

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF COLUMBIA

3  
4 UNITED STATES OF AMERICA, :  
5 :  
6 Plaintiff, : CR NO. 17-531  
7 v. :  
8 :  
9 HEATHER ANN TUCCI-JARRAF, :  
10 :  
11 Defendant. :  
12 -----

13 TRANSCRIPT OF REMOVAL HEARING

14 BEFORE THE HONORABLE DEBORAH A. ROBINSON

15 UNITED STATES DISTRICT MAGISTRATE JUDGE

16 Friday, August 4, 2017

17 APPEARANCES:

18 For the Plaintiff: Lisa N. Walters, Esq.  
19 U.S. ATTORNEY'S OFFICE  
20 Violent Crimes Narcotics and  
21 Trafficking (VCNT)  
22 555 Fourth Street, NW  
23 Washington, DC 20530

24 For the Defendant: David Walker Bos, Esq.  
25 FEDERAL PUBLIC DEFENDER FOR THE  
DISTRICT OF COLUMBIA  
625 Indiana Avenue, NW  
Suite 550  
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## P R O C E E D I N G S

DEPUTY CLERK: This is Criminal Case 17-531,  
United States of America v. Heather Ann Tucci-Jarraf.  
Lisa Walters for the government, David Bos for the  
defendant. Pretrial officer is Andre Sidbury.

This is an identity hearing on a removal.

MR. BOS: Good morning, Your Honor.

THE COURT: Good morning. Is everyone ready  
to proceed?

MS. WALTERS: Yes, Your Honor.

MR. BOS: Your Honor, I do have some  
representations to make before we get started,  
Your Honor.

THE COURT: Let me ask you to come to the  
podium, please. I can hear you, but we have a more  
accurate record when counsel speaks from the podium.  
Thank you.

MR. BOS: Thank you, Your Honor. Your Honor,  
as the Court may recall, the last time we were here I  
informed the Court that Ms. Tucci would be seeking to  
represent herself in this matter. Since that time I've  
had a chance to meet with Ms. Tucci. It is my  
understanding that she does still want to go forward  
with representing herself in this matter. We had  
discussed the *Faretta* case and the inquiry that I

1 understand the Court would probably be asking Ms. Tucci,  
2 and she's prepared for that inquiry at this time.

3 THE COURT: Thank you, Mr. Bos. Mr. Bos,  
4 while you're at the podium, may I ask you to please  
5 articulate your view regarding the nature of the inquiry  
6 that the Court must undertake.

7 MR. BOS: Your Honor, it's my understanding  
8 what the Court needs to make is a finding that her  
9 waiver of counsel is knowing and voluntary; that she's  
10 been advised of the dangers of proceeding pro se and  
11 that she has, I believe the word in *Faretta* that's used  
12 is that she's literate enough to understand the nature  
13 of the proceedings. It's quite clear to me that she's  
14 going to meet all those requirements should the Court  
15 inquire about --

16 THE COURT: May I ask you, please, for your  
17 proffer with respect to what you advised  
18 Ms. Tucci-Jarraf of the dangers or perils of  
19 representing herself. You've indicated that you did  
20 advise her, but are you able to be more specific,  
21 please, without intruding upon privileged matters.

22 MR. BOS: Yes, Your Honor. I explained to her  
23 that obviously any statements that she were to use  
24 during the nature of this identity proceeding could, in  
25 fact, be used against her in the criminal proceeding

1 that's pending in the state of Tennessee. It also could  
2 result in her continued incarceration during the  
3 pendency of any continuance of the identification  
4 hearing in this case. And that the fact that she is  
5 not, although she is a trained attorney, she has not  
6 practiced in this courthouse ever before. I think she  
7 has a pretty good understanding of the legal system,  
8 although she is not obviously a member of the bar of  
9 D.C. or in the federal circuit.

10 THE COURT: What is your proffer with respect  
11 to the guidance you provided, the assistance you  
12 provided Ms. Tucci-Jarraf regarding the parameters of  
13 today's hearing?

14 MR. BOS: Your Honor --

15 THE COURT: In other words, that the sole  
16 purpose of today's hearing is for the Court to make a  
17 determination with regard to whether or not she is the  
18 person who is the subject of the arrest warrant and the  
19 indictment and perhaps to follow up, that in making such  
20 finding the Court cannot entertain any discussion from  
21 either the government or of Ms. Tucci-Jarraf regarding  
22 the merits? What did you advise Ms. Tucci-Jarraf  
23 regarding those matters?

24 MR. BOS: Your Honor, for the record I  
25 explained to Ms. Tucci that we would not be able to

1 discuss the merits of the case about whether or not the  
2 strength of the government's case concerning the case in  
3 Tennessee, whether or not she has any viable defenses at  
4 this point, that the only issue for the Court to decide  
5 is whether or not she's the entity or individual that  
6 the District of Tennessee is seeking and that we would  
7 not be able to introduce evidence on any other issue  
8 except for the identification issue.

9 THE COURT: What is your proffer with respect  
10 to whether Ms. Tucci-Jarraf acknowledged your statement  
11 regarding the advice --

12 MR. BOS: She did acknowledge my advice,  
13 Your Honor.

14 THE COURT: -- or assistance regarding the  
15 purpose of today's hearing?

16 MR. BOS: Yes, she understands that this is an  
17 identity hearing today and that this is not a trial on  
18 the merits or any pretrial motions in connection with  
19 the charges that are pending now in the District of  
20 Tennessee.

21 THE COURT: Should the Court grant  
22 Ms. Tucci-Jarraf's request or more properly, should the  
23 Court accept her waiver of counsel, what will your role  
24 be? In other words, will you serve as stand-by counsel,  
25 or will it be your request to be permitted to withdraw?

1           MR. BOS: Your Honor, I think that that's a  
2 decision that would be best left for Ms. Tucci to make:  
3 I am certainly an officer of the Court, and I've been  
4 initially assigned to the case by the Court. I am here  
5 today. I can be here for the hearing today. If it  
6 turns out that she -- well, let me back up.

7           I've explained to her that she certainly has  
8 every right to represent herself in this case, but the  
9 Court certainly has the right and the authority to  
10 appoint stand-by counsel.

11           Now, whether or not one, she accepts that  
12 stand-by counsel and two, whether or not she wants to  
13 have stand-by counsel to be me, I don't think given my  
14 conversations with her that I can tell you what, what my  
15 position is. My position is what my client wants me to  
16 do. So if it turns out that the Court wants to appoint  
17 stand-by counsel but my client wants someone other than  
18 me, then I would ask the Court to appoint new counsel  
19 for, or new stand-by counsel for Ms. Tucci.

20           If it turns out that Ms. Tucci is satisfied  
21 with me as stand-by counsel, I'm ready, willing and able  
22 to serve in that capacity.

23           THE COURT: Very well. That was the Court's  
24 next question. Are you prepared to serve as stand-by  
25 counsel.

1 MR. BOS: Yes, if that is my client's wish.

2 THE COURT: With all the qualifications that  
3 you just articulated.

4 MR. BOS: Yes, Your Honor.

5 THE COURT: Very well. Thank you very much,  
6 Mr. Bos.

7 Ms. Walters.

8 MS. WALTERS: Good morning, thank you, Your  
9 Honor. Your Honor, the government concurs with the  
10 defense counsel's request for an inquiry and  
11 specifically the specific parameters of what the Court  
12 should inquire. And once the Court makes a decision,  
13 the government is prepared to turn over *Jencks* as  
14 discussed at the last hearing.

15 THE COURT: And are you speaking of *Jencks*  
16 with respect to the witness who will be the first  
17 witness you call?

18 MS. WALTERS: That's correct, Your Honor. And  
19 also the government exhibits for the identity hearing  
20 today.

21 THE COURT: Very well. Thank you very much,  
22 Ms. Walters.

23 Bear with me, please, while I confer with the  
24 deputy clerk.

25 (Discussion held off the record.)

1           THE COURT: It appears that there is no form  
2 utilized by this Court for the inquiry of the sort that  
3 the parties contemplate. We will take a very brief  
4 recess while the Court determines the full extent of  
5 what must be memorialized in order to determine that  
6 Ms. Tucci-Jarraf's waiver of her right to counsel is a  
7 knowing and voluntary waiver and satisfies the  
8 constitutional requirements.

9           MR. BOS: That's fine, Your Honor. I have  
10 just one scheduling issue. Would it be possible, I have  
11 a 10:30 status before Judge Moss that should take no  
12 more than five minutes just to set a new date. So  
13 perhaps if we can reconvene in say half an hour, that  
14 would at least allow me to not hold back from Judge Moss  
15 on a relatively short matter.

16           THE COURT: Thank you very much, Mr. Bos.  
17 Ms. Walters, do you have other commitments this morning?

18           MS. WALTERS: Other than the 11:00 before Your  
19 Honor here, no, Your Honor.

20           THE COURT: Very well. Thank you very much.  
21 We will resume no later than 30 minutes from now.  
22 Mr. Bos, if you believe your matter will be completed,  
23 your matter before Judge Moss will be completed prior to  
24 that, please return, please, and reach out to  
25 Ms. Walters.



1 MR. BOS: Your Honor, I'll go up there right  
2 now. If we can get called more quickly, I'll get back  
3 sooner.

4 THE COURT: Very well. And perhaps the deputy  
5 clerk here can assist by making a call to her  
6 counterpart upstairs.

7 MR. BOS: That's fine, Your Honor.

8 THE COURT: Very well. Thank you. In the  
9 meantime, Ms. Tucci-Jarraf, please return with the  
10 marshal.

11 (Recess taken)

12 DEPUTY CLERK: Okay. Re-calling criminal case  
13 year 2017-531-M. United States versus Heather Ann  
14 Tucci-Jarraf.

15 THE COURT: Thank you. Is there anything  
16 further, Mr. Bos, before the Court proceeds?

17 MR. BOS: No, Your Honor.

18 THE COURT: Ms. Walters?

19 MS. WALTERS: No, Your Honor.

20 THE COURT: Very well. The Court during the  
21 recess had an opportunity to review *Faretta v.*  
22 *California*, 422 United States 806 and *McCaskey v.*  
23 *Wiggins*, 465 U.S. 168. Having done so, we will proceed  
24 with a determination with respect to the extent to which  
25 Ms. Tucci-Jarraf's waiver of counsel as described by

1       you, Mr. Bos, is knowing and voluntary.

2               As a preliminary matter, I will ask whether  
3       you wish to be heard, Mr. Bos, or you, Ms. Walters,  
4       concerning whether you, Ms. Walters, may wish to excuse  
5       yourself during any portion of this inquiry if it is the  
6       case, Mr. Bos, that you have a concern that privileged  
7       information may inadvertently be elicited.

8               MR. BOS: I do not, Your Honor.

9               THE COURT: You do not have such request? You  
10       do not --

11              MR. BOS: We do not believe that privileged  
12       information will be revealed at this point. I don't  
13       have a request for the government to step outside.

14              THE COURT: Can we agree then that if it  
15       appears that that is likely to occur, you will somehow  
16       alert us and you, Ms. Walters, will then excuse  
17       yourself?

