

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

SAMUEL TRELAWNEY HUGHES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**On Petition For A Writ of *Certiorari* To The United States Court of Appeals
for the Ninth Circuit**

**APPENDIX (VOLUME II) – PRESENTED SEPARATELY UNDER S. CT.
R. 14.1(i)**

DAVID A. SCHLESINGER
JACOBS & SCHLESINGER LLP
The Douglas Wilson Companies Building
1620 Fifth Avenue, Suite 750
San Diego, CA 92101
Telephone: (619) 230-0012
david@jsslegal.com

Counsel for Petitioner

1 Victim 4 and Victim 4's family and caused, or attempted to
2 cause and could reasonably be expected to cause, substantial
3 emotional distress to Victim 4 and Victim 4's family.

4 Many of defendant's threats traveled in interstate
5 commerce because they were sent via email servers located
6 outside the State of California.

7 After being arrested for the instant conduct,
8 defendant attempted to contact Victim 4 yet again.

9 Specifically, on or about August 23rd, 2020, defendant
10 requested that Victim 4 be added to his Federal Bureau of
11 Prison's approved email contact list in order for him to
12 send her emails from prison.

13 THE COURT: Sir, do you understand what
14 Ms. Restrepo just said?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: Is everything she said, including what
17 she said about you and your conduct and intent, true and
18 correct?

19 THE DEFENDANT: May I have some time for that?

20 MS. O'CONNOR: Yeah. May I speak with Mr. Hughes
21 over the phone somehow?

22 THE COURT: Sure. Yes.

23 MS. O'CONNOR: I'm not quite sure how to do that.
24 There should be a staff --go ahead.

25 THE COURT: If he's got a phone and he can mute

1 the video conference now.

2 MS. O'CONNOR: Mr. Hughes, do you have a phone or
3 access to a staff member who can give you a phone?

4 THE DEFENDANT: I -- I don't have access to a
5 phone, no.

6 MS. O'CONNOR: Is there a staff member?

7 THE DEFENDANT: A staff member? I'm sorry.

8 (Pause in the proceedings.)

9 THE DEFENDANT: I need to speak to my lawyer.

10 THE DEPUTY: In person?

11 THE COURT: Not in person.

12 THE DEPUTY: You have to call the institution and
13 then the institution will give you an extension.

14 THE COURT: Ms. O'Connor, why don't the rest of us
15 just sign off. But just mute so we can't hear anything.
16 I'm just going to leave the room and why don't we give you
17 five minutes?

18 MS. O'CONNOR: Okay. That would be great. Thank
19 you so much.

20 THE COURT: All right.

21 (Counsel and her client conferred.)

22 THE COURT: Ms. O'Connor, have you had enough
23 time?

24 MS. O'CONNOR: I have, Your Honor. Thank you.

25 THE CLERK: We need to get the government back.

1 THE COURT: Yes.

2 MS. O'CONNOR: I emailed Ms. Restrepo that we're
3 ready to go so hopefully she's checking that.

4 (Pause in the proceedings.)

5 MS. O'CONNOR: There we go. Okay.

6 THE COURT: All right.

7 So everyone is back; and, Mr. Hughes, I asked you
8 whether everything that Ms. Restrepo said, including what
9 she said about you and your conduct and intent, was true and
10 correct. Is it?

11 THE DEFENDANT: Correct. Yes, Your Honor.

12 THE COURT: And are you pleading guilty because
13 you did the things she described?

14 THE DEFENDANT: I plead guilty.

15 THE COURT: Are you pleading guilty because you
16 are guilty?

17 THE DEFENDANT: I'm pleading guilty of the counts.

18 THE COURT: Okay. And in your own words, sir,
19 tell me briefly what you did.

20 THE DEFENDANT: Umm, again, I -- again, I just,
21 umm, need to speak to my lawyer.

22 MS. O'CONNOR: I apologize again. If I could have
23 just about two minutes?

24 THE COURT: Okay.

25 (Counsel and her client conferred.)

1 THE COURT: Have you had enough time,

2 Ms. O'Connor?

3 MS. O'CONNOR: I have, Your Honor.

4 THE COURT: All right. Let's see. We have
5 Ms. Restrepo back.

6 Pat, are you still with us?

7 THE COURT REPORTER: Yes, Your Honor.

8 THE COURT: All right.

9 So, Mr. Hughes, tell me what you did briefly.

10 THE DEFENDANT: I had mental health problems that
11 led me to send these threatening emails to the victim Erin
12 Shaw. I didn't know what I was doing and told her not to go
13 to the police. And, you know, it was clearly my mental
14 state. I mean that sums all of it.

15 THE COURT: Ms. Restrepo, does that cause you any
16 concerns?

17 MS. RESTREPO: Yes, Your Honor, it does. I
18 think -- if the defendant or defense counsel are raising
19 competency issues now, I need clarification.

20 MS. O'CONNOR: Right. And I think what -- this is
21 Ms. O'Connor -- what Mr. Hughes and I would clarify and he
22 can do it in his own words is that his autism was a
23 contributing factor to his conduct here but he did know what
24 he was doing. There are no competency issues and he was not
25 legally insane or incompetent or anything like that. He's

1 taking responsibility.

2 THE COURT: Mr. Hughes, did you send those emails
3 on purpose?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Did you know what you were doing at
6 the time?

7 THE DEFENDANT: No.

8 MS. O'CONNOR: Mr. Hughes?

9 THE DEFENDANT: I didn't know what I was doing.

10 MS. O'CONNOR: I apologize. I'm going to need
11 another minute.

12 THE COURT: All right.

13 *(Counsel and her client conferred.)*

14 THE COURT: Ms. O'Connor, I want to make sure you
15 have all the time you need. Do you think we should proceed
16 today?

17 MS. O'CONNOR: Thank you, Your Honor. I think
18 that we are on the right page now. I feel that I've had
19 enough time and I think Mr. Hughes is ready to clarify with
20 the Court that he knew what he was doing.

21 THE DEFENDANT: Yes. Okay. So yes, I knew what I
22 was doing, Your Honor.

23 THE COURT: Okay. And pardon us for having to go
24 over this; but it's my responsibility to make sure that
25 you're actually properly pleading to a crime.

1 I don't want to find you guilty of a crime if you
2 didn't commit it. So one of the things that Ms. Restrepo
3 talked about is threats you made. When you said those
4 things, did you know you were threatening this victim?

5 THE DEFENDANT: Yes.

6 THE COURT: And did you know that the victim would
7 be afraid by what you said?

8 THE DEFENDANT: Yes.

9 THE COURT: And did you also tell her not to go to
10 the police?

11 THE DEFENDANT: Yes.

12 THE COURT: Ms. Restrepo, anything else that you
13 want to have me inquire about?

14 MS. RESTREPO: Your Honor, I think intent in this
15 case regarding both the stalking count and threats to
16 intimidate as well as threats to intimidate for witness
17 tampering is important; and I'm not sure based on what I'm
18 hearing now from the defendant. He -- I guess I would want
19 clarification that Mr. Hughes has read the factual basis,
20 that he did the things that, you know, are listed in the
21 factual basis and that the facts contained within the
22 factual basis that I read are true and correct.

23 THE COURT: All right. I think he did. I asked
24 him those questions and he said he did.

25 Did you intend to cause the victim to be afraid,

1 sir?

2 THE DEFENDANT: Umm --

3 MS. O'CONNOR: This is Ms. O'Connor, and I agree
4 that he has affirmed the factual basis and that that was his
5 intent; and I think we've been over that.

6 But, Mr. Hughes, if you want to reaffirm again,
7 you can.

8 THE DEFENDANT: Yeah, I reaffirm, yes, that we
9 discussed it, you know, aware of it. So in that case, yes,
10 Your Honor.

11 THE COURT: All right. Well, I think under *Nichol*
12 that I've probably required him to say as much as I am sort
13 of permitted to require him to say if he's deciding not to
14 proceed any further with further information.

15 And he did certainly say that the factual basis
16 was correct so I'm satisfied at this point.

17 Do counsel agree that the Court has complied with
18 the requirements of Rule 11?

19 MS. RESTREPO: Yes, Your Honor.

20 MS. O'CONNOR: Yes, Your Honor.

21 THE COURT: And I can't -- I assume my clerk is
22 still here.

23 Pat, are you still online?

24 THE COURT REPORTER: Yes, Your Honor.

25 THE COURT: Samuel Trelawney Hughes, in

1 Case No. CR 20-332-DSF, how do you plead to Count 5?

2 THE DEFENDANT: I plead guilty, Your Honor.

3 THE COURT: How do you plead to Count 10?

4 THE DEFENDANT: Guilty, Your Honor.

5 THE COURT: How do you plead to Count 11?

6 THE DEFENDANT: Guilty.

7 THE COURT: Sir, I'm going to make certain
8 findings; and if you don't understand what I say or if you
9 disagree with what I say or if you want to talk to
10 Ms. O'Connor, please interrupt me right away or ask
11 Ms. O'Connor to interrupt me.

12 In the case of United States of America vs.
13 Hughes, the Court having questioned the defendant and his
14 counsel on the offer of his plea of guilty to Counts 5, 10,
15 and 11 of the Indictment, each a felony;

16 The defendant and his counsel having advised the
17 Court that they've conferred concerning the offered plea of
18 guilty and all aspects of the charges against the defendant
19 and any defenses he may have;

20 And the Court having observed the defendant's
21 intelligence, demeanor, and attitude while answering
22 questions; and the Court having observed that the defendant
23 does not appear to be under the influence of any medicine,
24 drug, or a substance or factor that might affect his actions
25 or judgment in any manner;

1 The Court finds that the defendant is fully
2 competent and capable of entering an informed plea and is
3 aware of the nature of the charges and the consequences of
4 the plea.

5 The Court further finds that the plea of guilty is
6 knowingly, voluntarily, and intelligently made with a full
7 understanding of the nature of the charges, the consequences
8 of the plea, and defendant's constitutional rights.

9 The Court further finds the plea is supported by
10 an independent factual basis containing each of the
11 essential elements of the offenses.

12 The Court accepts the plea and orders that the
13 plea be entered.

14 A written presentence report will be prepared by
15 the Probation and Pretrial Services Office. You'll be asked
16 to provide information for that report and Ms. O'Connor may
17 be present if you wish.

18 Both of you will be able to read the report and
19 file objections before the sentencing hearing. Defendant's
20 referred to the Probation and Pretrial Services Office for a
21 presentence report.

22 We have a date for sentencing?

23 THE CLERK: March 1.

24 THE COURT: March 1, 2021. We'll make that at
25 8:30 a.m., Mr. Hughes, and you're ordered to appear at that

1 date and time without further notice or order of court.

2 The defendant is remanded to the custody of the US
3 Marshal. All dates other than the sentencing date are
4 vacated and any material witnesses are released.

5 Is there anything further I can do for anyone
6 today?

7 MS. RESTREPO: No, Your Honor.

8 MS. O'CONNOR: No. Thank you, Your Honor.

9 THE COURT: All right. Thank you.

10 Stay safe, everyone.

11 MS. O'CONNOR: Thank you.

12 THE DEFENDANT: You too.

13 MS. O'CONNOR: Mr. Hughes, we'll talk soon.

14 Bye-bye.

15 THE DEFENDANT: Bye-bye.

16 (At 9:42 a.m. proceedings were concluded.)

17

18 -000-

19

20

21

22

23

24

25

CERTIFICATE

I, PAT CUNEO, CSR 1600, hereby certify that pursuant to Section 753, Title 28, United States Code, the foregoing is a true and correct transcript of the stenographically reported proceedings held in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

Date: November 3, 2020

/s/

PAT CUNEO, OFFICIAL REPORTER
CSR NO. 1600

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES – VIDEO CHANGE OF PLEA

Case No. CR 20-00332-DSF

Date October 28, 2020

Present: The Honorable DALE S. FISCHER, UNITED STATES DISTRICT JUDGE

Interpreter N/A

Renee Fisher - VTC

Deputy Clerk

Pat Cuneo - VTC

Court Reporter

Lauren Restrepo - VTC

Assistant U.S. Attorney

U.S.A. v. Defendant(s):

Present Cust. Bond

Attorneys for Defendants:

Present App. Ref.

Samuel Trelawney Hughes - VTC Christine O'Connor, DFPD - VTC

Proceedings: VIDEO ENTRY OF GUILTY PLEA (Held and Completed)

- Defendant moves to enter a guilty plea to an Indictment.
- Defendant sworn.
- Defendant enters new and different plea of GUILTY to Counts Five, Ten and Eleven.
- The Court advises defendant of his Constitutional rights and questions the defendant regarding the plea of GUILTY. The Court FINDS there is an independent factual basis for the plea and further FINDS the plea is made freely, intelligently and voluntarily, and with a full understanding of the nature of the charges, the consequences of the plea and of defendant's Constitutional rights. The Court accepts the plea and orders that the plea be entered.
- The Court refers the defendant to the Probation & Pretrial Services Office for an investigation and report and the matter is continued to **Monday, March 1, 2021 at 8:30 a.m.** for sentencing.
- The Court vacates the jury trial date for this defendant.
- The Court, with the concurrence of the Government, allows the defendant to remain on bond and advises of the consequences of a violation of terms and conditions or a failure to appear.
- The government is to submit a proposed sentencing order setting sentencing schedule. Continuances will be granted only on a specific showing of good cause.

