oklahoma City, I think  
 12:15:08 11 it is, and be transferred to Tampa.  
 12:15:12 12 DEFENDANT ELLIS: Okay. So once --  
 12:15:14 13 THE COURT: They have ten days to get you from  
 12:15:16 14 today to your next hearing.  
 12:15:19 15 DEFENDANT ELLIS: Once we're -- okay. Once we're  
 12:15:23 16 done in Tampa, I mean, how do we get home? My daughter is  
 12:15:29 17 here.  
 12:15:29 18 THE COURT: Well, I don't know whether or not  
 12:15:31 19 you're going to be able to get home. The judge there in  
 12:15:34 20 Tampa has to release you on bond in order for you to get  
 12:15:39 21 home, otherwise, you stay in jail in Tampa. They'll make  
 12:15:43 22 an assessment as to whether or not you're a risk of  
 12:15:45 23 nonappearance or a danger to the community, and that could  
 12:15:48 24 be an economic danger to the community. It doesn't just  
 12:15:51 25 have to be someone who's violent.

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12:13:28 1 them back.  
 12:13:28 2 THE COURT: All right.  
 12:13:30 3 DEFENDANT ELLIS: Well, I've never been there.  
 12:13:32 4 Is there a way that you can --  
 12:13:33 5 THE COURT: You don't have to have been there.  
 12:13:40 6 DEFENDANT ELLIS: No. I'm saying I've never had  
 12:13:47 7 any business dealings there whatsoever. Can we wait until  
 12:13:49 8 my attorney calls them before you decide, your Honor,  
 12:13:52 9 whether or not you'll give us a bond?  
 12:13:54 10 THE COURT: I'm not the one making the decision  
 12:13:57 11 whether or not to give you a bond. It's folks -- it's  
 12:14:00 12 judges and prosecutors in Tampa.  
 12:14:02 13 DEFENDANT ELLIS: I mean, I have a daughter. I  
 12:14:03 14 have a daughter --

12:14:03 15 THE COURT: And you'll be able to talk to Mr.  
 12:14:05 16 Hunt. Mr. Hunt can run the traps for you and figure out,  
 12:14:10 17 and he can get you a good advocate on the ground, being  
 12:14:15 18 your eyes and ears for you. That's the best you can do.

12:14:18 19 DEFENDANT ELLIS: I have a daughter, your Honor.  
 12:14:26 20 I mean, I don't know -- I don't have family here. One  
 12:14:29 21 sister that's military. I don't know what to do.

12:14:33 22 THE COURT: I think your idea of calling Mr.  
 12:14:35 23 Hunt's a good one. All right?

12:14:42 24 Mr. Cortese, do you understand your rights?

12:14:44 25 DEFENDANT CORTESE: Yes, sir.

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U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

12:15:54 1 DEFENDANT ELLIS: Oh, no. I never been -- I  
 12:15:56 2 mean --  
 12:15:56 3 THE COURT: I understand --  
 12:15:57 4 DEFENDANT ELLIS: The record here in Waco  
 12:15:59 5 District --  
 12:15:59 6 THE COURT: I understand --  
 12:16:00 7 DEFENDANT ELLIS: -- would show if there's an  
 12:16:01 8 appearance, I'm going to show up. I don't --  
 12:16:03 9 THE COURT: I get you.  
 12:16:03 10 DEFENDANT ELLIS: I just need to be out with my  
 12:16:05 11 daughter. She has no one but me.  
 12:16:07 12 THE COURT: As I mentioned, I recommend that you  
 12:16:09 13 call Mr. Hunt. See what he can do for you.  
 12:16:17 14 DEFENDANT ELLIS: Okay. Will he be able to  
 12:16:19 15 communicate with you today or with the other judge, your  
 12:16:25 16 Honor? I mean --  
 12:16:25 17 THE COURT: I don't know what he can or cannot  
 12:16:27 18 do. I mean, he could have to talk with the people in  
 12:16:28 19 Tampa, and I'm sure he would have to get some money first.  
 12:16:32 20 DEFENDANT ELLIS: Oh.  
 12:16:33 21 THE COURT: I also do need to advise -- I mean,  
 12:16:37 22 you can't just ask for me to point someone. You would  
 12:16:40 23 have to hire him. You're going to be appointed an  
 12:16:43 24 attorney once you get to Florida. There are also -- the  
 12:16:48 25 government is also seeking, if you'll notice in the

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12:16:51 1 affidavit, to forfeit certain real property owned by -- I  
 12:17:05 2 don't know if it's each of you or --  
 12:17:07 3 DEFENDANT ELLIS: No. That property is owned by  
 12:17:09 4 my daughter, and that property was paid off with insurance  
 12:17:11 5 proceeds years before. And everything that I have is  
 12:17:16 6 what's maintained and got while I was in the military or  
 12:17:18 7 with businesses.