18              MS. WALTERS: Yes, Your Honor.

19              THE COURT: Can we agree on that protocol?

20              MR. BOS: Certainly, Your Honor.

21              THE COURT: Very well.

22              Now, Ms. Tucci-Jarraf, I will ask you and  
23       Mr. Bos to come to the podium, please.

24              Now, Ms. Tucci-Jarraf, I will ask you to  
25       please face the Deputy Clerk of Court to be sworn, and

1 then we'll proceed.

2 DEPUTY CLERK: Please raise your right hand,  
3 ma' am, to be sworn. Do you solemnly swear that the  
4 answers you're about to give in the hearing now before  
5 the Court will be the truth, the whole truth and nothing  
6 but the truth, so help you God?

7 THE DEFENDANT: By sworn declaration.

8 (Brief discussion off the record,  
9 unintelligible)

10 THE DEFENDANT: I'm ready to proceed.

11 DEPUTY CLERK: All right. Thank you.

12 THE DEFENDANT: May I swear that again?

13 DEPUTY CLERK: Just say I do, and that'll be  
14 fine.

15 THE DEFENDANT: Okay.

16 DEPUTY CLERK: That you're about to give the  
17 truth, the whole truth and nothing but the truth to the  
18 answers [sic] that the Judge is about to ask you, so  
19 help you God.

20 THE DEFENDANT: Withstanding identification  
21 correction of being the original source of all that is,  
22 (unintelligible, foreign language) I swear to state the  
23 truth.

24 THE COURT: Thank you. Now, good morning.  
25 You have heard Mr. Bos' representations regarding your

1 request. I will hear directly from you at this time.

2 THE DEFENDANT: Thank you, ma'am.

3 THE COURT: Of course.

4 THE DEFENDANT: To be able to answer any  
5 questions that you may have, I just wanted to confirm  
6 because I have no ability to confirm whether this, the  
7 notice of filing, I just wanted to confirm with  
8 Your Honor that it is on the record, that Mr. Bos has  
9 made.

10 THE COURT: It is.

11 THE DEFENDANT: Okay. I may proceed, please.  
12 Ask your questions.

13 THE COURT: Very well. Mr. Bos stated in your  
14 presence that it is your request that you represent  
15 yourself. I need to hear that from you, however.

16 THE DEFENDANT: Mr. Bos has gone over  
17 explicitly with me regarding being represented by an  
18 attorney, being represented on behalf of myself as pro  
19 se, and I went over the circum, which was representing  
20 and presenting as self pro per. It is my choice here  
21 today to go forward as self pro per.

22 THE COURT: Do you have an understanding that  
23 you have a right to appointed counsel if you are unable  
24 to retain counsel?

25 THE DEFENDANT: I'm aware that based on the

1 notice which was a, it was a complimentary repeat notice  
2 from four and-a-half years ago that this entire case,  
3 the entire representation in this Court, that there is  
4 no authority for this particular action, nor the  
5 underlying action from Tennessee.

6 As far as the identification, I am here to go  
7 ahead and move forward with that identification, again,  
8 with the restatement that there is no authority for  
9 these proceedings or for the identification hearing.

10 THE COURT: Did Mr. Bos explain to you that  
11 all I can do during the course of this hearing is make a  
12 decision about whether you are the person named in the  
13 arrest warrant and the indictment?

14 THE DEFENDANT: Again, Mr. Bos did explain the  
15 process, the limits and parameters that you had  
16 expressed to him as well as into the Court the last time  
17 we were on record. Again, I state that based on these  
18 perfected filings that have been provided to the Court,  
19 there is no authority for this Court or for you, ma'am,  
20 to proceed forward with any identification hearing  
21 inclusive of the underlying cause of action which  
22 resulted in us all being here.

23 THE COURT: Whose decision is it for you to  
24 represent yourself?

25 THE DEFENDANT: My decision to present and

1 represent self is solely my decision. It is my sole  
2 authority and my sole determination.

3 THE COURT: Has anyone forced you to make such  
4 a decision?

5 THE DEFENDANT: I'm not sure where that  
6 question is coming from. There's no facts or data  
7 entered into any record that I would be forced to move  
8 forward as myself. As I stated, these filings here, if  
9 you had read them you would see clearly that I am  
10 competent and conscious to make these decisions, these  
11 determinations and that there is a solid proof of record  
12 of my competency to move forward and represent and  
13 present solely as self pro per.

14 THE COURT: Did Mr. Bos speak with you  
15 concerning the perils that an individual faces by  
16 electing to represent herself or himself?

17 THE DEFENDANT: Ma'am, my full responsibility,  
18 accountability and liability, I am completely aware of  
19 the perils of moving forward with a licensed attorney in  
20 such a matter. I'm also aware of the ramifications and  
21 the consequences of all involved in this process when  
22 there is no authority to actually hold these hearings.  
23 I'm very conscious and aware of my own responsibility  
24 and accountability and liability for every word, thought  
25 and action that I take.

1           THE COURT: Do you need more time to talk to  
2 Mr. Bos about your decision to represent yourself?

3           THE DEFENDANT: I believe that Mr. Bos and I  
4 have thoroughly exhausted all conversation as to our  
5 ideologies, where they do not match and where we  
6 different that different applications of law are  
7 applicable in this matter. And again, again, the fact  
8 that there is documentation that's applied to the Court  
9 that there is no authority for them to even hold this  
10 hearing, let alone hold me in custody and detention  
11 without bail and bond or appearing to hold me at all or  
12 to have this matter before the Court, as is the  
13 Tennessee matter, the underlying one that Mr. Parker  
14 still has instigated and brought before this D.C. Court.

15           So I'm very aware of this. I do not need any  
16 more time to be able to speak through the things, we're  
17 just repeating ourselves at this point. So I am very  
18 aware, I'm conscious and competent to make any  
19 declaration and every decision that I am presenting and  
20 representing to you as myself.

21           THE COURT: Mr. Bos referred in passing during  
22 his comments to issues having to do with literacy. May  
23 I ask you to please state for the record your  
24 educational level.

25           THE DEFENDANT: I have a JD from Gonzaga

1 School of Law. That is the highest level of degree. I  
2 also have a BA in accounting and finance, and my JD  
3 emphasis was in litigation, real estate -- excuse me,  
4 estate planning and trials.

5 THE COURT: Very well. Thank you. Are there  
6 other inquiries that either of you propose in order for  
7 the Court to make a determination consistent with  
8 *Faretta*? Mr. Bos?

9 MR. BOS: No, Your Honor.

10 THE COURT: Ms. Walters?

11 MS. WALTERS: No, Your Honor.

12 THE COURT: Very well. Thank you very much.  
13 Ms. Tucci-Jarraf, thank you, you may be seated.

14 The Court finds based upon Ms. Tucci-Jarraf's  
15 responses to the Court's questions and her narrative  
16 statements that her waiver of counsel is knowing and  
17 voluntary and otherwise conforms to the requirements of  
18 *Faretta*, and accordingly the Court will note in the  
19 record or will include a finding in the record to that  
20 effect.

21 The Court will appoint you, Mr. Bos, to serve  
22 as stand-by counsel. Do you wish to be heard, Mr. Bos?

23 MR. BOS: May we approach the podium,  
24 Your Honor? I believe that now that Court has found  
25 that Ms. Tucci is competent to represent herself. She



1 would like to lodge an objection.

2 THE COURT: Very well. I will hear your  
3 objection.

4 THE DEFENDANT: Thank you, Your Honor. Again  
5 as I restate, this Court does not have the authority to  
6 even hold this identification hearing, let alone I'd  
7 like to clarify and correct the record that I'm not  
8 waiving any rights, that I'm stating that there's no  
9 authority to even ask me to waive any rights.

10 As far as Mr. Bos being stand-in, I need no  
11 other assistance in presenting or representing as  
12 myself.

13 THE COURT: Very well. Thank you, you may  
14 have a seat.

15 THE DEFENDANT: Thank you.

16 THE COURT: Perhaps our record has changed.  
17 The finding that the Court just articulated was that  
18 Ms. Tucci-Jarraf waives counsel. Ms. Tucci-Jarraf has  
19 now indicated that she does not waive any right and that  
20 being the case, I believe we must proceed with you,  
21 Mr. Bos, as counsel and not stand-by counsel.

22 Had there been an objection to your role,  
23 Mr. Bos, as stand-by counsel, the Court, as I indicated  
24 at the outset reviewed during our recess *McCaskey v.*  
25 *Wiggins*, 465 U.S. 168, and notes that at page 184 the

1 Supreme Court held that "A defendant's Sixth Amendment  
2 rights are not violated when a trial judge appoints  
3 stand-by counsel, even over the defendant's objection to  
4 relieve the judge of the need to explain and enforce  
5 basic rules of courtroom protocol or to assist the  
6 defendant in overcoming routine obstacles that stand in  
7 the way of the defendant's achievement of her own  
8 clearly indicated goals."

9 So had there been an objection to your role as  
10 stand-by counsel, Mr. Bos, the Court would have  
11 appointed you to serve in that capacity over objection  
12 based upon the authority set forth by the Supreme Court  
13 in the McCaskey opinion.

14 However, having now heard that  
15 Ms. Tucci-Jarraf does not waive any rights, we must  
16 proceed. Ms. Walters, you have just one witness? Is  
17 that correct?

18 MS. WALTERS: That's correct, Your Honor. And  
19 just to clarify, the government will produce *Jencks* and  
20 exhibits for the identity hearing.

21 THE COURT: Can you do that now, please.

22 MS. WALTERS: Just to be clear, I'm providing  
23 them to Mr. Bos.

24 THE COURT: Thank you. And you may call  
25 your -- Mr. Bos --

1 MR. BOS: Your Honor, Ms. Tucci-Jarraf tells  
2 me that she's not objecting to the appointment of  
3 stand-by counsel. She's objecting to me as stand-by  
4 counsel.

5 THE COURT: Well, the Court knows of nothing  
6 we can do at this point other than to proceed. That is  
7 an imprecise way perhaps, and I will endeavor to be more  
8 precise, of stating our status. The Court understood  
9 the request made by Ms. Tucci-Jarraf to be one to waive  
10 her right to counsel, and it was for that reason that  
11 during the recess the Court reviewed *Faretta* and  
12 *McCaskey* and heard from Ms. Tucci-Jarraf on the record  
13 concerning the waiver.

14 Ms. Tucci-Jarraf has now stated that she does  
15 not waive any right. That being the case, I have no  
16 basis to relieve you of your appointment or to appoint  
17 you to serve as stand-by counsel, since an appointment  
18 as stand-by counsel would be operative only if an  
19 individual were representing herself.

20 Because the broader objection appears to be  
21 one to this Court's determination to proceed with an  
22 identity hearing, I believe the record is clear with  
23 respect to why we are proceeding with the identity  
24 hearing. That is what the Federal Rules of Criminal  
25 Procedure provide in a circumstance in which an

1 individual is arrested in this district based upon a  
2 charge pending in another district. So the Court has no  
3 alternative.