6 UNITED STATES OF AMERICA,)
7 Plaintiff,)
8 vs.) NO. CR 20-332-DSF
9 SAMUEL TRELAWNEY HUGHES,)
10 Defendant.)

14 | REPORTER'S TRANSCRIPT ON APPEAL

16 Los Angeles, California

19 Sentencing Hearing

21 PAT CUNEO CSR 1600, CRR-CM
22 Official Reporter
23 First Street Courthouse
24 350 West 1st Street
25 Room 4311
Los Angeles, CA 90012
213-894-1782
patcuneo1600@gmail.com
www.patcuneo.com

Pat Cuneo 1600, Official Reporter

1 APPEARANCES :

2 FOR THE PLAINTIFF: TRACY L. WILKISON
3 ACTING UNITED STATES ATTORNEY
4 BY: LAUREN RESTREPO
5 ASSISTANT UNITED STATES ATTORNEY
United States Courthouse
312 North Spring Street
Los Angeles, California 90012

6 FOR THE DEFENDANT: PETER C. SWARTH LAW OFFICE
7 BY: PETER C. SWARTH, ATTORNEY AT LAW
6520 Platt Avenue
Suite 557
8 West Hills, California 91307
818-887-8800
9 pswarth@gmail.com

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 LOS ANGELES, CALIF.; MONDAY, NOVEMBER 15, 2021; 11:30 A.M

2 -00-

3 THE COURT: Ms. Fisher, would you call the case.

4 THE CLERK: Case No. CR 20-332-DSF, United States
5 of America vs. Samuel Trelawney Hughes.

6 Please state your appearances.

7 MR. RESTREPO: Good morning, Your Honor.

8 Lauren Restrepo on behalf of the United States.

9 MR. SWARTH: Good morning, Your Honor. Peter
10 Swarth on behalf of defendant Samuel Hughes. We're both
11 together at the MDC and we're present by video connection.
12 Mr. Hughes is in custody.

13 THE COURT: Good morning. This proceeding is
14 being held by video conference pursuant to the CARES Act.
15 Mr. Hughes consented to have this matter proceed by video
16 conference and my order under the Act was filed on
17 November 10. I incorporate those findings.

18 Mr. Hughes, do you still want to proceed with this
19 matter by video conference?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Counsel, do you concur?

22 MR. SWARTH: Yes, Your Honor.

23 THE COURT: Everyone who can see or hear this
24 proceeding is ordered not to photograph, rebroadcast, or
25 record the proceeding in any way with the exception of my

1 official court reporter.

2 This is the time set for sentencing. I've read
3 and considered the presentence report and the position
4 papers of the parties as well as the defense addendum and I
5 have also read and considered the victim impact statements.

6 Mr. Swarth, have you had enough time to read the
7 documents and review them with Mr. Hughes?

8 MR. SWARTH: Yes, Your Honor.

9 THE COURT: Did you explain their contents to him?

10 MR. SWARTH: Yes, Your Honor.

11 THE COURT: Do you have any concerns about his
12 ability to understand them?

13 MR. SWARTH: Other than what's present in my
14 sentencing position, no, I have no other concerns.

15 THE COURT: All right.

16 Mr. Hughes, did you get those documents?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: Did you read them?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Do you need anymore time to read them?

21 THE DEFENDANT: No, Your Honor.

22 THE COURT: Did Mr. Swarth explain them to you?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: Did you understand them?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Mr. Swarth, do you want to contest or
2 change anything in the presentence report?

3 MR. SWARTH: The only thing that I would change --
4 I was doing a quick review -- the only thing I found that is
5 still an error would be paragraph 88 of the revised PSR
6 which notes that Mr. Hughes is one of three children when on
7 the next page it's corrected. He's one of two. And the
8 cause of his father's death is present on the next page, not
9 present in paragraph 88. That would be the only substantive
10 change I would recommend.

11 THE COURT: Okay. And I have read the revised
12 report and the addendum; and I have read your papers,
13 Mr. Swarth, which were very well done as well as the
14 exhibits. Do you have anything you'd like to present in
15 mitigation?

16 MR. SWARTH: Other than what we presented in our
17 report, Your Honor, we believe that is strong mitigation.
18 Does the Court have any questions for me?

19 THE COURT: I don't. Thank you.

20 Mr. Hughes, is there anything you would like to
21 say before I sentence you?

22 THE DEFENDANT: Umm, I am sorry for what I have
23 done. I've read the victim impact statements. My condition
24 of autism makes it very hard to understand other people's
25 feelings. I am very sorry for what I've done, Your Honor.

1 THE COURT: All right. Thank you.

2 Anything from the government?

3 MR. RESTREPO: Yes, Your Honor, very briefly; and
4 I know there are a few victims that would also like to
5 address the Court. So I'll allow the victims to speak about
6 the effect of defendant's conduct on them themselves.

7 But I do just want to highlight a couple of things
8 from defense counsel's filing, and the first I think is the
9 overwhelming theme throughout the papers that, you know,
10 what is best for Mr. Hughes is to not be in custody.

11 And while certainly I think the history and
12 characteristics of this defendant are something to be
13 considered and I don't think there's any dispute that he
14 suffers from autism.

15 I think there are significant aggravating factors
16 that the 3553(a) factors -- the other 3553(a) factors
17 require the Court to consider including, you know, the
18 seriousness of his conduct, deterrent factors, the effect on
19 the victims, and the threat and I think the protection of
20 the victims and society to defendant's conduct.

21 So I just wanted to, I think, highlight that. I
22 know the Court has read the government's position paper.

23 I also wanted to highlight something that defense
24 counsel raised in their papers which is -- it's referenced
25 several times, the discussion of a supportive environment in

1 the United Kingdom.

2 While I certainly hope that is true, I don't think
3 there's actually any evidence that we have or that they will
4 supply of what that supportive environment would be or what
5 kind of counseling or conditions that would be available to
6 the defendant in the United Kingdom were he to be released.

7 And I think that is of significant concern here
8 when you think about the nature of the conduct, the repeated
9 nature of the conduct, the deterrent effect that we need
10 given the conduct as well as his continued attempts to reach
11 out to the victims and I think the need to protect the
12 victims here and so I just would want to highlight that.

13 I think there are significant concerns in this
14 case with the defendant's release back to the United Kingdom
15 in an environment where, you know, unfortunately, supervised
16 release, the ability of our United States Pretrial Services
17 office to meaningfully supervise him will, unfortunately,
18 will be fairly limited. They won't be able to supervise him
19 in the United Kingdom.

20 And then finally again very briefly with reference
21 to a Dr. Friedman's report. Again, there is no question I
22 don't think in this case that defendant suffers from autism.
23 Much of the report was dedicated to confirming that
24 diagnosis.

25 Where I think there are some deficiencies in

1 Dr. Friedman's ability to evaluate the defendant was simply
2 in the lack or the limited evidence and records they had
3 from his time in the United Kingdom.

4 She was unable to, you know, there aren't very
5 many medical records or long-term psychologist that he was
6 working with in the United Kingdom that she could evaluate
7 how Mr. Hughes was when in a different environment.

8 And I would like to note -- and I do apologize,
9 Your Honor. This wasn't in the government's papers but
10 while defendant has no criminal history, he was -- had been
11 arrested in the United Kingdom before, 2016, for sending
12 threats to a family member.

13 Those arrests did not result in charges or a
14 conviction but I do want to highlight that the conduct in
15 question here that occurred in the United States was
16 unfortunately not limited here and it did, in fact, occur,
17 albeit perhaps more limited than the numerous victims we see
18 here in the United States, it did occur back in the United
19 Kingdom in a place where, in theory, the defendant had more
20 resources or had family to support him.

21 And so I think that's of significance. And I
22 think the other thing I would like to highlight from
23 Dr. Friedman's report is I think it really does show that
24 there are significant issues of deterrence and protecting
25 the victims in this case and society based on defendant's

1 world view.

2 I think it's very clear that he has a set mindset
3 and I think his autism certainly plays into this, that
4 certain things are just not wrong and, therefore, he's
5 justified in behaving in a certain way.

6 You know, I think it was interesting that in the
7 report, Your Honor, they noted -- I'm now looking at page 18
8 of Dr. Friedman's report -- she notes that once people write
9 down their threats, they move on.

10 It was something she highlighted with regards to
11 how Mr. Hughes feels when he writes down his threats, he
12 kind of gets it off his chest.

13 I think the evidence in this case shows that
14 Mr. Hughes has not moved on and even as early as a month
15 ago, he is still trying to contact the victims.

16 So I think while it plays a significant role in
17 this case, unquestionably, I think the guideline range -- we
18 already, in the government's position, significantly reduced
19 that guideline range. The question here sufficiently
20 addresses that mitigating factor.

21 Unless the Court has any questions, the government
22 would submit on its papers.

23 THE COURT: I don't. Why don't you let us know
24 who the victims -- which victims would like to be heard and
25 we'll bring them in.

1 MR. RESTREPO: Sure.

2 I have a list at this time of five victims that I
3 believe would wish to be heard, Your Honor, so I'll say them
4 in turn and then if they still wish to speak, perhaps they
5 can raise their hand and the Courtroom Deputy can invite
6 them in.

7 First on my list is Miss Erin Shaw.

8 MS. SHAW: Good morning, Your Honor. Thank you
9 for letting me speak today.

10 THE COURT: Good morning.

11 MS. SHAW: Am I just permitted to speak freely or
12 did you have questions?

13 THE COURT: No. It's your opportunity to make a
14 statement.

15 THE WITNESS: Great. Thank you.

16 I heard what Mr. Hughes just said and I would just
17 like to say that I'm an educator and I work with autistic
18 children and I also have other people in my life that are
19 autistic.

20 None of those people have ever threatened to rape
21 and murder me and destroy my property repeatedly and tried
22 to libel me and ruin my professional career.

23 So I don't think that's a fair excuse. I
24 understand it's that something Mr. Hughes is struggling with
25 but I don't think that it justifies the behavior and the

1 actions that he took.

2 I also would like to say that in the
3 correspondence that I received from him, I received not only
4 a litany of very violent threats.

5 But I also received several apologies that would
6 come on and off intermittently with those threats which to
7 me signifies that Mr. Hughes did have some level of
8 awareness of what he was doing and was moving toward some
9 level of remorse.

10 Hearing this man say that his autism makes it
11 impossible for him to understand other people's feelings,
12 frankly, I think is false and I think it is also
13 disrespectful and misrepresentative of people on the
14 spectrum who do not behave that way.

15 So personally that offends me and I don't think
16 that that should be taken into consideration when sentencing
17 Mr. Hughes.

18 I think he knows enough and is mentally sound
19 enough to know the difference between right and wrong, the
20 value of life, and what he did; and that's all I have to
21 say. Thank you very much.

22 THE COURT: Thank you.

23 MR. SWARTH: Your Honor, I have to interpose an
24 objection, if I may, most respectfully. This is supposed to
25 be victim impact and what I just heard is advocacy for

1 sentencing. Umm, and I make my objection.

2 THE COURT: All right. Overruled.

3 The next person.

4 MR. RESTREPO: The next person, Your Honor, would
5 be Ms. Denise Berry.

6 (Pause in the proceedings.)

7 MS. BERRY: Hello.

8 THE COURT: Hello.

9 MS. BERRY: Hello.

10 THE COURT: You can proceed.

11 MS. BERRY: Thank you for allowing me to speak
12 today. Obviously, most people will know that I have worked
13 alongside Sam Hughes.

14 And the impact -- I actually have a couple of
15 notes -- was fairly detrimental. So in the workplace, I was
16 affected as I wasn't able to attend my own office for fear
17 of essentially just being unsafe in the workplace.

18 We had to hire an armed guard for one event that
19 we had because we were afraid that he would actually come
20 and follow through on his threats.

21 I then also was unfortunately uninvited to any
22 workplace events because any person within our workplace
23 that was targeted, people were afraid that we would target
24 those events as well.

25 So I was unable to participate in workplace

1 events. Personally, I also lived alone in a downtown loft;
2 and I got these threats on all different platforms from
3 WhatsApp to email to my own phone.

4 So it was very scary, especially in the time of
5 COVID where everyone was fairly isolated and locked down;
6 and I would get these not only inappropriate threats, which
7 I had no idea why I was getting since I did not have a close
8 relationship with Mr. Sam Hughes.

9 But it was also just extremely scary. I have a
10 background in the military. I served as a combat medic and
11 I'm not afraid of a whole lot.

12 But to get these extremely violent threats that
13 were repeated from different platforms was extremely -- I've
14 never experienced anything like it in my entire life.

15 And my biggest fear just to say from my impact is
16 that this will continue when he is somewhere else. And
17 because these are through the Internet and through the
18 phone, that I will not be left alone and that he will seek
19 retribution for me even speaking right now.

20 So I just want to thank you so much for the time
21 to allow me to speak and I hope that with this impact and
22 the victims speaking that we are heard.

23 Thank you very much.

24 THE COURT: Thank you.

25 MR. RESTREPO: Your Honor, the next will be

1 Mr. Mike Shaffer.

2 THE CLERK: There's two people. There's a Mike
3 and an M.S. so whoever it is, please raise your right hand.
4 There we go.

5 (Pause in the proceedings.)

6 THE COURT: Good morning, Mr. Shaffer.

7 THE CLERK: You're on mute.

8 MR. SHAFFER: Thank you for allowing me to speak,
9 Your Honor. I'd like to talk about the impact that
10 Sam Hughes' actions have had on me and my family (lost
11 audio). I was approached by Sam Hughes with threats while
12 organizing a very large event here locally in Pasadena on
13 Halloween (lost audio) beginning (lost audio) with myself,
14 my wife, and my community have been terrified of his
15 actions.

16 And I just want to point out that it's not just me
17 that has been affected by that but my family, my community,
18 my friends.

19 I believe that I had probably the least amount of
20 terror from his actions compared to the other victims and it
21 was still very frightening because his threats mostly were
22 focused on ruining my business and my personal life more
23 than ending my life which (lost audio) caused very severe
24 bodily harm which (lost audio) other victim.