12:17:19 8 THE COURT: Well, again, anything you say in open  
 12:17:23 9 court can be used against you. There are law enforcement  
 12:17:28 10 agents in the courtroom.

12:17:39 11 DEFENDANT ELLIS: Oh, it's all true, sir.

12:17:40 12 THE COURT: Anything you say --

12:17:45 13 DEFENDANT ELLIS: Everything I'm telling you is  
 12:17:47 14 all true.

12:17:48 15 THE COURT: All right. I'm just telling you, you  
 12:17:50 16 do have the right to remain silent. It's best to take  
 12:17:52 17 advantage of that.

12:17:53 18 DEFENDANT ELLIS: Okay.

12:17:54 19 THE COURT: All right. Good luck to you.

12:18:00 20 (Proceedings conclude at 2:24 p.m.)

21

22

23

24

25

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 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

1

2

3 REPORTER'S CERTIFICATE

4  
 50 6 I, LILY I. REZNIK, DO HEREBY CERTIFY THAT THE FOREGOING  
 6 WAS TRANSCRIBED FROM AN ELECTRONIC RECORDING MADE AT THE  
 7 TIME OF THE AFORESAID PROCEEDINGS AND IS A CORRECT  
 8 TRANSCRIPT, TO THE BEST OF MY ABILITY, MADE FROM THE  
 9 PROCEEDINGS IN THE ABOVE-ENTITLED MATTER, AND THAT THE  
 10 TRANSCRIPT FEES AND FORMAT COMPLY WITH THOSE PRESCRIBED BY  
 11 THE COURT AND JUDICIAL CONFERENCE OF THE UNITED STATES.

51 12 *Lily I. Reznik*  
 52 13 /s/Lily I. Reznik

January 31, 2021

DATE

53 14 LILY I. REZNIK, CRR, RMR  
 54 Official Court Reporter  
 55 15 United States District Court  
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 56 16 501 W. 5th Street, Suite 4153  
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 57 17 (512)391-8792  
 58 SOT Certification No. 4481  
 59 18 Expires: 1-31-23

19

20

21

22

23

24

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 U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS (AUSTIN)

**VA**U.S. Department  
of Veterans AffairsOLIN E. TEAGUE VET CENTER  
1901 VETERANS MEMORIAL DRIVE  
TEMPLE TX 76504

Page 1 of 2

Appendix B

Notary Page attached

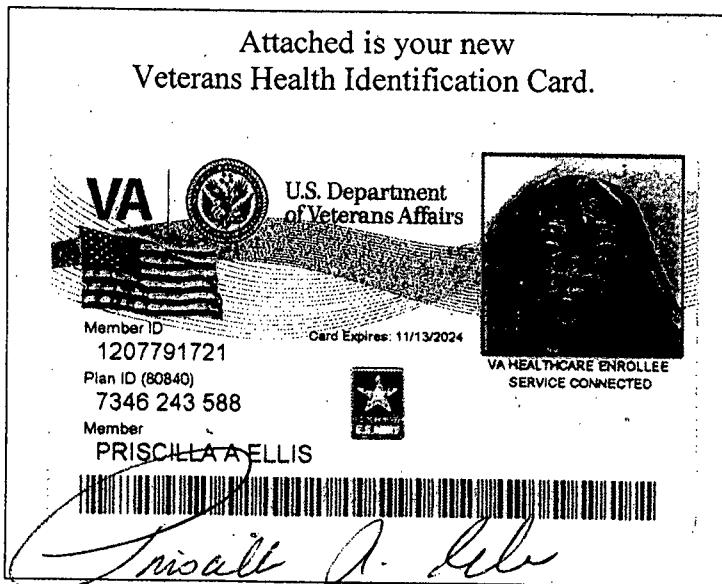
20204583 000553 MM  
PRISCILLA A ELLIS  
PO BOX 27137  
FMC CARSWELL ADMIN UNIT  
FORT WORTH TX 76127

11<sup>th</sup> Circuit NO:21-11762-5

USDC - 8:19-CV-03169-Sdm-TGu

2nd USDC NO: 8:16-cr-00502-JSM-AEP

D.O.B: 12-6-1964  
SS#: 303-78-4951  
Place of Birth: Schlater,  
Mississippi

Parents: Gladie Johnson  
Samuel FlowersAttached is your new  
Veterans Health Identification Card.