4 To the extent that Ms. Tucci-Jarraf's  
5 objection is also to her continued detention, I have no  
6 means to address that either other than by continuing  
7 with the identity hearing. Indeed, it may be the case  
8 that the government is unable to carry its burden to  
9 prove that Ms. Tucci-Jarraf is the individual named, in  
10 which case the Court would have no alternative other  
11 than to release Ms. Tucci-Jarraf. But I cannot get to  
12 that point if we do not have the hearing. So we must  
13 proceed.

14 MR. BOS: Your Honor --

15 THE COURT: The Court also noted that at the  
16 time the request was made to continue the hearing from  
17 Monday until today, the Court expressed a concern  
18 regarding Ms. Tucci-Jarraf's continued detention and  
19 pointed out that Monday was the third day. We are now  
20 four days removed from that, and I know of no way to  
21 ensure that Ms. Tucci-Jarraf's rights are protected,  
22 that the Court proceeds with the identity hearing in an  
23 orderly process, and that we comply with the applicable  
24 rules other than to begin.

25 MR. BOS: Your Honor, I understand that.

1 THE COURT: The record will reflect that we  
2 are proceeding over Ms. Tucci-Jarraf's objection.

3 MR. BOS: Your Honor, I'd just like to have  
4 just 30 seconds so I can see whether or not she might  
5 want to withdraw that objection. It's my understanding  
6 that Ms. Tucci would like to represent herself in this  
7 matter.

8 THE COURT: That is not what Ms. Tucci-Jarraf  
9 said. I do not question at all your proffer with regard  
10 to the discussion that you had, but Ms. Tucci-Jarraf had  
11 said that she didn't waive any rights at all. So we  
12 must proceed.

13 MR. BOS: Well, but she may change her mind if  
14 she realizes the consequences of that decision.

15 THE COURT: That would raise another question  
16 concerning the extent to which the waiver represents an  
17 understanding of what we are doing here. And that word  
18 comes directly from *Faretta*. So we must proceed. .

19 Ms. Walters has given you the *Jencks* material.  
20 The witness is ready to testify, and we will proceed.

21 The Court will also note that in the context  
22 of an identity hearing, the Court cannot envision any  
23 prejudice to Ms. Tucci-Jarraf by proceeding in this  
24 fashion.

25 MR. BOS: Your Honor, I guess our concern

1 would be that she has an absolute constitutional right  
2 to represent herself, and if she has inadvertently  
3 caused the Court to have some concerns about that  
4 constitutional right, she should be allowed to clarify  
5 that. I don't know what her answer would be, whether or  
6 not, given what the Court has just said, she wants to  
7 withdraw her --

8 THE COURT: I must be bound by the last thing  
9 Ms. Tucci-Jarraf said, which is, "I do not waive any  
10 rights." So you may have a seat and we will proceed.

11 MR. BOS: Very well, Your Honor.

12 THE COURT: You may call your witness.

13 MS. WALTERS: Your Honor, may the government  
14 just have a brief minute to provide some *Giglio*  
15 information to Mr. Bos as well?

16 THE COURT: Yes, of course.

17 MR. BOS: Your Honor, we are making a standing  
18 objection to my appointment.

19 THE COURT: Very well.

20 MR. BOS: Your Honor, Ms. Tucci has informed  
21 me that she does not want me representing her so filing  
22 or not filing, I'm moving to withdraw as counsel for  
23 Ms. Tucci.

24 THE COURT: Mr. Bos, is it your understanding  
25 that other counsel is entering an appearance?

1 MR. BOS: Your Honor, I'm not aware of any  
2 other counsel that would be entering their appearance.  
3 So therefore, I would ask the Court to appoint new  
4 counsel for Ms. Tucci.

5 THE COURT: Very well. We will take a brief  
6 recess. Ms. Tucci-Jarraf, please return with the  
7 marshal. Actually, you may take your seats while the  
8 Court takes another matter.

9 (Recess taken)

10 THE COURT: Mr. Bos, in accordance with local  
11 Rule 44.4 subsection (d), the Court will deny the  
12 motion, finding that the motion would unduly delay the  
13 proceedings and otherwise not be in the interest of  
14 justice.

15 Now, Ms. Walters, you may call your witness.

16 MR. BOS: Your Honor, may I just be heard on  
17 that briefly?

18 THE COURT: Mr. Bos, I believe I have little  
19 alternative other than to permit you to be heard. But  
20 the Court has already articulated the reasons -- perhaps  
21 I should indicate I am incorporating other reasons  
22 already set forth on the record as the basis of my  
23 determination that granting your request would be  
24 unfairly -- I apologize -- would not be in the interest  
25 of justice and would unduly delay the proceedings.

1           MR. BOS: Your Honor, it's my understanding  
2           Ms. Tucci is not seeking a delay in the proceedings.  
3           And during the intervening break I had a chance to speak  
4           with Ms. Tucci, and she explained to me that she was  
5           unclear of the Court's question, and if she were asked  
6           again today or right now if she is willing to waive her  
7           right to counsel with the understanding that the Court  
8           received a notice of filing, she is willing to waive her  
9           right to counsel.

10          THE COURT: Well, we are going to proceed,  
11          Mr. Bos, because the indication that we now have that  
12          within the space of a matter of minutes there has been  
13          two changes of contention on that issue raises an issue  
14          of the extent to which the Court can make the *Faretta*  
15          findings.

16                 In other words, to be specific, your proffer  
17          was that Ms. Tucci-Jarraf's request was to waive her  
18          right to counsel. Ms. Tucci-Jarraf stated when I first  
19          inquired of her at the end of her narrative that she did  
20          not waive any right at all, including her right to be  
21          here, to have me proceed with the identity hearing or  
22          her continued detention, to name a few.

23                 The next matter was that you then moved to  
24          withdraw. Now it appears that there is a request to  
25          waive counsel. This all undermines the finding that the



1 Court must make consistent with *Faretta* that -- perhaps  
2 I should say with respect to Ms. Tucci-Jarraf's  
3 understanding of what we are doing here and the issue  
4 regarding, for example, voluntariness. I know of no  
5 prejudice which would arise to Ms. Tucci-Jarraf from  
6 denying both your motion for leave to withdraw and from  
7 not undertaking any further inquiry consistent with  
8 *Faretta*. And I believe that is clear based upon all  
9 that the Court has found thus far, including the nature  
10 of this proceeding and the further delay which would be  
11 occasioned by granting your motion, undertaking a  
12 further inquiry or doing anything other than proceeding.

13 MR. BOS: Your Honor --

14 THE COURT: The record reflects that the Court  
15 has already expressed a concern that the hearing should  
16 have been conducted on no later than the third day,  
17 which was Monday. Counsel for the government was ready  
18 to proceed on Monday. The Court was prepared to proceed  
19 on Monday. It was with great reluctance that the Court  
20 granted the request to continue the matter until today.  
21 We are all ready to proceed at this time. The witness  
22 is here, the *Jencks* material has been provided. The  
23 Giglio material has been provided. The exhibits have  
24 been provided. And we must proceed.

25 MR. BOS: Your Honor, the question is not

1 whether or not we proceed today. The question is  
2 whether or not Ms. Tucci can exercise her constitutional  
3 right to represent herself in this matter. This is  
4 exactly what happened in *Faretta* where the Court over  
5 the defendant's objection required the defendant to  
6 accept a Court-appointed counsel.

7 THE COURT: Was *Faretta* a trial, Mr. Bos?

8 MR. BOS: It was a trial, Your Honor.

9 THE COURT: Very well. This is an identity  
10 hearing; any issues regarding Ms. Tucci-Jarraf's  
11 representation of herself with regard to the merits  
12 should the Court make a finding that would lead to a  
13 commitment to the requesting district can be addressed  
14 by the requesting district. As you have noted, this is  
15 not the trial. The Court reads *Faretta* to stand for the  
16 proposition that there is an entirely -- there is a  
17 heightened concern regarding that issue with respect to  
18 a trial.

19 And as I indicated for reasons including  
20 Ms. Tucci-Jarraf's response to the Court's inquiry, the  
21 Court must now question whether the finding -- the Court  
22 made the finding at the time, I'm speaking of events  
23 that have transpired since then, the Court must take  
24 those issues into account in determining whether any  
25 statement at this time that she waives her rights is one

1 as to which the Court could make the requisite finding.

2 So we must go forward. Your objection is noted.

3 Ms. Tucci-Jarraf's objection is noted.

4 MR. BOS: Your Honor, and our position further  
5 is that a defendant at any time can elect to proceed to  
6 represent themselves.

7 THE COURT: That may be the case. That does  
8 not mean that the Court can make the finding, that the  
9 Court can ignore all of what has occurred in the  
10 courtroom and make a finding regarding an individual's  
11 understanding of the proceeding, which to some extent  
12 the Court must now question in view of what has happened  
13 since I heard from Ms. Tucci-Jarraf.

14 So we must proceed.

15 MR. BOS: For the record, Your Honor, we would  
16 ask the Court to take five minutes to do an inquiry of  
17 Ms. Tucci-Jarraf since she decided to change her  
18 position that she stated about 45 minutes ago and  
19 whether or not she would like to proceed.

20 THE COURT: The Court cannot do so.

21 MR. BOS: Very well, Your Honor.

22 THE COURT: Now, Ms. Walters, you may call  
23 your witness.

24 MS. WALTERS: Thank you, Your Honor.

25 Your Honor, at this point the government would seek to

1 admit and publish to the Court a certified copy of the  
2 indictment in this matter and also a copy of the arrest  
3 warrant as Government Exhibits 1 -- actually as jointly  
4 government Exhibit 1 for the purpose of the identity  
5 hearing. And these documents have been provided to  
6 Mr. Bos.

7 MR. BOS: Objection, Your Honor.

8 THE COURT: On what grounds? All of the  
9 grounds previously noted?

10 MR. BOS: Yes, Your Honor.

11 THE COURT: Very well. The exhibits -- may I  
12 ask you to hand the Court's copy to the deputy clerk,  
13 please.

14 MS. WALTERS: Yes, Your Honor. And at this  
15 time, Your Honor, the government calls Special Agent  
16 Parker Steill to the stand.

17 THE COURT: For the record, Government  
18 Exhibit 1 and Government Exhibit 2 will be admitted over  
19 objection. The Court notes that the exhibits are  
20 identical to the ones, except that they bear the exhibit  
21 sticker and the certification seal that are filed in the  
22 record.

23 MS. WALTERS: Just for the record, Your Honor,  
24 they are jointly Government Exhibit 1.

25 THE COURT: I apologize.

1 MS. WALTERS: Thank you, Your Honor.

2 (Government's Exhibit Number 1 admitted  
3 into evidence.)

4 MR. BOS: Your Honor.

5 THE COURT: Mr. Bos.

6 MR. BOS: I'm making a standing objection to  
7 the introduction of any evidence in connection with --

8 THE COURT: The Court is aware that there is a  
9 standing objection. I believe that was, that should be  
10 clear for the record. Very well, thank you.