25 That's all I have.

1 THE COURT: Thank you.

2 MR. RESTREPO: And the next victim, Your Honor, is
3 Mr. Leonard Luat.

4 (Pause in the proceedings.)

5 THE COURT: Good morning, sir.

6 MR. LUAT: Good morning, Your Honor.

7 THE COURT: You may proceed.

8 MR. LUAT: I'm not sure you guys can see and hear
9 me.

10 THE COURT: We can see and hear you.

11 Go ahead.

12 MR. LUAT: All right. Thank you.

13 I just would like to share my experience through
14 this whole situation with Mr. Hughes. I was affected really
15 hard as well.

16 He was someone that we had a business with, and I
17 was working with him directly in the beginning; and he, you
18 know, he seemed like an okay person to deal with and work
19 with until, you know, come to find out that he was harassing
20 a lot of the women that I worked with in the office.

21 And, you know, it really, really hurt the office
22 environment and scared a lot of the, you know, female
23 workers or business partners that I worked with.

24 It really just -- it was terrifying, you know, for
25 the women and I've tried to warn him many times to stop what

1 he was doing. He never listened. Even had a few business
2 partners stop coming to the office which really affected the
3 work environment because of that.

4 And he continued to send those emails, send those
5 text messages that really scared a lot of women and exactly
6 what the gentleman right before me said, probably least
7 affected out of, you know, all the women but at the same
8 time, you know, it was also difficult to work knowing that
9 somebody was sending threats to my other business partners
10 that I worked with.

11 And it just -- it was hard to continue working
12 when you had somebody like that in the office coming in
13 sending threats, not knowing if he would do something to
14 harm these women.

15 It was -- I had to do something about it and it
16 took a lot of time. It stressed me out to be honest
17 because, you know, I had to watch out for these women and I
18 didn't know, you know, it wasn't just one. It was several
19 of the women that I work with and it was hard, you know.

20 You don't know what this guy would do, what he
21 would do to women; and it was a hard time at that moment.
22 This was before the pandemic.

23 Yeah. I had to do something about it. We had to
24 file restraining orders, things of that nature. Some things
25 I have never done before in my life.

1 And, yeah, it's just -- I don't know. He's
2 somebody that I feel is a threat to a lot of these women. I
3 just -- I hope that he can change, be a different person.
4 That's all I -- I care for is all I want for him not to do
5 those things that he did.

6 THE COURT: Thank you.

7 MR. RESTREPO: And the next person, Your Honor, is
8 Ms. Katy Clark.

9 (Pause in the proceedings.)

10 THE COURT: Hello, Ms. Clark.

11 MS. CLARK: Hello, Your Honor, and thank you for
12 having all of us on here and thank you so much to the team
13 of the FBI and for all that you are doing for us as the
14 victims.

15 I'm a little shaky so just bear with me.

16 Interestingly, listening to how everybody else
17 knew Sam, I'm really surprised that how different my story
18 is. My story is one of randomness; that I was at a meeting
19 for -- to build your business in Newport Beach.

20 It was a free seminar which I've learned going to
21 something free is not always a good idea. I actually came
22 in late and wanted to leave early because I don't like those
23 things, and I specifically sat in the back last chair to be
24 able to do so.

25 I did notice Sam was sitting a few seats away. I

1 was already uncomfortable with him when I saw him. For no
2 reason I can pinpoint but just gut feeling. I went to
3 register and came back, and he had moved his seat to right
4 next to mine.

5 Now, there were plenty empty seats so he purposely
6 sat right next to me. As I moved into my seat, I looked at
7 him and he pretended to be cordial and said hello.

8 And as I looked at him, his eyes went up and down
9 my body and right away I knew that was unacceptable and I
10 said: You need to get up and move or I'm going to move
11 right now. Very forceful.

12 I know in business you have to make it quite clear
13 in case anything were to be called out later. He did move
14 and the only way he would have known who I was throughout
15 that entire experience is that throughout the event we all
16 stood up and said our name and what we did.

17 And from those two things this man hunted me down,
18 found me on Facebook, found my company, harassed me, was
19 going to kill me, was going to rip me out from the inside
20 out, was going to kill my kids if I told anybody.

21 It was vicious and it was quick. This was from
22 the Friday. First, we got Facebook messaging against the
23 business that I worked for; and my boss was like: What did
24 you do to piss this guy off? And I said: Nothing.

25 Then I became, you know, the upset of my company

1 and yet I had done nothing. And then it transferred to the
2 next morning having emails directly to our company and my
3 boss was just horrified by what they said and how disgusting
4 they were to me and my family, my body, and our lives.

5 So the fact he was that calculated, could figure
6 out who I was, what I did for a living, where my company
7 was; and I did not even say those things at the meeting
8 because I didn't want to be that invested in the meeting.

9 That's a huge concern for me as a mother, a single
10 mom of three very smart kids; that this guy could
11 out-calculate you; and I know I came home and I checked.
12 You could Google me and find my address.

13 And that right there threw massive cause for
14 concern and just so you understand the fear that was put
15 into me, I ended up buying cameras, a ring. I changed my
16 home view on Google Maps. I contacted all my neighbors. I
17 bought pepper spray for me and my kids. Tasers. I created
18 an escape plan, I slept with the lights on, and I have a
19 crowbar next to my bed.

20 I even charged the locks to have a lock inside my
21 door so that if someone ever made it inside, I could be at
22 least locked inside my room for when I was fully alone.

23 And nobody should ever have to live like that. I
24 live in a great neighborhood, in a very tight community and,
25 yes, I still knew he would come and do whatever crazy thing

1 he wanted.

2 Along with that, the idea that he could bully
3 women really bothers me as a mom of a daughter; and I'm so
4 grateful for all the other victims who were willing to stand
5 up and share the truth of their story because that's what
6 needs to be heard so that he can no longer justify his issue
7 because your actions speak louder than your issue and he is
8 unstable.

9 He is unstable to be in this society. I'm afraid
10 he'd go into a mall and go crazy. He'd seek out younger
11 women and girls who yet don't have their voice or are too
12 afraid to be honest and forthright, and that is really
13 concerning.

14 For me, there's just -- I do hope that he is
15 getting psychological help because it's a deeper issue than
16 what he wants to portray as his medical condition; and I
17 would just, you know, again, like to say thank you for
18 listening to these and knowing that for any woman or any
19 person to ever have to live in that fear; and even I had my
20 biggest fear. He's reached out to me from jail.

21 But the fact that he can email me still says we're
22 still on his mind, and I don't know who else he has done
23 that to but that is not okay by me.

24 The fact that he can even email me should be
25 totally gone. I don't know their rights but, again, always

1 adding fear to my life; and when I reach out as they have
2 been phenomenal at helping me understand, you know, the
3 course of action that could be taken.

4 So the fact that he's this calculated. He's never
5 been apologetic to me. He's out to ruin businesses, ruin
6 lives, ruin families, ruin women, and create fear with no
7 retribution.

8 I'm grateful that we can get to the cause of this
9 and really make sure that he gets the help he needs today.
10 So thank you for your time.

11 THE COURT: Thank you.

12 Anyone else, Ms. Restrepo?

13 MR. RESTREPO: No. I believe that was from my
14 list, Your Honor. I know some of the victims were going to
15 listen and just observe. I don't know if any others wish to
16 speak. I guess if they do, I ask that they raise their hand
17 but that was my list.

18 THE COURT: All right. If there is anyone else
19 who is watching and wishes to speak, please raise your hand.

20 THE CLERK: There's nobody.

21 THE COURT: Okay. All right.

22 Mr. Swarth contends that the probation officer
23 calculated the guidelines range incorrectly because he did
24 not include the variance agreed to by the parties.

25 Mr. Swarth is wrong.

1 The Court is to consider a properly calculated
2 guidelines range before considering the 3553(a) factors and
3 any departures or variances; and the probation officer
4 certainly doesn't have to agree that the variance is
5 appropriate.

6 Mr. Swarth also argues that a departure pursuant
7 to Guideline Section 5K2.13 is appropriate. As I said,
8 Mr. Swarth's papers were very well done.

9 Based on the reports, it appears Mr. Hughes is a
10 rather unique defendant based on his autism spectrum
11 disorder; but it is not clear that he has a significantly
12 reduced mental capacity that contributed substantially to
13 the commission of the offense.

14 The expert says Mr. Hughes doesn't think like
15 other people. She contends he had no real intention to harm
16 anyone and did not understand how his threats would be
17 perceived by his victims.

18 According to the expert, this was his way of
19 venting. There's support for that in his communications
20 with his aunt, not that that would excuse his behavior.

21 For example, he said he felt better after he had
22 made these threats. But some people use violence to vent
23 and it doesn't make their conduct any less wrong.

24 But the Court finds Mr. Hughes knew he would and
25 intended to cause harm to his victims. In a letter to

1 Ms. Restrepo, he refers to it as temporary harm.

2 For example, he referred to his actions as payback
3 and seemed pleased with his accomplishments; that he may not
4 have intended to follow through on the threats or to cause
5 physical harm to anyone doesn't matter.

6 The threat itself is the harm.

7 He might not have realized the full extent of the
8 incredibly traumatizing affects his conduct would have on
9 his victims, but he certainly understood and intended that
10 this would harm them in some way.

11 In addition, Mr. Hughes was very effective,
12 analytical, and relentless. He is certainly intelligent.
13 He has a Bachelor's degree. He figured out how to get to
14 this country on a temporary visa.

15 He made use of his computer skills to terrorize
16 the victims and their families. He used techniques to mask
17 his identity and did a significant amount of planning.

18 He did not only issue vile and terrifying
19 personally threats. He attacked the victims' businesses and
20 posted on social media; and as they tried to avoid him or
21 cut off communication, he escalated his behavior.

22 He was able to avoid detection for a significant
23 period of time. He obviously understood that his conduct
24 was wrongful even if he didn't understand the horrendous
25 impact it would have on the victims.

1 He threatened injury or death to the victims or
2 their families if they contacted the police, and this
3 happened not just with one person. There are at least ten
4 victims.

5 The government argues that a departure is not
6 appropriate and notes it agreed that Mr. Hughes could plead
7 to only three of the 26 counts.

8 In addition, the Court agrees that Mr. Hughes does
9 pose a risk of violence, psychological if not physical. The
10 Court agrees that the departure is not appropriate.

11 I find the report to be accurate and correct. The
12 advisory guidelines are the starting point and the initial
13 benchmark in the Court's analysis.

14 I'm consulting and taking into account the
15 November 2021 Edition of the Guidelines. The total offense
16 level is 21, the criminal history category is I, the
17 guideline range for custody is 37 to 46 months, the range
18 for supervised release is one to three years, and a special
19 assessment to the Crime Victims Fund is \$300.

20 In making an individualized determination based on
21 the facts, I'm also considering the factors described in
22 18 United States Code, Section 3553(a), especially but not
23 exclusively the nature and circumstances of the offense and
24 the history and characteristics of the defendant; the need
25 for the sentence to reflect the seriousness of the offense,

1 to promote respect for the law and provide just punishment,
2 to afford adequate deterrence for criminal conduct and to
3 protect the public from further crimes of the defendant.

4 I'm considering the kinds of sentences available
5 and the kinds of sentence and sentencing range established
6 for the applicable category of offense committed by the
7 applicable category of defendant as well as the need to
8 avoid unwarranted sentence disparities among defendants with
9 similar records who have been convicted of similar offenses.

10 As I've indicated, this conduct was horrendous,
11 vile, and terrifying. The victims may not have been
12 physically assaulted but no one could experience what these
13 victims have experienced without suffering serious
14 consequences.

15 They obviously did not know of his apparent
16 condition or that he had allegedly had no real intention to
17 harm them or their families; and he continued to try to
18 contact them and engaged in similar conduct with law
19 enforcement and the prosecutor after he was arrested and in
20 custody.

21 These are seriously aggravating factors. I've
22 also considered his family history. It certainly is
23 unusual, though not the first time I have seen it, for a
24 defendant to have one parent who killed the other parent and
25 ended up in prison. But this is arguably a mitigating

1 factor.

2 Mr. Hughes' counsel achieved a very favorable plea
3 agreement which not only would result in a dismissal of 23
4 charges but included a recommendation for a two-level
5 variance.

6 I haven't seen those variances recommended in
7 cases of this type and certainly it's arguable that it's not
8 appropriate in this case.

9 Because there was a benefit to the system overall
10 even above the three-level reduction that would have been
11 provided for early acceptance, I agree that the variance is
12 appropriate and the level becomes 19 and the range is 30 to
13 37 months.

14 Because the aggravating factors outweigh the
15 mitigating factors and for the specific reasons stated by
16 the government, the Court finds the government's
17 recommendation is appropriate.

18 I will now state the sentence but counsel will
19 have a final chance to make legal objections before sentence
20 is imposed.

21 Does either counsel know of any reason why
22 sentence should not now be imposed?

23 MR. RESTREPO: No, Your Honor.

24 MR. SWARTH: No legal cause, Your Honor.

25 THE COURT: I find that the following sentence is

1 reasonable and is sufficient but is no greater than
2 necessary to comply with the purposes stated in 18 United
3 States Code, Section 3553(a).

4 It's ordered that the defendant shall pay to the
5 United States a special assessment of \$300 which is due
6 immediately.

7 Any unpaid balance shall be due during the period
8 of imprisonment at the rate of not less than \$25 per quarter
9 and pursuant to the Bureau of Prisons' Inmate Financial
10 Responsibility Program.

11 It is ordered that the defendant shall pay to the
12 United States a total fine of \$15,000 consisting of \$5,000
13 on each of Counts 5, 10, and 11.