This card is only for use as a means of identification when reporting for your appointment at VA medical facilities. Please bring this card each time you have a VA appointment so we may ease your appointment check-in process.

This card cannot be used as a credit card or an insurance card, and it does not authorize or pay for care at non-VA facilities.

If you have questions regarding VA healthcare benefits, please call 1877-222-VETS (8387). You may also access health care information on the web at [www.myhealth.va.gov](http://www.myhealth.va.gov).

## APPENDIX C

3

## INDEX

	<u>PAGE</u>
TESTIMONY OF MUHAMMAD NAJI	
Cross-Examination by Mr. Maddux:	9
Cross-Examination by Ms. Ellis:	57
Cross-Examination by Mr. O'Brien:	62
Redirect Examination by Mr. Scruggs:	71
Recross-Examination by Mr. Maddux:	77
TESTIMONY OF DANA JEWESAK	
Direct Examination by Mr. Gerard:	85
Cross-Examination by Ms. Ellis:	96
Cross-Examination by Mr. Maddux:	98
Cross-Examination by Mr. O'Brien:	105
TESTIMONY OF STACY MERRITT	
Direct Examination by Mr. Scruggs:	106
Cross-Examination by Ms. Ellis:	154
Cross-Examination by Mr. Maddux:	156
Redirect Examination by Mr. Scruggs:	170
TESTIMONY OF DEVEN WILLIAMS	
Direct Examination by Mr. Scruggs:	172
CERTIFICATE OF COURT REPORTER:	274

\* \* \* \* \*

## EXHIBITS

GOVERNMENT <u>EXHIBIT NO.</u>	<u>IDENTIFIED</u>	<u>PAGE</u> <u>RECEIVED</u>
32	232	214
42	215	214
43		214
44	217	214
45		214
46	218	214
47		214
48	219	214

25 (Continued)

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO. 8:15-cr-320-T-23TGW  
October 17, 2016  
Tampa, Florida  
9:07 a.m. - 5:00 p.m.

PRISCILLA ANN ELLIS,  
PERRY DON CORTESE,  
KENIETTA RAYSHAWN JOHNSON,

**Defendants.**

**TRANSCRIPT OF TRIAL  
VOLUME 9**

BEFORE THE HONORABLE STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE

Proceedings reported and transcribed by computer-aided stenography.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

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801 N. Florida Avenue, Suite 15  
Tampa, Florida 33602  
813/301-5024

\* \* \* \* \*

1 you permission to send money to Vicken International Traders  
2 without knowledge of you purchasing equipment or --

3 MR. SCRUGGS: Objection, Your Honor, argument,  
4 form of the question.

5 MS. ELLIS: I'll rephrase it, Your Honor.

6 THE COURT: Overruled.

7 MS. ELLIS: Does that mean she can answer it, Your  
8 Honor?

9 THE COURT: If you'll finish it.

10 MR. SCRUGGS: Okay.

11 BY MS. ELLIS:

12 Q Without the knowledge of you ordering equipment from or  
13 for some type of business consulting fee?

14 A Can you re-ask the question, please?

15 Q Sure. Did I myself, as the CEO of Vicken International  
16 Traders, LLC, give you permission to send money to my  
17 account without the knowledge of you ordering equipment or  
18 for some type of business consulting fee?

19 A I have never met or spoken to you until this very  
20 moment, ma'am.

21 Q Thank you. Would it surprise you to know if Mark  
22 Hopkins and Jacob Beamer are the same people?

23 A I wouldn't know that, because I apparently have never  
24 met the real Mr. Hopkins.

25 Q If you had known what you know now, would you have

1 agreed with Mark Hopkins to become a victim?

2 A Absolutely never.

3 MS. ELLIS: Thank you.

4 THE COURT: Mr. Maddux, have you cross-examination  
5 for this witness?

6 MR. MADDUX: Yes, Your Honor.

7 THE COURT: You're recognized for that.

8 CROSS-EXAMINATION

9 BY MR. MADDUX:

10 Q Good afternoon, ma'am.

11 A Good afternoon.

12 Q To be clear, you've never met Perry Cortese, correct?

13 A I have never met Mr. Cortese.

14 Q And as you sit here today, you realize that you made a  
15 lot of mistakes being in a relationship through the internet  
16 with Mr. Hopkins, correct?

17 A Yes, I have, sir.

18 Q And one of the mistakes that you made is that you even  
19 maintained a conversation with him, right?

20 A Correct.

21 Q And the conversation that you did have with him quickly  
22 turned to you funneling money through his -- through your  
23 accounts, correct?

24 A Eventually, correct.

25 Q And along the way Mr. Cortese was somebody whose name