11 \*\*\*\*\*

12 P A R K E R S T E I L L,  
13 Having been called as a witness on behalf of the  
14 Government and having been first duly sworn by the  
15 Deputy Clerk, was examined and testified as follows:

16 DIRECT EXAMINATION

17 BY MS. WALTERS:

18 Q. Good morning.

19 A. Good morning, ma'am.

20 Q. Please state your name and spell it for  
21 the record.

22 A. Parker Steill. First name P-a-r-k-e-r,  
23 last name S-t-e-i-l-l.

24 Q. And where are you employed?

25 A. Currently employed by the Federal Bureau

1 of Investigation, Knoxville division.

2 Q. And how long have you been employed with  
3 the FBI's Knoxville office?

4 A. Approximately five years.

5 Q. And what, if any, specializations do you  
6 have?

7 A. Currently worked and have worked since I  
8 started in Knoxville on the white-collar crimes squad.

9 Q. And where were you employed before your  
10 employment with the FBI in Knoxville?

11 A. Yes, ma'am. Before the FBI in Knoxville  
12 I was, I was a practicing attorney for approximately  
13 seven and a half years. During that time I did both  
14 prosecution and defense work. Also served as a short  
15 time as a pro tem municipal court judge as well as I  
16 have a, I'm a graduate of the JAG school, served  
17 overseas in Afghanistan as part of Operation Enduring  
18 Freedom as chief legal assistant in Kandahar Airfield.

19 Q. Did there come a time when you  
20 investigated a wire fraud and money laundering  
21 conspiracy that occurred during the early year part of  
22 July of 2017 in the state of Tennessee?

23 A. Yes, ma'am, I did.

24 Q. Can you explain to us what your role was  
25 in that investigation?

1           A.       Yes, ma'am, I'm happy to. So we received  
2 information from USAA about a fraud that had occurred.  
3 And my role in that investigation was one of the  
4 investigators who looked into it and did interviews and  
5 we ultimately made an arrest of Mr. Randall K. Bean, a  
6 codefendant in this matter.

7           Q.       And so you developed suspects in that  
8 particular matter?

9           A.       Yes, ma'am, we did.

10          Q.       And can you tell us specifically who were  
11 developed as suspects in that particular matter?

12          A.       Yes, ma'am. Initially we developed  
13 Mr. Randall Bean as a suspect in that matter. Later we  
14 also developed Ms. Heather Ann Tucci-Jarraf as a subject  
15 in that matter.

16          Q.       And can you tell us specifically how you  
17 developed Heather Ann Tucci-Jarraf as a suspect in that  
18 matter?

19          A.       Yes, ma'am. We had made an arrest of  
20 Mr. Randall Bean, and at the scene there were two other  
21 individuals, and they gave me a piece of paper with the  
22 phone number and a name Heather on it.

23               Subsequent to the arrest, we obtained video and  
24 audio evidence that indicated Ms. Tucci-Jarraf had a  
25 role in this matter, including evidence showing that she

1 was involved in a call to a RV dealership and a  
2 subsequent video and audio evidence where she identifies  
3 the scheme online.

4 Q. And in those particular videos, can you  
5 actually see the defendant, Heather Ann Tucci-Jarraf?

6 A. In one of the two I'm referencing, yes,  
7 ma'am, I was able to see her with initials at the bottom  
8 of the screen.

9 Q. And did you review any other information  
10 from criminal databases in determining or identifying  
11 Heather Ann Tucci-Jarraf?

12 A. Sure, yes, ma'am. As a normal part of  
13 the investigation we do a driver's license check and  
14 what we refer to commonly as the NCIC database.

15 MS. WALTERS: Permission to approach the  
16 witness, Your Honor.

17 THE COURT: You may.

18 BY MS. WALTERS:

19 Q. I'm showing you what's been marked as  
20 Government Exhibit No. 2 and has been previously  
21 provided to defense counsel. Do you recognize  
22 Government Exhibit No. 2 .

23 A. Yes, ma'am, I do.

24 Q. What is Government Exhibit No. 2?

25 A. This is what, in the course of an



1 investigation this is what we normally do. This is,  
2 this document provides driver's license information as  
3 well as again what we refer to as an NCIC check on an  
4 individual.

5 Q. And who was the target of that  
6 specifically NCIC check?

7 A. This one specifically, ma'am, as  
8 identified on the document is Heather Ann Tucci-Jarraf.

9 Q. And is that the name contained  
10 specifically on Government Exhibit No. 2?

11 A. Yes, ma'am, I'm looking at Exhibit No. 2,  
12 and the name there is precisely that.

13 Q. Can you also tell me what the date of  
14 birth is?

15 A. Yes, ma'am. The date of birth the way  
16 these documents read, 1972-07-30, so that would be  
17 July 30, 1972.

18 Q. Is there also an address noted on  
19 Government Exhibit No. 2?

20 A. Yes, ma'am there is an address. There  
21 the says primary contact address, 29 Western Avenue,  
22 Llanon, MA for Massachusetts, 01904.

23 Q. And other than the main date of birth and  
24 address, is there anything else contained in Government  
25 Exhibit No. 2 that assisted you in your investigation as

1 to Heather Ann Tucci-Jarraf?

2 A. Yes, ma'am. There is two photographs  
3 here of Ms. Tucci-Jarraf that are contained. There's  
4 also other information here, Social Security number,  
5 height, gender, what we would call just regular  
6 identifiers.

7 Q. And is Government Exhibit No. 2 a fair  
8 and accurate copy of the printout that you generated  
9 during the course of your investigation of this wire  
10 fraud/bank fraud matter?

11 A. Yes, ma'am, this is a fair and accurate  
12 representation. This document would have been provided  
13 by me by our NCIC people at the office.

14 MS. WALTERS: At this time, Your Honor, the  
15 government seeks to admit and publish to the Court  
16 Government Exhibit No. 2.

17 MR. BOS: Objection, Your Honor.

18 THE COURT: The Court will admit Government  
19 Exhibit 2 over objection, bearing in mind that the  
20 objections are those which have previously been  
21 addressed.

22 (Government's Exhibit Number 2 admitted  
23 into evidence.)

24 BY MS. WALTERS:

25 Q. You mentioned that you obtained videos of

1 Heather Ann Tucci-Jarraf. And specifically can you tell  
2 us when you obtained those videos?

3 A. Yes, ma'am. When there are videos that  
4 were obtained -- there was one video that was obtained  
5 for the indictment and subsequent videos after the  
6 indictment.

7 Q. Can you tell us about the video that was  
8 obtained after the indictment?

9 A. In one particular video, ma'am, the --  
10 again, there were multiple that were obtained after the  
11 indictment, this video depicts a, the arrest of  
12 Mr. Randall Bean and Ms. Tucci-Jarraf is on the  
13 telephone. And when we were able to do that, obviously  
14 the arrest is not on this video, but we can hear her  
15 conversation and also another FBI agent who was at the  
16 scene was referenced.

17 Q. And in the video that you're referring  
18 to, can you actually see the face and likeness of the  
19 defendant?

20 A. Yes, ma'am. In this video you can see  
21 Ms. Heather Ann Tucci-Jarraf.

22 Q. And so I'm going to show you what's been  
23 marked as Government Exhibit No. 3.

24 MS. WALTERS: And for the record, Government  
25 Exhibit No. 3 was provided to defense counsel last week

1 by email link and also provided to defense counsel today  
2 in Court, Your Honor.

3 THE COURT: Thank you.

4 BY MS. WALTERS:

5 Q. Do you recognize Government Exhibit  
6 No. 3?

7 A. I do, yes, ma'am.

8 Q. What is Government Exhibit No. 3?

9 A. Government Exhibit 3 is a CD, and it is  
10 both signed and, signed by me and dated by me for  
11 8/4/2017.

12 Q. When was the last time that you reviewed  
13 Government Exhibit No. 3?

14 A. This morning at your office we looked at  
15 it.

16 Q. And does Government Exhibit No. 3  
17 represent a fair and accurate depiction of the video  
18 that you discovered in the course of your investigation  
19 of this matter?

20 A. Yes, ma'am. It would be me or another  
21 investigator discovered it. But yes, ma'am.

22 Q. But you have personally reviewed it?

23 A. I've viewed the relevant parts, yes,  
24 ma'am.

25 MS. WALTERS: At this time, Your Honor,

1 personal personally the government wishes to admit  
2 Government Exhibit No. 3 and also publish it to the  
3 Court.

4 MR. BOS: Objection, Your Honor.

5 THE COURT: Are your objections the same,  
6 Mr. Bos, as those previously articulated?

7 MR. BOS: Yes, Your Honor.

8 THE COURT: Very well. Thank you. The Court  
9 will admit Government Exhibit 3 over objection.

10 MS. WALTERS: Thank you, Your Honor.

11 (Government's Exhibit Number 3 admitted  
12 into evidence.)

13 THE COURT: Mr. Bos, will you confirm please,  
14 whether the monitor on your table is on.

15 MR. BOS: It's on, Your Honor.

16 THE COURT: Thank you.

17 (Videotape played)

18 BY MS. WALTERS:

19 Q. Is Government's Exhibit No. 3 as I played  
20 it what you recall being on the video that you  
21 observed --

22 A. Yes, ma'am.

23 Q. -- with respect to this defendant. And  
24 based on your review of the NCIC report, other videos  
25 and this one, does the person depicted in Government

1 Exhibits No. 2 and 3 match?

2 A. Yes, ma'am.

3 Q. Now, Agent Steill, did you testify in the  
4 grand jury for the purpose of obtaining the indictment  
5 which is the subject of this removal hearing today?

6 A. Yes, ma'am, I did.

7 Q. And when did you testify in the, before  
8 the grand jury?

9 A. July 18, 2017.

10 Q. And with respect to the identity of the  
11 suspects charged in the indictment, specifically Heather  
12 Ann Tucci-Jarraf, do you recall what specific  
13 information you presented to the grand jury at that  
14 time?

15 A. Yes, ma'am. In that I discussed the  
16 evidence presently in the possession, and that being an  
17 audio recording, a video recording that I previously  
18 referenced in this hearing today where Ms. Heather Ann  
19 Tucci-Jarraf's initials were on that screen. And also  
20 in our possession we have the NCIC report, the driver's  
21 license and the information that we previously discussed  
22 here today.

23 Q. And did you have any audio evidence with  
24 respect to Heather Ann Tucci-Jarraf?

25 A. Yes, ma'am, I had an audio recording that

1 took place in the RV dealership.

2 Q. And to be specific with respect to the  
3 video evidence that you presented to the grand jury,  
4 could you clearly see the defendant in that particular  
5 item?

6 A. Yes, ma'am.

7 Q. That you presented to the grand jury?

8 A. And also the initials on the screen as  
9 well that I discussed with the grand jury.

10 Q. So based on your investigation, your  
11 review of Ms. Tucci-Jarraf's videos, arrest photographs  
12 and other information obtained from criminal databases,  
13 can you tell me whether you see the person named in the  
14 indictment and who you investigated here in the  
15 courtroom today?