14 The total fine shall bear interest as provided by
15 law and shall be paid immediately.

16 The defendant shall comply with the Second Amended
17 General Order 20-04.

18 Pursuant to the Sentencing Reform Act of 1984,
19 it's the judgment of the Court that the defendant
20 Samuel Trelawney Hughes is committed on Counts 5, 10, and 11
21 of the Indictment to the custody of the Bureau of Prisons
22 for a term of 37 months. This term consists of 37 months on
23 each of Counts 5, 10, and 11 of the Indictment to be served
24 concurrently.

25 On release from imprisonment, the defendant shall

1 be placed on supervised release for a term of three years.
2 The term consists of three years on each of Counts 5, 10,
3 and 11 of the Indictment. All such terms to run
4 concurrently under the following terms and conditions:

5 1. The defendant shall comply with the rules and
6 regulations of the United States Probation and Pretrial
7 Service Office and Second Amended General Order 20-04
8 including the conditions of probation and supervised release
9 set forth in Section 3 of Second Amended General Order
10 20-04.

11 2. The defendant shall not commit any violation
12 of local, state, or federal law or ordinance.

13 3. During the period community supervision, the
14 defendant shall pay the special assessment and fine in
15 accordance with this judgment's orders pertaining to such
16 payment.

17 4. The defendant shall cooperate in the
18 collection of a DNA sample.

19 5. The defendant shall comply with the
20 immigration rules and regulations of the United States and,
21 if deported from this country either voluntarily or
22 involuntarily, not reenter the United States illegally.

23 The defendant is not required to report to the
24 Probation and Pretrial Services Office while residing
25 outside of the United States.

1 However, within 72 hours of release from any
2 custody or any reentry to the United States during the
3 period of court-ordered supervision, the defendant shall
4 report for instructions to the US Probation Office located
5 at 300 North Los Angeles Street, Suite 1300, Los Angeles,
6 California, 90012-3323.

7 6. The defendant shall apply all monies received
8 from income tax refunds, lottery winnings, inheritance,
9 judgments, and any other financial gains to the court-order
10 financial obligation.

11 7. The defendant shall refrain from any unlawful
12 use of a controlled substance and shall submit to one drug
13 test within 15 days of release from custody and at least two
14 periodic drug tests thereafter not to exceed eight tests per
15 month as directed by the probation officer.

16 8. The defendant shall submit his person,
17 property, house, residence, vehicle, papers, computers,
18 cellphones, other electronic communications or data storage
19 devices or media, email accounts, social media accounts,
20 cloud storage accounts or other areas under the defendant's
21 control to a search conducted by a US Probation Officer or
22 law enforcement officer.

23 Failure to submit to a search may be grounds for
24 revocation. The defendant shall warn any other occupants
25 that the premises may be subject to searches pursuant to

1 this condition.

2 Any search pursuant to this condition will be
3 conducted at a reasonable time in a reasonable manner on
4 reasonable suspicion that the defendant has violated a
5 condition of his supervision and that the areas to be
6 searched contain evidence of this violation.

7 9. The defendant shall possess and use only those
8 computers and computer-related devices, screen user-names,
9 passwords, email accounts, and Internet service providers,
10 or ISPs, social media accounts, messaging applications, and
11 cloud storage accounts that have been disclosed to the
12 probation officer on commencement of supervision.

13 Any changes or additions are to be disclosed to
14 the probation officer prior to the first use. Computers and
15 computer-related devices include personal computers,
16 Internet appliances, electronic games, cellular telephones,
17 digital storage media and their peripheral equipment that
18 can access or can be modified to access the Internet,
19 electronic bulletin boards, and other computers.

20 10. All computers, computer-related devices and
21 their peripheral equipment used by the defendant shall be
22 subject to search, seizure, and computer monitoring. This
23 shall not apply to items used at the employment site that
24 are maintained and monitored by the employer.

25 11. The defendant shall comply with the rules and

1 regulations of the computer monitoring program and pay the
2 cost of the computer monitoring program.

3 12. The defendant shall not contact any of the
4 victims identified in the Indictment by any means including
5 in person, by mail or electronic means or via third parties.

6 Further, the defendant shall remain at least
7 100 yards from the victims at all times. If any contact
8 occurs, the defendant shall immediately leave the area of
9 contact and report the contact to the probation officer.

10 The defendant is remanded to the custody of the
11 US Marshal. The Court will sign the order of removal.

12 Does either counsel have anything further?

13 MR. SWARTH: Your Honor, if I may, on behalf of
14 Mr. Hughes, I make two requests.

15 THE COURT: Yes.

16 MR. SWARTH: To the degree that it is possible, if
17 the Court can recommend housing at an appropriate mental
18 health facility where Mr. Hughes might receive some
19 appropriate therapies while he's incarcerated.

20 Secondly, as the Court noted, he is under drug
21 testing conditions. There is a note of some use and I would
22 ask the Court if you recommend that he be eligible for the
23 RDAP program.

24 THE COURT: I'm going to add that the facility
25 conduct a mental health review and provide all necessary

1 treatment. I don't see any reason to recommend the RDAP
2 program and I don't think they offer it to people who aren't
3 United States citizens in any event.

4 Anything further, Mr. Swarth?

5 MR. SWARTH: Thank you, Your Honor. No.

6 THE COURT: Ms. Restrepo, a motion to dismiss the
7 underlying Complaint if there is one and any other counts?

8 MR. RESTREPO: Yes, Your Honor.

9 THE COURT: Granted.

10 The statement of reasons shall be included in the
11 Commitment Order and Judgment and shall be provided to the
12 probation office, the Sentencing Commission, and the Bureau
13 of Prisons.

14 A complete copy of the presentence report and any
15 additions or changes shall be provided to the Bureau of
16 Prisons and the Sentencing Commission. Any other copies of
17 the report and related materials shall remain confidential.

18 If an appeal is taken, counsel on appeal shall
19 have access to the report.

20 Mr. Hughes, you have a right to appeal your
21 conviction if you believe that your guilty plea was somehow
22 unlawful or involuntary or if there was some other
23 fundamental defect in the proceedings that was not waived by
24 your guilty plea.

25 You also have a right to appeal your sentence

1 under some circumstances particularly if you think your
2 sentence is contrary to law.

3 However, a defendant may waive those rights as
4 part of a plea agreement and you've entered into a plea
5 agreement that waives some or all of your right to appeal
6 your conviction and your sentence.

7 Such waivers are generally enforceable and the
8 plea agreement controls your right to appeal.

9 If you believe the waiver is unenforceable, you
10 can present that theory to the Court of Appeals.

11 If you retained any right to appeal, with few
12 exceptions, a Notice of Appeal must be filed within 14 days
13 of judgment being entered. Do you understand that, sir?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: If you're unable to afford a
16 transcript of the record in this case, one will be provided
17 at government expense.

18 If you're unable to pay the cost of an appeal or a
19 filing fee, you may apply for leave to appeal *In Forma*
20 *Pauperis*.

21 If you do not have counsel to act on your behalf
22 and if you request it, the Clerk of the Court will prepare
23 and file a Notice of Appeal on your behalf.

24 You must make that request within 14 days. The
25 Notice of Appeal must designate the judgment or order

1 appealed from and the fact that you're appealing to the
2 Court of Appeals.

3 It should designate the portion of the proceedings
4 not already on file that you deem necessary for the reporter
5 to include.

6 Ms. Restrepo, if you would send a Word version of
7 the Order of Removal to my chambers email so I don't have to
8 go searching for it, I'd appreciate that.

9 Anything further?

10 MR. RESTREPO: No, Your Honor. I'll do that.

11 THE COURT: Anything further, Mr. Swarth?

12 MR. SWARTH: No, Your Honor. Thank you.

13 THE COURT: All right. Thank you.

14 MR. RESTREPO: Thank you, Your Honor.

15 MR. SWARTH: Thank you, Your Honor.

16 Thank you, Counsel.

17 THE CLERK: Court's in recess.

18 (At 12:15 p.m., proceedings were concluded.)

19

20 -oo-

21

22

23

24

25

CERTIFICATE

I, PAT CUNEO, CSR 1600, hereby certify that pursuant to Section 753, Title 28, United States Code, the foregoing is a true and correct transcript of the stenographically reported proceedings held in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

Date: February 2, 2022

/s/

PAT CUNEO, OFFICIAL REPORTER
CSR NO. 1600

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES – SENTENCING AND JUDGMENT HEARING

Case No. CR 20-00332 DSF

Date November 15, 2021

Present: The Honorable DALE S. FISCHER, UNITED STATES DISTRICT JUDGE

Interpreter N/A

Renee Fisher

Pat Cuneo

Lauren Restrepo (VTC)

Deputy Clerk

Court Reporter

Assistant U.S. Attorney

U.S.A. v. Defendant(s): Present Cust. Bond Attorneys for Defendants: Present App. Ret.

Samuel Trelawney Hughes (VTC) ✓ ✓ Peter C. Swarth (VTC) ✓ ✓

VIDEO SENTENCING AND JUDGMENT HEARING (Held and Completed)

Proceedings: Non-Evidentiary Contested

✓ Refer to separate Judgment & Probation/Commitment Order.

✓ The Court grants the Government's motion to dismiss all remaining count(s)/underlying indictment/information.

✓ Defendant informed of right to appeal.

✓ Other: The Court hears from the victims by VTC.

The Court recommends that the defendant be designated to a Bureau of Prisons facility that will conduct a mental health review and provide all necessary treatment.

The Court will sign the order of removal.

**United States District Court
Central District of California**

UNITED STATES OF AMERICA vs.

Docket No. CR 20-00332-DSF

Defendant SAMUEL TRELAWNEY HUGHES
akas: None

Social Security No. 6 7 7 8
(Last 4 digits)

JUDGMENT AND PROBATION/COMMITMENT ORDER

MONTH	DAY	YEAR
11	15	2021

In the presence of the attorney for the government, the defendant appeared by VTC (Zoom) on this date.

COUNSEL	Peter C. Swarth, Appointed (Name of Counsel)		
PLEA	<input checked="" type="checkbox"/> GUILTY, and the court being satisfied that there is a factual basis for the plea. <input type="checkbox"/> NOLO CONTENDERE <input type="checkbox"/> NOT GUILTY		
FINDING	There being a finding/verdict of GUILTY, defendant has been convicted as charged of the offense(s) of: Stalking: 18 U.S.C. § 2261 – Count 5, Witness Tampering: 18 U.S.C. § 1512 – Count 10, and Interstate Threats: 18 U.S.C. § 875(c) – Count 11 of the Indictment		
JUDGMENT AND PROB/ COMM ORDER	The Court asked whether there was any reason why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant, Samuel Trelawney Hughes, is hereby committed on Counts 5, 10, and 11 of the Indictment to the custody of the Bureau of Prisons for a term of 37 months. This term consists of 37 months on each of Counts 5, 10, and 11 of the Indictment, to be served concurrently.		

On release from imprisonment, the defendant shall be placed on supervised release for a term of 3 years. This term consists of 3 years on each of Counts 5, 10, and 11 of the Indictment, all such terms to run concurrently under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the United States Probation & Pretrial Services Office and Second Amended General Order 20-04, including the conditions of probation and supervised release set forth in Section III of Second Amended General Order 20-04.
2. The defendant shall not commit any violation of local, state, or federal law or ordinance.
3. During the period of community supervision, the defendant shall pay the special assessment and fine in accordance with this judgment's orders pertaining to such payment.
4. The defendant shall cooperate in the collection of a DNA sample from the defendant.
5. The defendant shall comply with the immigration rules and regulations of the United States, and if deported from this country, either voluntarily or involuntarily, not reenter the United States illegally. The defendant is not required to report to the Probation & Pretrial Services Office while

residing outside of the United States; however, within 72 hours of release from any custody or any reentry to the United States during the period of Court-ordered supervision, the defendant shall report for instructions to the United States Probation Office located at 300 N. Los Angeles Street, Suite 1300, Los Angeles, CA 90012-3323

6. The defendant shall apply all monies received from income tax refunds, lottery winnings, inheritance, judgments and any other financial gains to the Court-ordered financial obligation.
7. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from custody and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the Probation Officer.
8. The defendant shall submit his person, property, house, residence, vehicle, papers, computers, cell phones, other electronic communications or data storage devices or media, email accounts, social media accounts, cloud storage accounts, or other areas under the defendant's control, to a search conducted by a United States Probation Officer or law enforcement officer. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. Any search pursuant to this condition will be conducted at a reasonable time and in a reasonable manner upon reasonable suspicion that the defendant has violated a condition of his supervision and that the areas to be searched contain evidence of this violation.
9. The defendant shall possess and use only those computers and computer-related devices, screen usernames, passwords, email accounts, and internet service providers (ISPs), social media accounts, messaging applications and cloud storage accounts, that have been disclosed to the Probation Officer upon commencement of supervision. Any changes or additions are to be disclosed to the Probation Officer prior to the first use. Computers and computer-related devices include personal computers, internet appliances, electronic games, cellular telephones, digital storage media, and their peripheral equipment, that can access, or can be modified to access, the internet, electronic bulletin boards, and other computers.
10. All computers, computer-related devices, and their peripheral equipment, used by the defendant shall be subject to search, seizure and computer monitoring. This shall not apply to items used at the employment site that are maintained and monitored by the employer.
11. The defendant shall comply with the rules and regulations of the Computer Monitoring Program. The defendant shall pay the cost of the Computer Monitoring Program.
12. The defendant shall not contact any of the victims identified in the Indictment by any means, including in person, by mail or electronic means, or via third parties. Further, the defendant shall

USA vs. Samuel Trelawney Hughes

Docket No.: CR 20-00332 DSF

remain at least 100 yards from the victims at all times. If any contact occurs, the defendant shall immediately leave the area of contact and report the contact to the Probation Officer.

It is ordered that the defendant shall pay to the United States a special assessment of \$300, which is due immediately. Any unpaid balance shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program.