16 A. Yes, ma'am, I can. I can, from my  
17 vantage point right here I can clearly identify  
18 Ms. Heather Ann Tucci-Jarraf. She is currently in an  
19 orange, has an orange shirt with an apparent white  
20 undershirt sitting next to counsel to my left and to the  
21 Court's left.

22 MS. WALTERS: And at this time, Your Honor,  
23 the government would request that the record reflect an  
24 in-court identification of the defendant.

25 MR. BOS: Objection, Your Honor.

1 THE COURT: Thank you, Ms. Walters. Mr. Bos.

2 MR. BOS: Objection.

3 THE COURT: Are your objections the same as  
4 those previously voiced?

5 MR. BOS: Yes, Your Honor.

6 THE COURT: The record will reflect Agent  
7 Steill's in-court identification of the defendant over  
8 objection.

9 BY MS. WALTERS:

10 Q. Agent Steill, post-indictment did an  
11 arrest warrant issue for Heather Ann Tucci-Jarraf?

12 A. Yes, ma'am, an arrest warrant did out of  
13 the Eastern District of Tennessee, Knoxville division.

14 Q. And during the course of your  
15 investigation, how did you learn of the defendant's  
16 whereabouts?

17 A. She was -- we did not know the exact  
18 whereabouts, but she was entered into NCIC, and then I  
19 received a call from the United States Secret Service  
20 actually late at night, approximately 11:30 to  
21 11:45 regarding positive contact with Ms. Heather Ann  
22 Tucci-Jarraf.

23 Q. When you say that she was entered in  
24 NCIC, what does that mean specifically?

25 A. That is when we have an arrest warrant



1 for an individual, we don't, we put them into NCIC for  
2 both, for officers' safety, that if she were to be  
3 stopped or the individual were to be stopped, they would  
4 know that there is an arrest warrant for that individual  
5 and also simply just to have them picked up.

6 Q. And is that what precipitated the call  
7 from the United States Secret Service to you?

8 A. Yes, ma'am. The United States Secret  
9 Service had come into contact with her and two other  
10 individuals when they showed up in Washington, D.C.  
11 It's my understanding in a request to meet with  
12 President Trump.

13 Q. And what else did the Secret Service  
14 advise you as to the defendant's whereabouts?

15 A. The Secret Service provided me hotel  
16 information and room number information that we  
17 immediately, that following the next morning I  
18 immediately provided to our Washington field office who  
19 subsequently made an arrest.

20 Q. And were you personally involved in the  
21 arrest of the defendant?

22 A. No, ma'am, I was not personally involved.

23 Q. How did you learn of the actual arrest?

24 A. I learned of the actual arrest from our  
25 field office, they provided the information to myself

1 and -- once the other agents, the information came back  
2 to us in Knoxville, then an arrest had been taken place  
3 without incident.

4 Q. And were you advised of the details of  
5 the arrest?

6 A. Yes, ma'am. We did receive some details  
7 of the arrest. It's my understanding from the  
8 information that we received from the Washington field  
9 office that Mr. Reef, Ms. Tucci-Jarraf and would other  
10 individuals were staying in room 601. At the time the  
11 agents approached that room, Ms. Tucci-Jarraf was  
12 outside. One or more of the individuals was able to  
13 identify her from the window. Agents then radioed down  
14 to other agents task force officers and Metropolitan  
15 Police that were on the ground and an arrest was  
16 effectuated.

17 Q. Other than your review of the criminal  
18 databases, your review of videos of the defendant, what  
19 else did you do to verify that the person arrested here  
20 in the District of Columbia was the same person that was  
21 arrested pursuant -- or the same person named in the  
22 indictment and the arrest warrant that was issued?

23 A. Well, I think we really, you know, we've  
24 continued to continue to conduct course of interviews.  
25 We've continued investigation. We've continued to

1 review video and we've also continued, so that's kind of  
2 our normal course. We've continued an effort to ensure  
3 that we've talked to everyone involved and have all the  
4 facts.

5 Q. And did there come a time where you  
6 requested fingerprint analysis for the defendant?

7 A. Yes, ma'am. There was a time when I did  
8 request that, absolutely.

9 Q. And to your knowledge, what agency  
10 conducted the fingerprint analysis?

11 A. That would be the FBI, CJIS.

12 Q. What does CJIS stand for?

13 A. I think it's the Criminal Justice  
14 Information System, ma'am, and we just commonly refer it  
15 as CJIS located in West Virginia.

16 Q. And to your knowledge, based on your  
17 request for fingerprint analysis, was a report authored?

18 A. Yes, ma'am, there was a report authored  
19 at my request.

20 Q. I'm showing you Government Exhibit No. 4,  
21 which also has been previously provided to the  
22 defendant. Do you recognize it?

23 A. Yes, ma'am, I do recognize this report.

24 Q. And what is it specifically?

25 A. Well, as you note on here, it says,

1 "Request procedure, Special Agent, Parker H. Steill  
2 dated 7/27/2017." This is what I would refer to as like  
3 a biometric report and a fingerprint report that we  
4 request one of our biometric individuals at CJIS perform  
5 a fingerprint check. So what we have from a prior  
6 arrest of Ms. Tucci-Jarraf, and we look at those  
7 fingerprints and in the prints that were most recently  
8 obtained when she was arrested and the subject of this  
9 proceeding here today. It's simply a comparison.  
10 You've got two sets of fingerprints. And now they're  
11 going to do an analysis in order to determine that this  
12 is one and the same individual.

13 Q. And what specifically was the conclusion  
14 in the report which is Government Exhibit No. 4?

15 A. I'll draw attention to page 5 where it  
16 says, "Result of examination. The fingerprints present  
17 on the standards referenced above is S-1 and S-2."  
18 That's what I previously discussed are the fingerprints  
19 of one and the same individual. And also noted on here,  
20 Mr. Cutler notes that as a quality assurance measure a  
21 second fingerprint examiner conducted an independent  
22 examination and reached the same conclusion.

23 Q. And so that particular line references  
24 S-1 and S-2. Can you tell us what S-1 and S-2 are and  
25 who they relate to?

1           A.       Yes, ma'am. I just go right to S-1. As  
2 you will note on here, you see the last name Heather Ann  
3 Tucci-Jarraf. You have a date of birth on there. And  
4 this one would be from the Metropolitan Police  
5 Department is actually referenced on the bottom right,  
6 it says D.C. Metro Police, 7/27/2017, 9:40,  
7 approximately 9:40.

8           Q.       And can you tell us what the date of  
9 birth is that is listed on that particular portion of  
10 the exhibit?

11          A.       Yes, ma'am. This references date of  
12 birth as 7/30/1972, and also an identifying Social  
13 Security number is also in here.

14          Q.       And you mentioned S-2 as also a part of  
15 the exhibit. Can you explain to us what is contained in  
16 that exhibit?

17          A.       Yes. S-2 is prints that were provided to  
18 us by the authorities in Washington State, and this  
19 again, you see two names on this. You see Heather Ann  
20 Tucci and then Heather Ann Tucci-Jarraf, also date of  
21 birth 7/30/1972 is also referenced on this document.  
22 You'll see right there state identification code on  
23 there as well.

24          Q.       And is Government Exhibit No. 4 a fair  
25 and accurate copy of the report you received from the

1 FBI on or about July 28, 2017, in relation to your  
2 request for fingerprint analysis?

3 A. Yes, ma'am, that's correct.

4 MS. WALTERS: At this time the government  
5 wishes to admit and publish Government Exhibit No. 4 to  
6 the Court.

7 MR. BOS: Objection, Your Honor.

8 THE COURT: Mr. Bos, are your objections the  
9 same?

10 MR. BOS: Yes.

11 THE COURT: Government Exhibit 4 will be  
12 admitted over objection.

13 (Government's Exhibit Number 4 admitted  
14 into evidence.)

15 MS. WALTERS: Thank you, Your Honor. No  
16 further questions for the witness from the government,  
17 Your Honor.

18 THE COURT: Thank you very much, Ms. Walters.  
19 Mr. Bos, you may cross-examine.

20 MR. BOS: May I ask for permission to speak  
21 with Ms. Tucci.

22 THE COURT: Bear with me, please, while I  
23 confer with the deputy clerk.

24 (Discussion held off the record.)

25 THE COURT: We will recess this matter briefly

1 and take another matter that will give you an  
2 opportunity to confer, Mr. Bos, and prepare for  
3 cross-examination. Ms. Tucci-Jarraf, please return with  
4 the marshal.

5 (Discussion held off the record.)

6 THE COURT: Agent Steill, you may step down,  
7 sir, thank you.

8 (Recess taken)

9 THE COURT: Mr. Bos, do you need additional  
10 time?

11 MR. BOS: No, we're ready, Your Honor.

12 THE COURT: Agent Steill, thank you, please  
13 take your seat.

14 (Witness resumes witness stand.)

15 DEPUTY CLERK: Re-calling Criminal Case,  
16 17-531, United States of America v. Heather Ann  
17 Tucci-Jarraf.

18 THE COURT: Now, Mr. Bos I understand that you  
19 are ready to proceed.

20 MR. BOS: Yes, Your Honor.

21 THE COURT: Very well. I note that it is now  
22 approximately five minutes after 12. We will proceed  
23 for 15 minutes or so and then recess for lunch and  
24 resume at 1:30.

25 MR. BOS: Your Honor, I believe that my

1 examination will be relatively short.

2 THE COURT: Very well.

3 CROSS-EXAMINATION

4 BY MR. BOS:

5 Q. Agent Steill, you testified that you've  
6 been an FBI agent for how many years?

7 A. Approximately five, sir. Sorry, sir,  
8 came in as a new agent in 2012.

9 Q. How many investigations have you been  
10 involved with during that time period?

11 A. It's hard to say, sir. Approximately ten  
12 and maybe more. We have a small office, and we assist  
13 each other in a lot of different investigations.

14 Q. Okay. Would it be fair to say that  
15 you're the lead investigator in connection with this  
16 case?

17 A. I think I am, yes, sir.

18 Q. Okay. Now, you testified that you had  
19 reviewed some social media videos that purportedly show  
20 Ms. Tucci; is that correct?

21 A. That's correct, sir.

22 Q. And prior to the events that gave rise to  
23 the indictment, had you had any contact with Ms. Tucci  
24 before then?

25 A. Yes, sir, I had.



1           Q.       When did you have your prior contact with  
2       Ms. Tucci?

3           A.       It was, I recall it as a Friday night. I  
4       apologize that I don't recall the exact date. I'm going  
5       to guess approximately July 14, 15, I believe that's  
6       provided in the 302 of the exact date, sir, where myself  
7       and another agent attempted to call Ms. Tucci-Jarraf on  
8       a phone number that was provided to us at the arrest  
9       scene with a piece of paper that said Heather and  
10      provided a 253 area code, I believe, sir.

11          Q.       So the contact that you had wasn't visual  
12      contact; is that correct?

13          A.       That's correct, sir.

14          Q.       You spoke to an individual on the other  
15      line of the phone that you assumed was Ms. Tucci; is  
16      that correct?

17          A.       Yes, sir. Right. I did not have visual  
18      contact with her, yes, sir.

19          Q.       And prior to that phone call, you had no  
20      contact whatsoever with Ms. Tucci; is that correct?

21          A.       That's correct, sir. Just to clarify for  
22      the record, at the scene, at the arrest scene they  
23      referenced a lady by the name of Heather on the  
24      telephone, but I had no contact with her at the scene.

25          Q.       Okay. And the codefendant's case,

1 Mr. Bean, were you present at the time of his arrest?

2 A. I was, sir.

3 Q. And Ms. Tucci wasn't there, correct?

4 A. No, sir, she was not present at that  
5 scene.

6 Q. Now, you testified that you received  
7 notification of Ms. Tucci's arrest -- strike that.

8 You were not present when Ms. Tucci was  
9 arrested in this case?

10 A. No, sir, I was not.

11 Q. In fact, isn't it true that Ms. Tucci was  
12 arrested in Washington, D.C. and you were in Knoxville  
13 at the time that the arrest occurred; is that correct?

14 A. That is absolutely true, sir.

15 Q. In fact, isn't it true that the very  
16 first time that you ever saw Ms. Tucci was in this  
17 courtroom; is that correct?

18 A. Well, I would just say, sir, I saw her by  
19 the evidence that I already looked at, I seen her on  
20 video, I've seen photographs of her. The first time I  
21 saw her in person was on Monday.

22 Q. Of this week, correct?

23 A. That's correct, sir.

24 Q. Now, you testified that you saw some  
25 videos that purportedly show Ms. Tucci. Do you remember

1 that testimony?

2 A. I do.

3 Q. Were you present when those -- how many  
4 videos did you see?

5 A. There's numerous videos, sir. I just  
6 want you to know I don't want to speculate, and I'm  
7 going to say at this point maybe I've seen four,  
8 approximately four videos.

9 Q. Okay. And those videos, were you present  
10 when the first video was made?

11 A. No, sir, I was not present when any of  
12 those videos were made.

13 Q. You anticipated my next question. So the  
14 second, third and fourth you were not present; correct?

15 A. No, sir. And again, that's an  
16 approximate number.

17 Q. And you can't even tell us when those  
18 videos were made; is that correct?

19 A. Sir, there is some information, the dates  
20 are put online and then they say July 10 call or  
21 something like that. So to my understanding based on  
22 that representation I can tell when the calls were made.  
23 And also we conducted interviews on the other side of  
24 those calls.

25 Q. Let me rephrase the question. You were

1 not present at the time that the videos were made; is  
2 that correct?

3 A. That's correct, sir.

4 Q. And that's the best you have is either  
5 what the content of the videos say or the date that the  
6 video was uploaded; is that correct?

7 A. I would also rely on the interviews that  
8 we've conducted on the individuals that were present,  
9 for instance, on one of those phone calls.

10 Q. And those individuals without identifying  
11 them here in court today, you don't know what, if any,  
12 potential animus or willing to curry favor with  
13 Ms. Tucci those individuals would have; correct?

14 A. I would not, no, sir, I wouldn't be privy  
15 to that.

16 Q. Okay. And were those individuals  
17 actually put into the grand jury?

18 A. No, sir.

19 Q. Okay. Now, you testified that prior to,  
20 during the FBI you had also worked as a defense lawyer  
21 and a prosecutor; is that correct?

22 A. Yes, sir. I practiced law, small town,  
23 for approximately seven and a half years. We did a  
24 little bit of everything down there.

25 Q. Prior to that you were in one of the

1 service branches, is that correct?

2 A. I remained, sir, in the army.

3 Q. Did you do work in the capacity of  
4 military intelligence?

5 A. No, sir, no, sir. I'm straight up JAG.  
6 I'm only certified as a 27 Alpha.

7 Q. For the record, could you tell us what  
8 JAG means?

9 A. Yes, it's a Judge Advocate General. I've  
10 been trained at Charlottesville, Virginia, for Army JAG.  
11 I'm currently in the National Guard on a reserve basis.

12 Q. So you're an attorney; correct?

13 A. Oh, absolutely, yes, sir.

14 Q. And an attorney for the army, is that  
15 correct?

16 A. You can get kind of the legal context.  
17 I'm not on active duty right now. When I'm a drill  
18 status or on orders, I would be an army attorney, yes,  
19 sir.

20 Q. Okay.

21 MR. BOS: Brief indulgence, Your Honor.

22 THE COURT: Of course.

23 (Pause)

24 MR. BOS: No further questions, Your Honor.

25 THE COURT: Thank you very much, Mr. Bos.

1 Ms. Walters, do you have redirect?

2 MS. WALTERS: The government does not have  
3 redirect based on that, Your Honor.

4 THE COURT: Thank you, Ms. Walters. Agent  
5 Steill, thank you, you may step down.

6 THE WITNESS: Thank you, Your Honor.

7 (Witness excused.)

8 THE COURT: Ms. Walters, does the United  
9 States have other evidence?

10 MS. WALTERS: No further witnesses for the  
11 government, Your Honor.

12 THE COURT: Are there other exhibits that the  
13 government intends to introduce?

14 MS. WALTERS: The government is going to  
15 introduce the Pretrial Services Agency report as  
16 Government Exhibit No. 5.

17 THE COURT: Would you mark that, please.

18 MS. WALTERS: Yes, and I'll provide it to the  
19 Court. It's the same Pretrial Services Agency report  
20 that was provided to the parties at the initial  
21 appearance and to the Court as well from Pretrial  
22 Services.

23 THE COURT: Thank you. Do you still have  
24 that, Mr. Bos?

25 MR. BOS: I do, Your Honor. And in addition

1 to our standing objection, I believe that there's  
2 actually a code provision that says that the Court is  
3 not allowed to receive that evidence. I was not  
4 prepared that the government was going to be seeking to  
5 introduce what's already part of the court record. But  
6 we would object as well.

7 THE COURT: Thank you, Mr. Bos. I will  
8 suggest the following: The Court will not admit  
9 Exhibit 5. The Court has already received Exhibit 5, as  
10 all of us did, at the time of Ms. Tucci-Jarraf's initial  
11 appearance. Indeed, Ms. Walters, you may wish to  
12 withdraw Exhibit 5 so that we have a clear record.

13 MS. WALTERS: Yes, that's fine, Your Honor.

14 THE COURT: Very well.

15 MS. WALTERS: And for the record, the  
16 government had provided that as an exhibit to the  
17 defense previously.

18 THE COURT: Very well. As I indicated, the  
19 Court has received it, as all of us did, on July 26, but  
20 it will not be admitted as an exhibit.

21 MS. WALTERS: Very well, Your Honor.

22 THE COURT: Does that complete the  
23 government's presentation?

24 MS. WALTERS: The government does have  
25 argument, Your Honor. Maybe Your Honor wishes us to do

1       it after the break.

2               THE COURT: Thank you, Ms. Walters. Mr. Bos,  
3       is there evidence you will offer? If so, it may be that  
4       we will take our break now and resume after the recess.

5               MR. BOS: Your Honor, I think --

6               THE COURT: If you only wish argument then, I  
7       believe we can hear the parties' arguments now.

8               MR. BOS: Your Honor, we will be -- well,  
9       first of all, we move to strike Agent Steill's testimony  
10      and all the exhibits that were entered through him  
11      again.

12              THE COURT: May I ask, just so we have a clear  
13      record, whether the ground of your motion, grounds are  
14      the same grounds that you have offered previously?

15              MR. BOS: Yes.

16              THE COURT: Very well. Having considered  
17      those grounds thoroughly, the Court will deny the motion  
18      to strike Agent Steill's testimony.

19              MR. BOS: Thank you, Your Honor. Your Honor,  
20      we will be seeking to introduce the escort notice, we  
21      had a notice of filing yesterday, some documents that  
22      we're seeking to introduce at this time. That would be  
23      the only exhibit that we would be introducing.  
24      Otherwise we would be prepared to proceed to argument at  
25      this point. So --



1 THE COURT: If there is a volume of exhibits  
2 that were included with the notice of filing, I believe  
3 it is more appropriate that you identify one by one what  
4 it is that you wish to offer so that I can hear from  
5 Ms. Walters. And perhaps you can use the time during  
6 the recess to confer and we can proceed in a more  
7 expeditious fashion when we return.

8 MR. BOS: That's fine, Your Honor.

9 THE COURT: Very well. Thank you very much.  
10 Ms. Tucci-Jarraf, please return with the marshal.

11 (Recess taken)

12 DEPUTY CLERK: Re-calling Criminal Case Year  
13 2017-531-M, United States v. Heather Ann Tucci-Jarraf.  
14 Lisa Walters for the government, David Bos for the  
15 defendant. Pretrial officer is Andre Sidbury. This is  
16 an identity hearing on a removal.

17 THE COURT: Now, Mr. Bos, are you ready to  
18 resume?

19 MR. BOS: Yes, Your Honor.

20 THE COURT: Very well. Before the recess you  
21 indicated that you completed your cross-examination of  
22 Agent Steill and that you may wish to move into evidence  
23 certain exhibits.

24 MR. BOS: That's correct, Your Honor.  
25 Your Honor, as the Court knows, yesterday and we filed a

1 notice of filing with the Court and attached to that  
2 notice of file was a 286-page document which contained  
3 4040 UCC filings identified as Exhibits 1 through 40.  
4 At this time -- and the first, the original due  
5 declaration and notice of factualized trust. Number two  
6 is an original due declaration of issue by original  
7 repository. Annex 3 through Annex 40 are UCC filings  
8 and they've been filed over the years by Ms. Tucci. We  
9 would be seeking to introduce that as Defense Exhibit  
10 No. 1, as it's our position it goes directly to the  
11 identification issue that the Court has to address.

12 THE COURT: What is your argument, Mr. Bos,  
13 concerning how those exhibits in your words go to the  
14 identification issue?

15 MR. BOS: Your Honor, the only issue that the  
16 Court has to decide today is whether or not  
17 Ms. Tucci-Jarraf is the person who's been indicted in  
18 the Eastern District -- excuse me, in the District of  
19 Tennessee. It's our position that the annex been has  
20 shown that she's, in fact, not the person who was  
21 indicted in Tennessee.

22 THE COURT: May I ask you to further  
23 articulate your argument, please, regarding the  
24 statement that you just made?

25 MR. BOS: I'm not sure what more I can give to

1 the Court at this point, but it is our position that  
2 they do refute the identification issue.

3 THE COURT: How do the documents refute the  
4 testimony of the officer, of the agent, excuse me, of  
5 Special Agent Steill?

6 MR. BOS: As the Court knows, it doesn't have  
7 to refute the testimony. It can certainly undercut the  
8 government's case as far as the identity. The Court  
9 could receive his testimony and also accept our exhibit  
10 and find that the exhibit trumps the testimony that was  
11 given by Agent Steill, and that's especially the case  
12 where we have an individual who testified under oath  
13 about instances that he was not personally involved  
14 with, an individual who had never even met the person  
15 who he claimed to make the identification for until  
16 Monday of this week.