It is ordered that the defendant shall pay to the United States a total fine of \$15,000, consisting of \$5,000 on each of Counts 5, 10, and 11. The total fine shall bear interest as provided by law.

The fine shall be paid in full immediately.

The defendant shall comply with Second Amended General Order No. 20-04.

The Court recommends that the defendant be designated to a Bureau of Prisons facility that will conduct a mental health review and provide all necessary treatment.

The Court advised the defendant of the right to appeal this judgment.

SENTENCING FACTORS: The sentence is based on the factors set forth in 18 U.S.C. §3553, including the applicable sentencing range set forth in the guidelines, as more particularly reflected in the court reporter's transcript.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release within this judgment be imposed. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

November 15, 2021

Date



U. S. District Judge DALE S. FISCHER

It is ordered that the Clerk deliver a copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Clerk, U.S. District Court

November 15, 2021

Filed Date

By Renee A. Fisher

Deputy Clerk

USA vs. Samuel Trelawney Hughes

Docket No.: CR 20-00332 DSF

The defendant must comply with the standard conditions that have been adopted by this court (set forth below).

STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE

While the defendant is on probation or supervised release pursuant to this judgment:

1. The defendant must not commit another federal, state, or local crime;
2. The defendant must report to the probation office in the federal judicial district of residence within 72 hours of imposition of a sentence of probation or release from imprisonment, unless otherwise directed by the probation officer;
3. The defendant must report to the probation office as instructed by the court or probation officer;
4. The defendant must not knowingly leave the judicial district without first receiving the permission of the court or probation officer;
5. The defendant must answer truthfully the inquiries of the probation officer, unless legitimately asserting his or her Fifth Amendment right against self-incrimination as to new criminal conduct;
6. The defendant must reside at a location approved by the probation officer and must notify the probation officer at least 10 days before any anticipated change or within 72 hours of an unanticipated change in residence or persons living in defendant's residence;
7. The defendant must permit the probation officer to contact him or her at any time at home or elsewhere and must permit confiscation of any contraband prohibited by law or the terms of supervision and observed in plain view by the probation officer;
8. The defendant must work at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons and must notify the probation officer at least ten days before any change in employment or within 72 hours of an unanticipated change;
9. The defendant must not knowingly associate with any persons engaged in criminal activity and must not knowingly associate with any person convicted of a felony unless granted permission to do so by the probation officer. This condition will not apply to intimate family members, unless the court has completed an individualized review and has determined that the restriction is necessary for protection of the community or rehabilitation;
10. The defendant must refrain from excessive use of alcohol and must not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
11. The defendant must notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
12. For felony cases, the defendant must not possess a firearm, ammunition, destructive device, or any other dangerous weapon;
13. The defendant must not act or enter into any agreement with a law enforcement agency to act as an informant or source without the permission of the court;
14. The defendant must follow the instructions of the probation officer to implement the orders of the court, afford adequate deterrence from criminal conduct, protect the public from further crimes of the defendant; and provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

USA vs. Samuel Trelawney Hughes

Docket No.: CR 20-00332 DSF

The defendant must also comply with the following special conditions (set forth below).

STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS

The defendant must pay interest on a fine or restitution of more than \$2,500, unless the court waives interest or unless the fine or restitution is paid in full before the fifteenth (15th) day after the date of the judgment under 18 U.S.C. § 3612(f)(1). Payments may be subject to penalties for default and delinquency under 18 U.S.C. § 3612(g). Interest and penalties pertaining to restitution, however, are not applicable for offenses completed before April 24, 1996. Assessments, restitution, fines, penalties, and costs must be paid by certified check or money order made payable to "Clerk, U.S. District Court." Each certified check or money order must include the case name and number. Payments must be delivered to:

United States District Court, Central District of California
Attn: Fiscal Department
255 East Temple Street, Room 1178
Los Angeles, CA 90012

or such other address as the Court may in future direct.

If all or any portion of a fine or restitution ordered remains unpaid after the termination of supervision, the defendant must pay the balance as directed by the United States Attorney's Office. 18 U.S.C. § 3613.

The defendant must notify the United States Attorney within thirty (30) days of any change in the defendant's mailing address or residence address until all fines, restitution, costs, and special assessments are paid in full. 18 U.S.C. § 3612(b)(1)(F).

The defendant must notify the Court (through the Probation Office) and the United States Attorney of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution, as required by 18 U.S.C. § 3664(k). The Court may also accept such notification from the government or the victim, and may, on its own motion or that of a party or the victim, adjust the manner of payment of a fine or restitution under 18 U.S.C. § 3664(k). See also 18 U.S.C. § 3572(d)(3) and for probation 18 U.S.C. § 3563(a)(7).

Payments will be applied in the following order:

1. Special assessments under 18 U.S.C. § 3013;
2. Restitution, in this sequence (under 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid):
Non-federal victims (individual and corporate),
Providers of compensation to non-federal victims,
The United States as victim;
3. Fine;
4. Community restitution, under 18 U.S.C. § 3663(c); and
5. Other penalties and costs.

CONDITIONS OF PROBATION AND SUPERVISED RELEASE PERTAINING TO FINANCIAL SANCTIONS

As directed by the Probation Officer, the defendant must provide to the Probation Officer: (1) a signed release authorizing credit report inquiries; (2) federal and state income tax returns or a signed release authorizing their disclosure and (3) an accurate financial statement, with supporting documentation as to all assets, income and expenses of the defendant. In addition, the defendant must not apply for any loan or open any line of credit without prior approval of the Probation Officer.

When supervision begins, and at any time thereafter upon request of the Probation Officer, the defendant must produce to the Probation and Pretrial Services Office records of all bank or investments accounts to which the defendant has access, including any business or trust accounts. Thereafter, for the term of supervision, the defendant must notify and receive approval of the Probation Office in advance of opening a new account or modifying or closing an existing one, including adding or deleting signatories; changing the account number or name, address, or other identifying information affiliated with the account; or any other modification. If the Probation Office approves the new account, modification or closing, the defendant must give the Probation Officer all related account records within 10 days of opening, modifying or closing the account. The defendant must not direct or ask anyone else to open or maintain any account on the defendant's behalf.

The defendant must not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$500 without approval of the Probation Officer until all financial obligations imposed by the Court have been satisfied in full.

These conditions are in addition to any other conditions imposed by this judgment.

USA vs. Samuel Trelawney Hughes

Docket No.: CR 20-00332 DSF

RETURN

I have executed the within Judgment and Commitment as follows:

Defendant delivered on _____ to _____

Defendant noted on appeal on _____ to _____

Defendant released on _____

Mandate issued on _____

Defendant's appeal determined on _____

Defendant delivered on _____ to _____

at _____

the institution designated by the Bureau of Prisons, with a certified copy of the within Judgment and Commitment.

United States Marshal

By _____

Date _____

Deputy Marshal

CERTIFICATE

I hereby attest and certify this date that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

Clerk, U.S. District Court

By _____

Filed Date _____

Deputy Clerk

FOR U.S. PROBATION OFFICE USE ONLY

Upon a finding of violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) _____
Defendant

Date _____

U. S. Probation Officer/Designated Witness

Date _____

FILED CLERK, U.S. DISTRICT COURT
8/4/2020
CENTRAL DISTRICT OF CALIFORNIA BY: DD DEPUTY

1

2

3

4

5

6

7

8

UNITED STATES DISTRICT COURT

9

FOR THE CENTRAL DISTRICT OF CALIFORNIA

10

January 2020 Grand Jury

11

UNITED STATES OF AMERICA,

CR No. 2:20-cr-00332-DSF

12

Plaintiff,

I N D I C T M E N T

13

v.

[18 U.S.C. §§ 2261A(2)(A), (B),
2261(b)(5): Stalking; 18 U.S.C.
§ 875(c): Threat by Interstate
Communication; 18 U.S.C. § 876(c):
Mailing a Threatening
Communication; 18 U.S.C.
§ 1512(b)(3): Witness Tampering]

14

SAMUEL TRELAWNEY HUGHES,

15

Defendant.

16

17

The Grand Jury charges:

18

COUNT ONE

19

[18 U.S.C. §§ 2261A(2)(A), (B), 2261(b)(5)]

20

1. Beginning on or about April 11, 2019, and continuing to at least on or about November 29, 2019, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWNEY HUGHES ("HUGHES"), with the intent to harass and intimidate Victim 1, used an interactive computer service, an electronic communication service, an electronic communication system of interstate commerce, and other facilities of interstate and foreign commerce, namely, email, interstate wires, and the Internet, to

1 engage in a course of conduct, described in paragraph 2 below, that
2 placed Victim 1 in reasonable fear of death and serious bodily
3 injury, and caused, attempted to cause, and would reasonably be
4 expected to cause substantial emotional distress to Victim 1.

5 2. Defendant HUGHES's course of conduct included, among other
6 things, the following:

7 a. On or about April 11, 2019, after meeting Victim 1 at
8 a networking event, and using an email account designed to conceal
9 defendant HUGHES's true identity, defendant HUGHES sent an email to
10 Victim 1 with the subject line "You are a fucking ugly cunt!," and
11 which included the following in the body of the message: "Bitch! I
12 hope you read this you Italian piece of shit with a miserable ego and
13 a lot to pay for! I hope you die in a gruesome way . . . you
14 should seriously go back home and stay the fuck out of California!"

15 b. On or about April 22, 2019, using an email account
16 designed to conceal defendant HUGHES's true identity, defendant
17 HUGHES sent an email to Victim 1 with the subject line "Cunt!," and
18 which included the following in the body of the message: "[Victim 1],
19 Why the fuck haven't you replied to my last email, you know I am
20 going to cut out your throat and I mean it if I see you around. You
21 ugly small minded miserable idiotic cunt I am coming to get you, I
22 will enjoy every moment of killing you"

23 c. On or about July 2, 2019, after Victim 1 had reported
24 defendant HUGHES to law enforcement, defendant HUGHES sent an email
25 to Victim 1 with the subject line "Your Police Report," and which
26 included the following in the body of the message:

27 I will make this the final correspondence to you. I'd
28 like to tell you that you are such a fucking cunt for
reporting me to the police. How fucking dare you go

1 to the police over a series of emails . . . If I
2 received a message like that by someone I don't
3 immediately block them . . . You only prove you have
4 a small ego and after trying to kindly reach out to
you, this is your payback?! You are a centre of shame
and defame to me , an absolute disgrace . . . FUCKING
CUNT!

5 d. On or about October 19, 2019, defendant HUGHES posted
6 a message using Instagram, which stated that Victim 1 and another
7 person were "miserable cunts who have an attitude of a bitchy
8 teenager thinking harassment is a tool against contact that is far
9 from inappropriate . . ."

10 e. On or about November 29, 2019, using an email account
11 designed to conceal defendant HUGHES's true identity, defendant
12 HUGHES sent an email to Victim 1, which included the following in the
13 body of the message:

14 The threats and abuse you will endure will never go
15 away because someday you will guaranteed get your
throat cut out and duct taped, raped and met by the
16 person who you Victimised you fucking cunt, going to
police over some emails I saw the police video you
17 got started and it really makes me believe you are
the biggest italian cunt in the world. FUCK YOU I
HOPE YOU SUFFER A GRUESOME DEATH BITCH!
18
19
20
21
22
23
24
25
26
27
28

1

COUNT TWO

2

[18 U.S.C. § 875(c)]

3 On or about April 22, 2019, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWEY HUGHES, with intent to issue a threat and with knowledge
6 that it would be viewed as a threat, knowingly transmitted in
7 interstate and foreign commerce a communication containing a true
8 threat to injure the person of another, that is, an email to Victim 1
9 which included the following message: "[Victim 1], Why the fuck
10 haven't you replied to my last email, you know I am going to cut out
11 your throat and I mean it if I see you around. You ugly small minded
12 miserable idiotic cunt I am coming to get you, I will enjoy every
13 moment of killing you"

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT THREE

[18 U.S.C. § 875(c)]

3 On or about May 8, 2019, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWEY HUGHES, with intent to issue a threat and with knowledge
6 that it would be viewed as a threat, knowingly transmitted in
7 interstate and foreign commerce a communication containing a true
8 threat to injure the person of another, that is, an email to Victim 2
9 which included the following message: "Hello [Victim 2] you fucking
10 cunt. That is right you're a pretentious piece of shit and I hope
11 you rot and die. I swear if I see you ever I will stab ya in the
12 neck."

COUNT FOUR

[18 U.S.C. §§ 2261A(2)(A), (B), 2261(b)(5)]

3 1. Beginning on or about September 9, 2019, and continuing to
4 at least on or about November 1, 2019, in Los Angeles County, within
5 the Central District of California, and elsewhere, defendant SAMUEL
6 TRELAWNEY HUGHES ("HUGHES"), with the intent to harass and intimidate
7 Victim 3, used an interactive computer service, an electronic
8 communication service, an electronic communication system of
9 interstate commerce, and other facilities of interstate and foreign
10 commerce, namely, email, interstate wires, and the Internet, to
11 engage in a course of conduct, described in paragraph 2 below, that
12 placed Victim 3 in reasonable fear of death and serious bodily
13 injury, and caused, attempted to cause, and would reasonably be
14 expected to cause substantial emotional distress to Victim 3.

15 2. Defendant HUGHES's course of conduct included, among other
16 things, the following:

17 a. On or about September 9, 2019, after defendant HUGHES
18 sent threatening communications to a person he met at a networking
19 event hosted by Company A, and after Victim 3 told defendant HUGHES
20 that defendant HUGHES was banned from networking events hosted by
21 Company A, defendant HUGHES posted negative reviews on the Facebook
22 page of Victim 3's business, which included statements describing
23 Victim 3 as "a stubborn rude piece of shit CEO who does not deserve
24 to be in the business" and who was "incriminating [defendant HUGHES]
25 as a threatening person."