17 And our position is that the contents of  
18 Defense Exhibit No. 1 would undercut the reliability of  
19 that identification. That's all I have, Your Honor.

20 THE COURT: Very well. Thank you very much,  
21 Mr. Bos. Am I correct that you are calling the entire  
22 series of documents Defendant's Exhibit 1?

23 MR. BOS: Yes, Your Honor, and just the record  
24 is clear, these are the exact same documents that were  
25 filed --

1           THE COURT: Very well. On ECF, as I'm sure  
2 you noted, they are separated, I believe, solely for  
3 filing purposes into two subsets.

4           MR. BOS: That's correct, Your Honor. The  
5 reason for that was that we could not actually PDF a  
6 document quite this large, and so one document is 156  
7 pages and the other one is 150.

8           THE COURT: That was my understanding. I  
9 simply want to determine that your reference to  
10 Defendant's Exhibit 1 is to both components, both  
11 portions.

12          MR. BOS: Yes, Your Honor.

13          THE COURT: Very well. Thank you very much.  
14 Now, Ms. Walters.

15          MS. WALTERS: Thank you, Your Honor.  
16 Your Honor, the government does oppose the admission of  
17 Defendant's Exhibit No. 1. The government did have the  
18 opportunity to receive the document through ECF, but  
19 it's the government's position that the document, the  
20 exhibit and the documents that make up the exhibit do  
21 not go in any way to the issue of identity which is  
22 before the Court. The government believes that the  
23 documents supported defendant's ideology, but it does  
24 not support or present any facts and, in fact, is  
25 incomprehensible that would support or refute or in any

1 way present evidence that undercuts the government's  
2 testimony and evidence thus far with respect to her  
3 identity. So on those bases the government does oppose  
4 the admission of Defendant's Exhibit No. 1.

5 THE COURT: Thank you very much, Ms. Walters.  
6 Mr. Bos, do you wish to respond?

7 MR. BOS: No, Your Honor.

8 THE COURT: Are you able, using a single one  
9 of the multiple documents that comprise Defendant's  
10 Exhibit 1, to proffer how any such exhibit is at all  
11 relevant to the determination that this Court must make  
12 this afternoon?

13 MR. BOS: Your Honor, we believe it's directly  
14 relevant and we'll make those arguments at the time that  
15 we have to convince the Court that the government hasn't  
16 met its burden.

17 THE COURT: Very well. Thank you very much,  
18 Mr. Bos.

19 The record makes clear that the exhibits were  
20 first brought to the Court's attention by the Clerk's  
21 Office after the documents were delivered to the Clerk's  
22 Office. Because the -- because Ms. Tucci-Jarraf was  
23 represented by counsel, the Court's action with respect  
24 to the documents, as is clear from ECF, was to enter an  
25 order making them available to you, Mr. Bos, so that you

1 can determine what action you believe should be taken  
2 with respect to those documents. You did, of course,  
3 review the documents and ultimately filed them through  
4 ECF.

5 The Court did not seek to intervene in the  
6 issue of whether or not those documents would be filed.  
7 They were filed by you and they do appear on ECF as  
8 document No. 2 in 2 parts.

9 The mere fact that the documents are a part of  
10 the ECF record does not render them admissible at this  
11 hearing, however. And the Court must undertake -- the  
12 Court believe it was incumbent upon the Court to  
13 undertake an examination of the documents, which the  
14 Court did do in order to determine the question of  
15 admissibility. The Court finds, having done so, that  
16 the documents are not relevant to the issue before me.  
17 They may well be relevant to some other proceedings.

18 By stating that, I do not mean to suggest that  
19 they are or that I have a view of whether they will be.  
20 They are not relevant to any matter concerning the  
21 identity of the person before me as the person named in  
22 the indictment and the arrest warrant. And because that  
23 is the full extent of what I am able to do in the course  
24 of this proceeding, the motions -- the motion for the  
25 admission of Defendant's Exhibit No. 1 into evidence is

1 denied.

2 Now, do you have other evidence, Mr. Bos?

3 MR. BOS: Well, first of all, Your Honor, I'd  
4 like to note our objection to the Court's ruling.

5 THE COURT: Very well. I believe it is noted,  
6 as is your continuing objection for the grounds, on the  
7 grounds that you proffered this morning.

8 MR. BOS: And, Your Honor, we would therefore  
9 as the Court just said, that it is part of the case file  
10 in this case, and we would ask the Court to take  
11 judicial notice of this filing at this time.

12 THE COURT: The Court does not believe there  
13 is a ground upon which judicial notice can be taken. It  
14 is a matter that was filed that is largely because you  
15 did file it on ECF, as you were permitted to do as  
16 counsel. I believe we all recognize that the mere fact  
17 that a document is filed does not render it a matter as  
18 to which the Court could take judicial notice.

19 MR. BOS: Your Honor --

20 THE COURT: I will also note that even if the  
21 Court's ruling regarding the admission were otherwise,  
22 the Court's finding would likely be the same. And that  
23 is that the exhibits are not relevant to the issue that  
24 I must determine this afternoon.

25 MR. BOS: Your Honor, we just --

1 THE COURT: Put another way, whether the Court  
2 admitted them or not, the evaluation would still be the  
3 same.

4 MR. BOS: We would just ask the Court to note  
5 our objection. We have no additional evidence that we  
6 intend to offer at this time. We believe it's the  
7 government's burden to prove identity, and so we'll wait  
8 to hear their argument and intend to respond.

9 THE COURT: Very well. Thank you very much,  
10 Mr. Bos.

11 Are you ready to proceed with your argument,  
12 Ms. Walters?

13 MS. WALTERS: Yes, Your Honor.

14 THE COURT: Very well. We'll hear your  
15 argument.

16 MS. WALTERS: So first, Your Honor, the  
17 government would ask that the Court take notice that at  
18 the initial appearance and, in fact, throughout the  
19 other appearances by the defendant she has also, always  
20 responded and noted that her name is, in fact, Heather  
21 Ann Tucci-Jarraf, which the government would note is a  
22 fairly distinct name.

23 The government would ask that the Court credit  
24 the testimony of Special Agent Steill. He testified  
25 that he is one of the lead agents on the subject of the



1 removal matter, that is the indictment out of Knoxville,  
2 Tennessee. He also testified that he testified before  
3 the grand jury as to the entire matter and specifically  
4 this defendant's identity as a suspect after which the  
5 indictment issued.

6 Special Agent Steill testified that he  
7 reviewed videos of the defendant stating her name and  
8 also indicating her involvement in the matter that is  
9 the subject of the indictment. He reviewed photographs  
10 and other demographic information in relation to Heather  
11 Ann Tucci-Jarraf.

12 He also testified that there was a separate  
13 civilian witness who identified this defendant as  
14 Heather Ann Tucci-Jarraf on the date that she was  
15 arrested here in the District of Columbia pursuant to a  
16 call to Special Agent Steill by the U.S. Secret Service.  
17 For his part, he did say he was not present at the  
18 arrest but received information from other law  
19 enforcement agents who advised that she was identified  
20 by a separate civilian witness as a defendant, at which  
21 time the arrest was effectuated.

22 Finally, Your Honor heard in court today  
23 Special Agent Steill point out the defendant and  
24 specifically identify her as the person for whom an  
25 arrest warrant issued pursuant to the indictment sitting

1 here in court today.

2 The government would ask that the Court credit  
3 other competent evidence that has been presented, most  
4 importantly the fingerprint analysis that was conducted  
5 by the FBI, which concluded that this defendant is  
6 Heather Ann Tucci-Jarraf with a date of birth of July  
7 30, 1972, a Social Security number ending in 1682; and  
8 also the government would note that those identifiers  
9 correspond with the name appearing on the indictment and  
10 the name and date of birth appearing on the warrant that  
11 is before Your Honor, and also the name and date of  
12 birth appearing on the Pretrial Services Agency report,  
13 which was provided to the Court and the parties at the  
14 initial appearance in this matter on July 26, 2017.

15 And finally the government would note that  
16 Ms. Heather Ann Tucci-Jarraf has been in custody since  
17 July 26, 2017, since her arrest here in D.C., so there  
18 is no question that the person who was arrested on that  
19 date and the person who is sitting before the Court  
20 today is, in fact, the same person. So the government  
21 would rest and submit to the Court that we have met our  
22 burden of proving that the defendant is, in fact, the  
23 person named in the indictment and the warrant that is  
24 the subject of this removal matter.

25 THE COURT: Thank you very much, Ms. Walters.

1 Mr. Bos.

2 MR. BOS: Thank you, Your Honor.

3 THE COURT: I will hear your response.

4 MR. BOS: Your Honor, we will submit that the  
5 government hasn't met its burden on the identity issue  
6 in this case. That's all that they've presented was  
7 Agent Steill's testimony, which was third-hand as far as  
8 the identification procedures are concerned. Agent  
9 Steill testified that he had not even seen the  
10 individual that's here in court today until Monday and  
11 that the, he wasn't present at the time of the arrest.  
12 He wasn't present at the time that the alleged crime on  
13 which the indictment was based, so there's no  
14 identification that was made by any of the victims  
15 alleged in the indictment. In fact, all that we have is  
16 a, and I understand that hearsay is admissible in this  
17 proceeding, but it is hearsay nonetheless. It's going  
18 to be unbelievably unreliable.

19 And what's most concerning to us is the  
20 fingerprint report that the government introduced as  
21 Exhibit No. 4. There was no indication at all about  
22 what, if any, proficiency testing the examiner had done  
23 to see whether or not the test was, in fact, accurate.  
24 Although they said that there was a second level of  
25 identification, the person who did the identification

1 was never identified in the report. So we can't  
2 certainly rely on that report. And of course, that's  
3 the report that's generated by the government. We have  
4 not had a chance to fully confront the accuracy of that  
5 report.

6 THE COURT: Do you acknowledge that during  
7 your cross-examination of the agent you asked him no  
8 questions concerning any of those matters?

9 MR. BOS: Yes, Your Honor, I did ask him a few  
10 questions about that. And again, the evidence that the  
11 Court has, though, it is the report, he was reading from  
12 a report that he did not prepare by an individual that  
13 there's no indication that he had any direct contact  
14 with that individual. We don't know what the  
15 qualifications of that individual was. We don't know  
16 what the education level was, what type of certification  
17 that individual possessed at the time he made --

18 THE COURT: My question is do you acknowledge  
19 that you had an opportunity to ask Agent Steill those  
20 questions but did not?

21 MR. BOS: Right, because it's the government's  
22 burden to prove that those reports are reliable. We  
23 couldn't stop them from coming in, but we can certainly  
24 attack them now at the time for the argument stage here.  
25 And we're pointing out to the Court that there are deep

1     flaws in that particular report, which I think the  
2     government would maintain is their strongest piece of  
3     evidence. We not do know where the fingerprints came  
4     from, whether or not those, other than what's in the  
5     report.