26 b. On or about October 17, 2019, defendant HUGHES sent an
27 email to Victim 3, which included the following in the body of the
28 message: "Thanks a lot [Victim 3] for getting me banned from

1 [Company A] you know what your SEO agency is full of shit! And you
2 are an asshole too, and I will damage your reputation because I
3 specialise in reputation management"

4 c. On or about November 1, 2019, using an email account
5 designed to conceal defendant HUGHES's true identity, defendant
6 HUGHES sent an email to Victim 3, which included the following in the
7 body of the message: "I will bash your fucking lights out [Victim 3]
8 you big fat ugly cunt. ANd Cut your throat open! You are on my
9 waiting list. Thats ya warning I can guarantee you will die soon at
10 my mercy!"

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT FIVE

[18 U.S.C. §§ 2261A(2)(A), (B), 2261(b)(5)]

3 1. Beginning on or about October 3, 2019, and continuing to at
4 least on or about May 16, 2020, in Los Angeles County, within the
5 Central District of California, and elsewhere, defendant SAMUEL
6 TRELAWNEY HUGHES ("HUGHES"), with the intent to harass and intimidate
7 Victim 4, used an interactive computer service, an electronic
8 communication service, an electronic communication system of
9 interstate commerce, and other facilities of interstate and foreign
10 commerce, namely, email, interstate wires, and the Internet, to
11 engage in a course of conduct, described in paragraph 2 below, that
12 placed Victim 4 in reasonable fear of death and serious bodily injury
13 to Victim 4 and immediate family members of Victim 4, and that
14 caused, attempted to cause, and would reasonably be expected to cause
15 substantial emotional distress to Victim 4.

16 2. Defendant HUGHES's course of conduct included, among other
17 things, the following:

18 a. On or about October 3, 2019, after meeting Victim 4 at
19 a writing workshop, defendant HUGHES left one or more comments on
20 Instagram posts by Victim 4 complimenting Victim 4's appearance.

21 b. On or about October 17, 2019, after Victim 4 blocked
22 defendant HUGHES on social media, defendant HUGHES began following
23 Victim 4 on Instagram using a different Instagram account.

24 c. On or about October 17, 2019, after Victim 4 blocked
25 defendant HUGHES's second Instagram account, defendant HUGHES posted
26 a message on Instagram that included a photo of Victim 4 with the
27 text "cunt" photo-shopped across Victim 4's face, and which post
28 included the following message: "this woman here, is an ugly bitch

1 attitude. She got me hating on women because she felt harassed by a
2 few IG comments. I will defame her indefinitely."

3 d. On or about October 30, 2019, after Victim 4 reported
4 defendant HUGHES to law enforcement, defendant HUGHES sent an email
5 to Victim 4, using an email account designed to conceal defendant
6 HUGHES's true identity, which included the following in the body of
7 the message:

8 You are a diabolical motherfucking cunt, and someone
9 I can guarantee will come out and first bash you head
10 in, rape you slash your throat and burn your car and
house. You brought this on yourself and it aint
going to stop not even a damn stinking police report
will put an end to your wrath and I hope you fucking
11 die you cunt!! Regards, Your Nemisis

12 e. On or about November 10, 2019, using an email account
13 designed to conceal defendant HUGHES's true identity, defendant
14 HUGHES sent an email to Victim 4, which included the following in the
15 body of the message:

16 Please [Victim 4] End your fucking miserable life,
17 cut your wrists go hang yourself just fucking kill
18 yourself you fucking bitch you are a nonce and dont
deserve to live or else my gang will do it for you!
GO ON FUCKING DO IT! and dont ever report me to the
police as horrible things will happen!

19
20 f. On or about November 17, 2019, using an email account
21 designed to conceal defendant HUGHES's true identity, defendant
22 HUGHES sent an email to Victim 4, which included the following in the
23 body of the message:

24 Hello [Victim 4] You Fucking sick vile cunt . . .
25 Don't ever report any threats to the police they wont
26 help you and that makes me more likely come after you
27 and your family. I hope when I see you, I rape you,
slash your throat and pour gasoline over your half
mutilated body while you regret being a little
childish bitch over decent people who are just trying
28 to be nice you are a guilty of causing decent people

1 distress and I urge you take it seriously, either way
you are gonna die, you're going to pay...

3 g. On or about December 8, 2019, defendant HUGHES sent an
4 email to Victim 4, which included the following in the body of the
5 message: "Because you accused me of sexual harassment and made
6 accusations, I hope my reviews of you have destroyed your
7 reputation, . . . I hope sometime you come apologise to me because
8 this will still keep going. . . ."

9 h. On or about December 10, 2019, using an email account
10 designed to conceal defendant HUGHES's true identity, defendant
11 HUGHES sent an email to Victim 4, which included the following in the
12 body of the message: "[Victim 4], I will cut your fucking throat out,
13 sever your windpipe and smother you in gasoline and light your half
14 mutilated corpse you fucking cunt, . . . I hope you get abused
15 forever."

16 i. On or about May 16, 2020, after Victim 4 reported
17 defendant HUGHES to law enforcement, defendant HUGHES sent an email
18 to Victim 4, which included the following in the body of the message:
19 "I hope you realise from such anonymous death threats you received
20 how disgusting it is to wrong me like this and you got what you
21 deserve you fucking cunt . . . I hope you fucking die you little
22 miserable cunt getting the law involved in this"

COUNT SIX

[18 U.S.C. §§ 2261A(2)(A), (B), 2261(b)(5)]

3 1. Beginning on or about October 16, 2019, and continuing to
4 at least on or about December 12, 2019, in Los Angeles County, within
5 the Central District of California, and elsewhere, defendant SAMUEL
6 TRELAWEY HUGHES ("HUGHES"), with the intent to harass and intimidate
7 Victim 5, used the mail, an interactive computer service, an
8 electronic communication service, an electronic communication system
9 of interstate commerce, and other facilities of interstate and
10 foreign commerce, namely, the United States Mail, email, interstate
11 wires, and the Internet, to engage in a course of conduct, described
12 in paragraph 2 below, that placed Victim 5 in reasonable fear of
13 death and serious bodily injury to Victim 5 and immediate family
14 members of Victim 5, and that caused, attempted to cause, and would
15 reasonably be expected to cause substantial emotional distress to
16 Victim 5.

17 2. Defendant HUGHES's course of conduct included, among other
18 things, the following:

19 a. On or about October 16, 2019, after defendant HUGHES
20 sent threatening communications to a person he met at a networking
21 event hosted by Company A, and after Victim 5 told defendant HUGHES
22 he was banned from networking events hosted by Company A, defendant
23 HUGHES sent emails to Victim 5 which included the following:

24 i. First, an email that included the following in
25 the body of the message:

26 Unless you are able to give me a second chance, in
27 form of an apology and allow me back to some events I
28 will leave negative reviews all over the place on
social media as a consequence of the decision . . . I
will damage your reputation online and encourage

1 people I network with to boycott you and lose revenue
2 until you give me a second chance and regret it . . .
2 FUCK YOU [Victim 5]. . . .

3 ii. Second, an email that included the following in
4 the body of the message: "I hope you understand where it will go for
5 you if you don't sympathise and show understanding in the matter. The
6 reviews will stay until you decide to allow me back."

7 b. On or about November 4, 2019, in a manner designed to
8 conceal defendant HUGHES's true identity, defendant HUGHES sent a
9 letter to Victim 5 via the United States Mail, which included the
10 following message:

11 Dear [Victim 5], It has come to my attention you had
12 banned someone I know very well from [Company A] when
13 he had been going through a rough time and I have
14 decided to write to you anonymously to inform you
15 that I am going to end your life. I will rip your
16 fucking throat out and stab you in the eyes and put
17 gasoline over your half mutilated body. I will also
18 go and end the lives of your fucked up cunt ass loved
19 ones who brought you up to treat others like shit you
20 brought this on yourself you Chinese pancake faced
21 cunt go back to china and don't be a [Company A]
22 manager ever again you will get this until you
23 change!!! And pay put compensation for your
24 Stupidity!!! Yours Sincerely; Your Nemisis!

25 c. On or about November 10, 2019, using an email account
26 designed to conceal defendant HUGHES's true identity, defendant
27 HUGHES sent an email to Victim 5, which included the following in the
28 body of the message:

29 I am writing to tell you, that you are a fucking
30 Chinese cunt who should be deported and get their
31 throat cut, in fact you are going to get your throat
32 cut soon. Not a matter of if, but when and when you
33 are at first duct taped, raped and brought into me,
34 the vicious brutal killing of you will start. So
35 don't bother reporting this to the police coz I will
36 kill your spouse if you have one. Horrible things
37 will happen if you throw me in jail. I hope you fear
38 for your life because you ruined a friends life of
39 mine with your fucking up banning. CUNT BITCH ASSHOLE

1 MOTHERFUCKER I hope you love having a cock down your
2 vagina against your will!! . . .

3 d. On or about December 12, 2019, using an email account
4 designed to conceal defendant HUGHES's true identity, defendant
5 HUGHES sent an email to Victim 5, which included the following in the
6 body of the message:

7 Hey [Victim 5] you Chinese cunt!!! I am making my
8 inquiries to see if you have died yet, because if you
9 haven't I will rip out your fucking throat, stab you
10 in the eyes and don't think I wont do it because I
11 know where you work and you will regret what you did
12 for the rest of your life, and same with your family
13 . I will kill your lioved ones if yoiu even contact
14 the police about it. you chinese cunt you fucking
15 piece of shit!!!!!!

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT SEVEN

[18 U.S.C. § 875(c)]

3 On or about November 1, 2019, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWEY HUGHES, with intent to issue a threat and with knowledge
6 that it would be viewed as a threat, knowingly transmitted in
7 interstate and foreign commerce a communication containing a true
8 threat to injure the person of another, that is, an email to Victim 3
9 which included the following message: "I will bash your fucking
10 lights out [Victim 3] you big fat ugly cunt. AND Cut your throat
11 open! You are on my waiting list. Thats ya warning I can guarantee
12 you will die soon at my mercy!"

COUNT EIGHT

[18 U.S.C. § 876(c)]

3 On or about November 4, 2019, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWNEY HUGHES, with intent to issue a threat and with knowledge
6 that it would be viewed as a threat, caused to be sent and delivered
7 by the United States Postal Service according to the direction
8 thereon, a communication addressed to Victim 5 containing a true
9 threat to injure the person of Victim 5 and others, that is, a letter
10 which included the following:

Dear [Victim 5], It has come to my attention you had banned someone I know very well from [Company A] when he had been going through a rough time and I have decided to write to you anonymously to inform you that I am going to end your life. I will rip your fucking throat out and stab you in the eyes and put gasoline over your half mutilated body. I will also go and end the lives of your fucked up cunt ass loved ones who brought you up to treat others like shit you brought this on yourself you Chinese pancake faced cunt go back to china and don't be a [Company A] manager ever again you will get this until you change!!! And pay put compensation for your Stupidity!!! Yours Sincerely; Your Nemisis!

1

COUNT NINE

2

[18 U.S.C. § 1512(b)(3)]

3 Between on or about November 10, 2019, and on or about December
4 12, 2019, in Los Angeles County, within the Central District of
5 California, and elsewhere, defendant SAMUEL TRELAWNEY HUGHES
6 ("HUGHES") knowingly intimidated, threatened, and corruptly persuaded
7 another person, namely, Victim 5, and attempted to do so, with intent
8 to hinder, delay, and prevent the communication to a law enforcement
9 officer of information relating to the commission and possible
10 commission of a federal offense, namely, stalking, in violation of
11 Title 18, United States Code, Section 2261A(2), threat by interstate
12 communication, in violation of Title 18, United States Code, Section
13 875(c), and mailing a threatening communication, in violation of
14 Title 18, United States Code, Section 876(c). Specifically,
15 defendant HUGHES engaged in the following conduct:

16

17 1. On or about November 10, 2019, defendant HUGHES sent an
18 email to Victim 5, which included the following:

19

20 I am writing to tell you, that you are a fucking
21 Chinese cunt who should be deported and get their
22 throat cut, in fact you are going to get your
23 throat cut soon. Not a matter of if, but when and
24 when you are at first duct taped, raped and brought
25 into me, the vicious brutal killing of you will
26 start. So don't bother reporting this to the police
27 coz I will kill your spouse if you have one.
28 Horrible things will happen if you throw me in
29 jail. I hope you fear for your life because you
30 ruined a friends life of mine with your fucking up
31 banning. CUNT BITCH ASSHOLE MOTHERFUCKER I hope you
32 love having a cock down your vagina against your
33 will!! . . .

34

35 2. On or about December 12, 2019, defendant HUGHES sent an
36 email to Victim 5, which included the following:

37

38 Hey [Victim 5] you Chinese cunt!!! I am making my
39 inquiries to see if you have died yet, because if

1 you haven't I will rip out your fucking throat,
2 stab you in the eyes and don't think I wont do it
3 because I know where you work and you will regret
4 what you did for the rest of your life, and same
with your family . I will kill your lioved ones if
you even contact the police about it. you chinese
cunt you fucking piece of shit!!!!!!

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT TEN

[18 U.S.C. § 1512(b)(3)]

Between on or about November 10, 2019, and on or about November 17, 2019, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWNEY HUGHES ("HUGHES") knowingly intimidated, threatened, and corruptly persuaded another person, namely, Victim 4, and attempted to do so, with intent to hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a federal offense, namely, stalking, in violation of Title 18, United States Code, Section 2261A(2), and threat by interstate communication, in violation of Title 18, United States Code, Section 875(c). Specifically, defendant HUGHES engaged in the following conduct:

1. On or about November 10, 2019, defendant HUGHES sent an email to Victim 4, which included the following:

Please [Victim 4] End your fucking miserable life, cut your wrists go hang yourself just fucking kill yourself you fucking bitch you are a nonce and dont deserve to live or else my gang will do it for you! GO ON FUCKING DO IT! and dont ever report me to the police as horrible things will happen!

2. On or about November 17, 2019, defendant HUGHES sent an email to Victim 4, which included the following:

Hello [Victim 4] You Fucking sick vile cunt . . .
Don't ever report any threats to the police they
wont help you and that makes me more likely come
after you and your family. I hope when I see you, I
rape you, slash your throat and pour gasoline over
your half mutilated body while you regret being a
little childish bitch over decent people who are
just trying to be nice you are a guilty of causing
decent people distress and I urge you take it
seriously, either way you are gonna die, you're
going to pay...

COUNT ELEVEN

[18 U.S.C. § 875(c)]

On or about November 17, 2019, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWEY HUGHES, with intent to issue a threat and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication containing a true threat to injure the person of another, that is, an email to Victim 4 which included the following message:

Hello [Victim 4] You Fucking sick vile cunt . . .
Don't ever report any threats to the police they wont
help you and that makes me more likely come after you
and your family. I hope when I see you, I rape you,
slash your throat and pour gasoline over your half
mutilated body while you regret being a little
childish bitch over decent people who are just trying
to be nice you are a guilty of causing decent people
distress and I urge you take it seriously, either way
you are gonna die, you're going to pay...

COUNT TWELVE

[18 U.S.C. § 875(c)]

On or about December 12, 2019, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWEY HUGHES, with intent to issue a threat and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication containing a true threat to injure the person of another, that is, an email to Victim 5 which included the following message:

Hey [Victim 5] you Chinese cunt!!! I am making my inquiries to see if you have died yet, because if you haven't I will rip out your fucking throat, stab you in the eyes and don't think I wont do it because I know where you work and you will regret what you did for the rest of your life, and same with your family . I will kill your lioved ones if you even contact the police about it. you chinese cunt you fucking piece of shit!!!!!!

COUNT THIRTEEN

[18 U.S.C. §§ 2261A(2)(A), (B), 2261(b)(5)]

1. Beginning in or around January 2020, and continuing to in or around June 2020, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWNEY HUGHES ("HUGHES"), with the intent to harass and intimidate Victim 6, used the mail, an interactive computer service, an electronic communication service, an electronic communication system of interstate commerce, and other facilities of interstate and foreign commerce, namely, the United States Mail, email, cellular telephone networks, interstate wires, and the Internet, to engage in a course of conduct, described in paragraph 2 below, that placed Victim 6 in reasonable fear of death and serious bodily injury to Victim 6 and immediate family members of Victim 6, and that caused, attempted to cause, and would reasonably be expected to cause substantial emotional distress to Victim 6.

2. Defendant HUGHES's course of conduct included, among other things, the following:

a. On or about January 29, 2020, using an email account designed to conceal defendant HUGHES's true identity, defendant HUGHES sent an email to Victim 6, which included the following in the body of the message:

Hello You miserable cunt! Fucking pancake faced Korean Cunt, Dont even think of getting the police involved because I will kill your fucking family and it will be your fault. I will slash your fucking throat, stab you in the chest and bash your fucking head in 1000 times until you get a fatal coma . . . YOU WILL FUCKING DIE FOR THIS YOU CUNT!!!

1 b. On or about April 11, 2020, in a manner designed to
2 conceal defendant HUGHES's true identity, defendant HUGHES sent a
3 letter to Victim 6 via the United States Mail, which included the
4 following message:

5 Hello [Victim 6] you fucking massive child. I know
6 where you fucking live . . . You won't know who this
7 comes from and trust me, it will never land me in
jail to threat you and soon carry it out for real. So
8 don't bother with police action, because I will kill
your loved ones by cutting their throat and burning
9 their corpse in front of you . . . I will go after
you, kill you by stabbing you in the eyes, kidnapping
you, pouring acid on your fucking face, cut out your
fucking organs while you scream basically you will
10 and there is nothing you can fucking do about it you
east Asian motherfucking cunt . . . I just will enjoy
11 you facing a gruesome death sentence I will execute .
12 . . . How dare you disparage him, go and feed false
13 information to photographers like what you did and
alienate him . . . I say police action will end your
loved ones lives and don't think I'm bluffing I have
14 a gang to ransack your home and burn it down!!!

15 c. On or about May 28, 2020, defendant HUGHES sent
16 multiple text messages to Victim 6, which included the
17 following:

18 I'll send as many messages I want , as a consequence
19 of your actions . Unfoundly Accusing me of stalking
and harassing woman was far out of proportion . I'd
20 really want to see you get your throat slit and I
hope I can make it happen next time you cross my
path. . . I'd love to break your fucking jaw . . .
21 And get someone to rape your cunt girlfriend . . .
I'd kill your fucking loved ones if you ever contact
22 a cop again like that . . . Fucking Stupid Korean
American Cunt . . . I will only stop if you stop
accusing me of harassing women you cunt . . . Or else
23 I will go on to the grave like this . . . I will stop
sending you messages if you pay me \$250,000 . . . In
24 Significant mental health damages.

25
26 d. On or about June 7, 2020, defendant HUGHES sent
27 multiple text messages to Victim 6, which included the
28 following:

1 Hey [Victim 6] You Fucking cunt . I will go after
2 your gf . . . unless you dump that piece of shit . .
3 . She deserves to be raped . . . I'd also enjoy
myself cutting your throat it would really make me a
happier person to watch you die. . .

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT FOURTEEN

[18 U.S.C. § 875(c)]

On or about January 25, 2020, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWEY HUGHES, with intent to issue a threat and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication containing a true threat to injure the person of another, that is, an email to Victim 7 which included the following message:

You are fucking vile you are a disgusting woman and I can tell I will come over to your office, and cut your fucking throat out and stab you . . . in the chest . . . I know where you are and where to get my gang to kill your members. Fuck you you cunt, theres no point informing authorities before if you do I will kill your loved ones. . .

COUNT FIFTEEN

[18 U.S.C. § 1512(b)(3)]

3 On or about January 25, 2020, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWNEY HUGHES ("HUGHES") knowingly intimidated, threatened, and
6 corruptly persuaded another person, namely, Victim 7, and attempted
7 to do so, with intent to hinder, delay, and prevent the communication
8 to a law enforcement officer of information relating to the
9 commission and possible commission of a federal offense, namely,
10 threat by interstate communication, in violation of Title 18, United
11 States Code, Section 875(c). Specifically, defendant HUGHES sent an
12 email to Victim 7, which included the following:

You are fucking vile you are a disgusting woman and I can tell I will come over to your office, and cut your fucking throat out and stab you . . . in the chest . . . I know where you are and where to get my gang to kill your members. Fuck you you cunt, theres no point informing authorities before if you do I will kill your loved ones. . .

COUNT SIXTEEN

[18 U.S.C. § 875(c)]

On or about January 29, 2020, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWEY HUGHES, with intent to issue a threat and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication containing a true threat to injure the person of another, that is, an email to Victim 6 which included the following message:

Hello You miserable cunt! Fucking pancake faced Korean Cunt, Dont even think of getting the police involved because I will kill your fucking family and it will be your fault. I will slash your fucking throat, stab you in the chest and bash your fucking head in 1000 times until you get a fatal coma . . . YOU WILL FUCKING DIE FOR THIS YOU CUNT!!!!

COUNT SEVENTEEN

[18 U.S.C. § 1512(b)(3)]

3 Between on or about January 29, 2020, and on or about May 28,
4 2020, in Los Angeles County, within the Central District of
5 California, and elsewhere, defendant SAMUEL TRELAWEY HUGHES
6 ("HUGHES"), knowingly intimidated, threatened, and corruptly
7 persuaded another person, namely, Victim 6, and attempted to do so,
8 with intent to hinder, delay, and prevent the communication to a law
9 enforcement officer of information relating to the commission and
10 possible commission of a federal offense, namely, stalking, in
11 violation of Title 18, United States Code, Section 2261A(2), threat
12 by interstate communication, in violation of Title 18, United States
13 Code, Section 875(c), and mailing a threatening communication, in
14 violation of Title 18, United States Code, Section 876(c).

15 | Specifically, defendant HUGHES engaged in the following conduct:

16 1. On or about January 29, 2020, defendant HUGHES sent an
17 email to Victim 6, which included the following:

18 Hello You miserable cunt! Fucking pancake faced
19 Korean Cunt, Dont even think of getting the police
20 involved because I will kill your fucking family
21 and it will be your fault. I will slash your
fucking throat, stab you in the chest and bash your
fucking head in 1000 times until you get a fatal
coma . . . YOU WILL FUCKING DIE FOR THIS YOU
CUNT!!!

22 2. On or about April 11, 2020, defendant HUGHES sent a letter
23 via the United States Mail to Victim 6, which included the
24 following:

26 Hello [Victim 6] you fucking massive child. I know
27 where you fucking live . . . You won't know who
28 this comes from and trust me, it will never land me
in jail to threat you and soon carry it out for
real. So don't bother with police action, because I
will kill your loved ones by cutting their throat

1 and burning their corpse in front of you . . . I
2 will go after you, kill you by stabbing you in the
3 eyes, kidnapping you, pouring acid on your fucking
4 face, cut out your fucking organs while you scream
5 basically you will and there is nothing you can
6 fucking do about it you east Asian motherfucking
7 cunt . . . I just will enjoy you facing a gruesome
death sentence I will execute . . . How dare you
disparage him, go and feed false information to
photographers like what you did and alienate him .
. . I say police action will end your loved ones
lives and don't think I'm bluffing I have a gang to
ransack your home and burn it down!!!

8 3. On or about May 28, 2020, defendant HUGHES sent text
9 messages to Victim 6, which included the following:

10 I'll send as many messages I want , as a
11 consequence of your actions . Unfoundly Accusing me
12 of stalking and harassing woman was far out of
proportion . I'd really want to see you get your
13 throat slit and I hope I can make it happen next
time you cross my path. . . I'd love to break your
fucking jaw . . . And get someone to rape your cunt
14 girlfriend . . . I'd kill your fucking loved ones
if you ever contact a cop again like that . . .
15 Fucking Stupid Korean American Cunt . . . I will
only stop if you stop accusing me of harassing
16 women you cunt . . . Or else I will go on to the
grave like this . . . I will stop sending you
17 messages if you pay me \$250,000 . . . In
Significant mental health damages.

18

19

20

21

22

23

24

25

26

27

28

COUNT EIGHTEEN

[18 U.S.C. § 875(c)]

On or about January 29, 2020, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMUEL TRELAWEY HUGHES, with intent to issue a threat and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication containing a true threat to injure the person of another, that is, an email to Victim 8 which included the following message:

[Y]ou will die very soon in the most painful agonising death . . . I know who you are and I know where to find you, and I ask you don't notify the police or anyone because I will kill your loved ones as well. I will get my boys to put their big fat cock in your month . . . before they cut your throat, stab you in the eyes, pour gasoline on your half dead body and watch you burn like a fucking cunt you already are. Your ignorance will cost you your life!!!

COUNT NINETEEN

[18 U.S.C. § 1512(b)(3)]

3 On or about January 29, 2020, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWNEY HUGHES ("HUGHES") knowingly intimidated, threatened, and
6 corruptly persuaded another person, namely, Victim 8, and attempted
7 to do so, with intent to hinder, delay, and prevent the communication
8 to a law enforcement officer of information relating to the
9 commission and possible commission of a federal offense, namely,
10 threat by interstate communication, in violation of Title 18, United
11 States Code, Section § 875(c). Specifically, defendant HUGHES sent
12 an email Victim 8, which included the following:

[Y]ou will die very soon in the most painful agonising death . . . I know who you are and I know where to find you, and I ask you don't notify the police or anyone because I will kill your loved ones as well. I will get my boys to put their big fat cock in your month . . . before they cut your throat, stab you in the eyes, pour gasoline on your half dead body and watch you burn like a fucking cunt you already are. Your ignorance will cost you your life!!!

COUNT TWENTY

[18 U.S.C. §§ 2261A(2)(A), (B), 2261(b)(5)]

3 1. Beginning on or about January 31, 2020, and continuing to
4 at least on or about March 13, 2020, in Los Angeles and Orange
5 Counties, within the Central District of California, and elsewhere,
6 defendant SAMUEL TRELAWNEY HUGHES ("HUGHES"), with the intent to
7 harass and intimidate Victim 9, used an interactive computer service,
8 an electronic communication service, an electronic communication
9 system of interstate commerce, and other facilities of interstate and
10 foreign commerce, namely, email, interstate wires, and the Internet,
11 to engage in a course of conduct, described in paragraph 2 below,
12 that placed Victim 9 in reasonable fear of death and serious bodily
13 injury to Victim 9 and immediate family members of Victim 9, and that
14 caused, attempted to cause, and would reasonably be expected to cause
15 substantial emotional distress to Victim 9.

16 2. Defendant HUGHES's course of conduct included, among other
17 things, the following:

18 a. On or about January 31, 2020, after meeting Victim 9
19 at a networking event in Newport Beach, California, defendant HUGHES
20 posted a negative Facebook review to the Facebook page of Victim 9's
21 employer. The post identified Victim 9 by first name and included
22 the following:

23 When I first met [Victim 9] I thought ok boy was I wrong.
24 Now I realise she is a two faced ignorant person and you
25 don't deserve to run a dating agency. I hope you go out of
business with Facebook dating because that's where you
belong you bunch of hypocritical liars and you wrong decent
people.

27 b. On or about February 2, 2020, using an email account
28 designed to conceal defendant HUGHES's true identity, defendant

1 HUGHES sent an email to an email address of Victim 9's employer with
2 the subject line "[Victim 9] is a Fucking CUNT!!!," and which
3 included the following in the body of the message:

4 Fuck You, fuck your matchmaking service I will be sure to
5 drop by and stab you to death and anyone who tries to stop
6 me before I put a grenade in your wounds and finish you
7 off, and bomb your office! You will die for your stupidity
8 I can guarantee you and I will kill your loved ones if you
9 notify the authorities!

10 c. On or about March 13, 2020, defendant HUGHES posted a
11 second negative Facebook review to the Facebook page of Victim 9's
12 employer. The post included the following: "[Victim 9] is an
13 extremely arrogant woman who is extremely prejudice and rude arrogant
14 and disgusting. You rip."

15

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT TWENTY-ONE

[18 U.S.C. § 875(c)]

3 On or about February 2, 2020, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWEY HUGHES, with intent to issue a threat and with knowledge
6 that it would be viewed as a threat, knowingly transmitted in
7 interstate and foreign commerce a communication containing a true
8 threat to injure the person of another, that is, an email to Victim
9 9, which included the following message:

Fuck You, fuck your matchmaking service I will be sure to drop by and stab you to death and anyone who tries to stop me before I put a grenade in your wounds and finish you off, and bomb your office! You will die for your stupidity I can guarantee you and I will kill your loved ones if you notify the authorities!

COUNT TWENTY-TWO

[18 U.S.C. § 1512(b)(3)]

3 On or about February 2, 2020, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWNEY HUGHES ("HUGHES") knowingly intimidated, threatened, and
6 corruptly persuaded another person, namely, Victim 9, and attempted
7 to do so, with intent to hinder, delay, and prevent the communication
8 to a law enforcement officer of information relating to the
9 commission and possible commission of a federal offense, namely,
10 stalking, in violation of Title 18, United States Code, Section
11 2261A(2), and threat by interstate communication, in violation of
12 Title 18, United States Code, Section 875(c). Specifically,
13 defendant HUGHES sent an email to Victim 9, which included the
14 following:

Fuck You, fuck your matchmaking service I will be sure to drop by and stab you to death and anyone who tries to stop me before I put a grenade in your wounds and finish you off, and bomb your office! You will die for your stupidity I can guarantee you and I will kill your loved ones if you notify the authorities!

COUNT TWENTY-THREE

[18 U.S.C. § 876(c)]

3 On or about April 11, 2020, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWEY HUGHES, with intent to issue a threat and with knowledge
6 that it would be viewed as a threat, caused to be sent and delivered
7 by the United States Postal Service according to the direction
8 thereon, a communication addressed to Victim 6 containing a true
9 threat to injure the person of Victim 6 and others, that is, a letter
10 which included the following:

Hello [Victim 6] you fucking massive child. I know where you fucking live . . . You won't know who this comes from and trust me, it will never land me in jail to threat you and soon carry it out for real. So don't bother with police action, because I will kill your loved ones by cutting their throat and burning their corpse in front of you . . . I will go after you, kill you by stabbing you in the eyes, kidnapping you, pouring acid on your fucking face, cut out your fucking organs while you scream basically you will and there is nothing you can fucking do about it you east Asian motherfucking cunt . . . I just will enjoy you facing a gruesome death sentence I will execute . . . How dare you disparage him, go and feed false information to photographers like what you did and alienate him . . . I say police action will end your loved ones lives and don't think I'm bluffing I have a gang to ransack your home and burn it down!!!!"

COUNT TWENTY-FOUR

[18 U.S.C. §§ 2261A(2)(A), (B), 2261(b)(5)]

3 1. Beginning on or about June 1, 2020, and continuing at least
4 on to or about June 8, 2020, in Los Angeles County, within the
5 Central District of California, and elsewhere, defendant SAMUEL
6 TRELAWNEY HUGHES ("HUGHES"), with the intent to harass and intimidate
7 Victim 10, used the mail, an interactive computer service, an
8 electronic communication service, an electronic communication system
9 of interstate commerce, and other facilities of interstate and
10 foreign commerce, namely, the United States mail, cellular telephone
11 networks, interstate wires, and the Internet, to engage in a course
12 of conduct, described in paragraph 2 below, that placed Victim 10 in
13 reasonable fear of death and serious bodily injury to Victim 10 and
14 immediate family members of Victim 10, and that caused, attempted to
15 cause, and would reasonably be expected to cause substantial
16 emotional distress to Victim 10.

17 2. Defendant HUGHES's course of conduct included, among other
18 things, the following:

19 a. On or about June 1, 2020, after interacting with
20 Victim 10 in her capacity as a customer service employee at a Los
21 Angeles-area bank, and in a manner designed to conceal defendant
22 HUGHES's true identity, defendant HUGHES sent a letter to Victim 10
23 via the United States Mail titled, "Hello [Victim 10] You Fat Fucking
24 Ginger Bitch," and which included the following message:

25 Basically, I know who you are and how you ridicule
26 people at your bank and you are a big fat arrogant
27 little shit who's worked there for 23 years and I
28 think you should fucking get what you deserve. I am
going to wait outside sometime and wait for you with a
carving knife or gun to go either in or out and
brutally fuck you up. I am going to get my boys to

1 rape you, slash your fucking throat and stab you in
2 the fucking chest and eyes you will have a very bad
3 day. And if you go to the police on this or try me
jailed I will kill your beloved cunting family of
yours. I hope you receive this letter and cringe with
4 fear for the rest of your entire fucking life you
miserable cunt . . . From Your Nemisis

5 b. On or about June 6, 2020, defendant HUGHES sent a text
6 message intended for Victim 10 to the telephone number of Victim 10's
7 husband, which included the following message: "I hope you fucking
8 die! Fat Ginger Armenian Cunt. I know where you live and work."

9 c. On or about June 6, 2020, defendant HUGHES sent a text
10 message intended for Victim 10 to the telephone number of Victim 10's
11 daughter, which included the following message: "If you're [Victim
12 10] I love to meet ya. That way I can fuck you fat ass up you piece
13 of Armenian shit."

14 d. On or about June 7, 2020, after Victim 10's husband
15 responded to the text message from defendant HUGHES, defendant HUGHES
16 sent a text message to the telephone number of Victim 10's husband,
17 which included the following message: "Fuck you man. With your VM.
18 Fucking husband of [Victim 10] the fat miserable Armenian cunt I will
19 fuck you up if I see you."

20 e. On or about June 8, 2020, defendant HUGHES sent a text
21 message intended for Victim 10 to the telephone number of Victim 10's
22 husband, which included the following message: "You are a fucking
23 cunt [Victim 10]. You husband is a fucking motherfucker who deserves
24 to die like you should . . . You should never be a bank manager you
25 disgrace your customers."

26
27
28

COUNT TWENTY-FIVE

[18 U.S.C. § 876(c)]

3 On or about June 1, 2020, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWEY HUGHES, with intent to issue a threat and with knowledge
6 that it would be viewed as a threat, caused to be sent and delivered
7 by the United States Postal Service according to the direction
8 thereon, a communication addressed to Victim 10 containing a true
9 threat to injure the person of Victim 10 and others, that is, a
10 letter which included the following:

Basically, I know who you are and how you ridicule people at your bank and you are a big fat arrogant little shit who's worked there for 23 years and I think you should fucking get what you deserve. I am going to wait outside sometime and wait for you with a carving knife or gun to go either in or out and brutally fuck you up. I am going to get my boys to rape you, slash your fucking throat and stab you in the fucking chest and eyes you will have a very bad day. And if you go to the police on this or try me jailed I will kill your beloved cunting family of yours. I hope you receive this letter and cringe with fear for the rest of your entire fucking life you miserable cunt . . . From Your Nemisis

COUNT TWENTY-SIX

[18 U.S.C. § 1512(b)(3)]

3 On or about June 1, 2020, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant SAMUEL
5 TRELAWNEY HUGHES ("HUGHES"), knowingly intimidated, threatened, and
6 corruptly persuaded another person, namely, Victim 10, and attempted
7 to do so, with intent to hinder, delay, and prevent the communication
8 to a law enforcement officer of information relating to the
9 commission and possible commission of a federal offense, namely,
10 stalking, in violation of Title 18, United States Code, Section
11 2261A(2), and mailing a threatening communication, in violation of
12 Title 18, United States Code, Section 876(c).

13 //
14 //

1 Specifically, defendant HUGHES sent Victim 10 a letter via the
2 United States Mail that read:

3 Basically, I know who you are and how you ridicule
4 people at your bank and you are a big fat arrogant
5 little shit who's worked there for 23 years and I
6 think you should fucking get what you deserve. I am
7 going to wait outside sometime and wait for you with
8 a carving knife or gun to go either in or out and
9 brutally fuck you up. I am going to get my boys to
rape you, slash your fucking throat and stab you in
the fucking chest and eyes you will have a very bad
day. And if you go to the police on this or try me
jailed I will kill your beloved cunting family of
yours. I hope you receive this letter and cringe with
fear for the rest of your entire fucking life you
miserable cunt . . . From Your Nemesis

A TRUE BILL

/S/

Foreperson

NICOLA T. HANNA
United States Attorney

Cameron L. Schroeder
Cameron L. Schroeder, for:

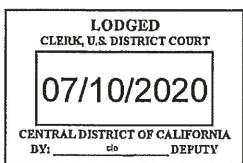
CHRISOPHER D. GRIGG
Assistant United States Attorney
Chief, National Security Division

CAMERON L. SCHROEDER
Assistant United States Attorney
Chief, Cyber & Intellectual
Property Crimes Section

LAUREN RESTREPO
Assistant United States Attorney
Cyber & Intellectual Property
Crimes Section

AO91 (Rev. 11/11) Criminal Complaint (Rev. by USAO on 3/12/20)

Original Duplicate Original



UNITED STATES DISTRICT

for the
Central District of California

United States of America

v.

SAMUEL TRELAWNEY HUGHES,

Defendant(s)

FILED
CLERK, U.S. DISTRICT COURT

JULY 10 2020

CENTRAL DISTRICT OF CALIFORNIA
SLO BY: DEPUTY

Case No.

2:20-mj-03187

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 17, 2019, in the county of Los Angeles in the Central District of California, the defendant(s) violated:

Code Section

18 U.S.C. § 875(c)

Offense Description

Transmitting a Threatening Communication with Intent to Injure

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

/S/

Complainant's signature

Sabrina Ferguson, FBI Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 7/10/2020

John E. McDermott

Judge's signature

City and state: Los Angeles, California

Hon. John E. McDermott, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Sabrina Ferguson, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint against and arrest warrant for SAMUEL TRELAWNEY HUGHES ("HUGHES") for a violation of 18 U.S.C. § 875(c) (Transmitting a Communication Containing a Threat to Injure).

2. This affidavit is also made in support of applications for warrants to search:

a. The following digital devices in the custody of the Pasadena Police Department ("PPD"), in Pasadena, California, as described more fully in Attachment A-1:

i. a MacBook laptop, model A1708, with serial number C02SJK7QGY25 ("SUBJECT DEVICE 1");

ii. a Wireless hard drive, model A1470, with serial number C86T21DWF9H6 ("SUBJECT DEVICE 2");

iii. a Mac desktop computer, model A1419, with serial number C02TH0QAGG7J ("SUBJECT DEVICE 3"); and

iv. a Black Apple iPhone 7 with galaxy-themed case, model A1778, with serial number DNRSQMEMHG7K ("SUBJECT DEVICE 4").

b. A black Apple iPhone ("SUBJECT DEVICE 5", and collectively with SUBJECT DEVICES 1-4, the "SUBJECT DEVICES"), in the custody of the Los Angeles Sheriff's Department ("LASD") in Los Angeles, California, as described more fully in Attachment A-2.

3. The requested search warrants seek authorization to seize evidence, fruits, or instrumentalities of violations of 18 U.S.C. § 2261A(2) (Cyberstalking), 18 U.S.C. § 875(c) (Transmitting a Communication Containing a Threat to Injure), 18 U.S.C. § 876 (Mailing Threatening Communication), and 18 U.S.C. § 1512(b) (3) (Tampering With a Victim by Intimidation/Threats) (collectively, the "Subject Offenses"), as described more fully in Attachment B. Attachments A-1, A-2, and B are incorporated herein by reference.

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint, arrest warrant, and search warrants, and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

II. BACKGROUND OF AFFIANT

5. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") and have been so employed since May 2018. From May through September 2018, I attended the FBI's Basic Field Training Course in Quantico, Virginia. From October 2018 to the present, I have worked on a violent-crime squad in the West Covina Resident Agency of the FBI Los Angeles Division.

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

SAMUEL TRELAWNEY HUGHES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**On Petition for A Writ of *Certiorari* to The United States Court of Appeals for
the Ninth Circuit**

PROOF OF SERVICE

I, David A. Schlesinger, declare that on July 24, 2023, as required by Supreme Court Rule 29, I served Petitioner Samuel Trelawney Hughes's MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on counsel for Respondent by depositing an envelope containing the motion and the petition in the United States mail (Priority, first-class), properly addressed to her, and with first-class postage prepaid.

The name and address of counsel for Respondent is as follows:

The Honorable Elizabeth B. Prelogar, Esq.
Solicitor General of the United States
United States Department of Justice
950 Pennsylvania Ave., N.W., Room 5614
Washington, DC 20530-0001
Counsel for Respondent

Additionally, I mailed a copy of the motion and the petition to my client, Petitioner Samuel Trelawney Hughes, by depositing an envelope containing the documents in the U.S. mail (for overseas delivery), postage prepaid, and sending it to the following address:

Samuel Trelawney Hughes
3 Pen An Vre, Treliwer RD
Mabe Burnthouse
Penryn
Cornwall England
TR109DF
United Kingdom

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 24, 2023



DAVID A. SCHLESINGER
Declarant