6             And again, without knowing more about the  
7     author of the report, the Court should not be able to  
8     make the finding that that report is sufficiently  
9     reliable to support an identification finding by this  
10    Court, especially when you have a situation where you  
11    have not the arresting officer, not the officer that was  
12    present who spoke to the complainants at the time that  
13    they made the complaint to law enforcement, and he only  
14    makes this identification of the individual who is  
15    sitting right here in court, and just so the record is  
16    clear, Ms. Tucci is the only person who is sitting at  
17    counsel table wearing an orange jumpsuit. That's a  
18    pretty suggestive identification procedure that was done  
19    here in court, so I don't think that the Court should  
20    give it that much weight.

21            So when you have a situation where you have a  
22    report that we don't know anything about the authorship  
23    as far as fingerprints coupled with an identification  
24    that we believe is not sufficient to make an  
25    identification that the Court should deny the

1 government's request for, we would submit that the  
2 government hasn't met its burden in this identification  
3 proceeding.

4 THE COURT: Mr. Bos, this is a question I will  
5 ask you, I will ask you as well, Ms. Walters. I  
6 neglected to do that earlier in the proceeding. What is  
7 your contention, Mr. Bos, regarding the applicable  
8 standard of proof?

9 MR. BOS: Your Honor, it is my understanding  
10 that probable cause is the standard of proof in identity  
11 proceedings.

12 THE COURT: Very well. Ms. Walters, I will  
13 hear your reply. First may I ask whether you are in  
14 agreement that the standard of proof is probable cause?

15 MS. WALTERS: Yes, Your Honor. The  
16 government, that is the one thing that the government  
17 and the defense agree on, and the government takes that  
18 information from the *United States v. Perkins*,  
19 433 F.2d 1182, which is a case from 1970, which  
20 indicates that probable cause is the applicable  
21 standard.

22 THE COURT: Very well. That has been the  
23 Court's assumption. I simply wanted to determine  
24 whether counsel are in agreement that that is the  
25 standard.

1 MS. WALTERS: Yes, Your Honor. However, with  
2 respect to the competency of the government's evidence,  
3 the government would first note that there were no  
4 questions asked of Special Agent Steill with respect to  
5 the FBI fingerprint report. And as Agent Steill  
6 testified, that report was authored at his request, and  
7 there was lengthy questions on direct as to the fact  
8 that there was specific items used to reach the  
9 conclusion in that particular report, including  
10 fingerprints obtained from the defendant on two  
11 different dates of arrest. Those exhibits are, in fact,  
12 part of the government's exhibit.

13 So any claim that there's a chain of custody  
14 at issue or the origin of the report is somehow skewed  
15 or stained, the government would strenuously oppose  
16 given the documents that have been entered in evidence  
17 and given the documents that have been previously  
18 provided to the defense as to that fingerprint report.

19 So there's no basis to question that that is a  
20 fabricated report or that the items used to reach the  
21 conclusions in that report are somehow faulty.

22 Additionally, the government would note that  
23 the Special Agent Steill's ability to identify the  
24 defendant is clear based on his review of videos of the  
25 defendant, based on his review of criminal database

1 information populated with respect to prior arrests of  
2 this defendant, including photographic evidence, date of  
3 birth, all of these things that were elicited on direct  
4 examination of the agent. So there was in no way any  
5 suggestivity in his identification of Ms. Heather Ann  
6 Tucci-Jarraf in court today, because he had a very firm  
7 basis of what she looked like and the government would  
8 argue what she sounded like when he attempted or had a  
9 short phone call conversation with her prior to coming  
10 into court today.

11 And the government would note that he  
12 previously provided that information to the grand jury  
13 on July 18, 2017 and they issued an indictment. So I  
14 believe Special Agent Steill's ability to identify this  
15 defendant based on his investigation is also clear.

16 The government would note thirdly and lastly  
17 that as the government stated in its argument just a  
18 short while ago, Ms. Heather Ann Tucci-Jarraf was also  
19 identified by an independent civilian witness prior to  
20 her arrest. And that evidence is in the record as well.  
21 Special Agent Steill testified that he received a call  
22 from the United States Secret Service who had been  
23 alerted to the defendant and was aware of the warrant  
24 and notified Special Agent Steill upon which a law  
25 enforcement team encountered her at this hotel. They



1       inquired where she was and a separate civilian witness  
2       said that she wasn't in the room but she was in the area  
3       and then pointed her out.

4               So there is very firm basis upon which Special  
5       Agent Steill could identify this defendant that is in  
6       the record before the Court. And so the Court, the  
7       government would ask that the Court find that the  
8       government has, in fact, met its burden of probable  
9       cause in this matter of identifying Ms. Heather Ann  
10      Tucci-Jarraf as the person named in the warrant and also  
11      the indictment.

12             THE COURT: Thank you very much, Ms. Walters.

13             Mr. Bos, sorry. I saw you rising, is there  
14      something further?

15             MR. BOS: Well, Your Honor, I just want to  
16      make sure that the Court understands our argument. The  
17      argument is not whether or not that this evidence was --  
18      well, the Court made a ruling that the Court is going to  
19      accept the exhibits that the government, specifically of  
20      Exhibit No. 4 which is fingerprint evidence. That  
21      doesn't necessarily mean that the Court makes a finding  
22      that it's, in fact, reliable enough to meet the  
23      government's burden and identity hearing. So  
24      admissibility does not equate to reliability.

25             And our position is that notwithstanding our

1 objection which we not only have, do we have a standing  
2 objection to the exhibit coming in, we lost that  
3 objection; we still maintain it. The Court still has to  
4 make a further finding whether or not the report is, in  
5 fact, reliable and that's where our arguments are going  
6 towards.

7 THE COURT: Very well. Thank you very much,  
8 Mr. Bos.

9 Having considered the full extent of the  
10 evidence offered during the course of this proceeding  
11 and the arguments of counsel, the Court finds that the  
12 United States Attorney has offered abundant credible,  
13 reliable evidence taken as a whole to compel the finding  
14 that the individual now before the Court is the same  
15 individual named in the warrant and the indictment filed  
16 in the court in the Eastern District of Tennessee. The  
17 Court's finding is made by the standard that counsel  
18 agrees is the applicable standard, that is the probable  
19 cause standard.

20 The Court has fully considered the arguments  
21 made on behalf of counsel for Ms. Tucci-Jarraf and finds  
22 that the evidence have offered simply does not support  
23 the arguments. In other words, there is no factual  
24 basis for any of them.

25 Accordingly, the Court will sign the order of

1 commitment of Ms. Tucci-Jarraf to the Eastern District  
2 of Tennessee for proceedings in that district and will  
3 order that Ms. Tucci-Jarraf be held without bond pending  
4 her appearance in that district.

5 Mr. Bos --

6 MR. BOS: Your Honor, we are requesting that  
7 the Court order that we will be done on an expedited  
8 basis. As the Court knows, Ms. Tucci has been in  
9 custody in this matter for almost -- longer than a week  
10 at this point. So to the extent that she can get to  
11 Tennessee as quickly as possible where hopefully she'll  
12 be able to revisit her bail determination, we make that  
13 request.

14 THE COURT: We will note forthwith on the  
15 commitment. However, I believe it is important for the  
16 record to reflect in response to your concern about the  
17 period of time that Ms. Tucci-Jarraf has been held, the  
18 reason for the period of detention for the last four  
19 days was, of course, that the Court granted  
20 Ms. Tucci-Jarraf's request for a continuance.

21 The government was ready to proceed on Monday,  
22 which the Court noted was the third day, would have been  
23 the third day of Ms. Tucci-Jarraf's detention. We all  
24 assumed that that would be her reasonable maximum period  
25 for such a time of detention. Counsel for the

1 government was prepared to proceed. The witness was  
2 present, and indeed the Court offered the opportunity to  
3 at least begin the proceeding while other matters were  
4 being addressed.

5 The Court did not begin the proceeding solely  
6 because of your objection on behalf of Ms. Tucci-Jarraf  
7 to doing so. So the record should reflect that any  
8 delay beyond Monday, July 31, was occasioned by  
9 Ms. Tucci-Jarraf.

10 MR. BOS: Well, I guess our response to that  
11 is because Ms. Tucci-Jarraf had the Hobson's choice of  
12 going forward with a lawyer that she felt she was not  
13 comfortable with or whether or not she was going to hire  
14 a lawyer or be pro se. So it does suggest that she  
15 actually voluntarily, but there was that issue that had  
16 to get resolved for Ms. Tucci-Jarraf.

17 THE COURT: Very well. Thank you, Mr. Bos.  
18 Is there anything further on behalf of the United  
19 States, Ms. Walters?

20 MS. WALTERS: No, Your Honor.


21 THE COURT: Very well. Thank you very much,  
22 counsel. Ms. Tucci-Jarraf, please return with the  
23 marshal.

24 (Proceedings adjourned at 2:24 p.m.)

25 \*\*\*\*\*

## CERTIFICATE OF OFFICIAL COURT REPORTER

I, Barbara DeVico, certify that the foregoing is a correct transcript from the recording of proceedings in the above-entitled matter.



---

SIGNATURE OF COURT REPORTER

8-8-17

DATE

---

**Subject:** RE: Heather Ann Tucci-Jarraf 804017 Case 1:17-mj-531 Transcript

---

**From:** Scott Wallace (scottlyn01@aol.com)

---

**To:** lisa\_shannon@sbcglobal.net;

---

**Date:** Monday, August 21, 2017 12:41 PM

---

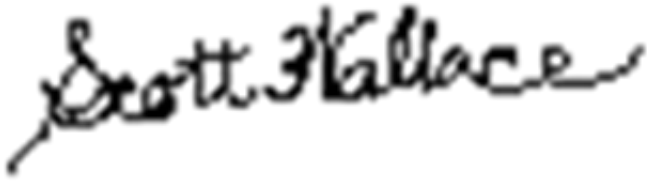
Ms. Shannon,

Thank you for your patience while I reviewed your request for a corrected transcript. Per our pervious telephone conversations, please find attached a new transcript with the following modifications:

1. The actual swearing-in language used by the courtroom deputy was inserted into the transcript in place of the sworn parenthetical. This addition can be found on page 11, lines 2 through 6.
2. After reviewing the audio file along with the transcript, there was, in fact, approximately 30 seconds worth of colloquy that was not included in the transcript, as it was hard to tell if this was an off-the-record discussion or an on-the-record discussion. Ms. DeVico made the corrections by inserting the missing portion of the hearing into the transcript. This language can be found on Page 11, lines 7 through 23. During that small missing portion, there were approximately three to four words that were unintelligible, and a parenthetical was included at that point of the transcript to reflect this fact. Please see Page 11, Line 22.)

If you have any problems opening the attachment, please don't hesitate to contact me.

Kindest Regards,



**Scott L. Wallace, RDR, CRR**

*Official Court Reporter/Supervisor*

**United States District Court**

for the District of Columbia

333 Constitution Avenue, NW Room 6503

Washington, DC 20001 | Main 202-354-3196 | Fax 202-449-4133

Business e-mail: [Scott\\_L\\_Wallace@dcd.uscourts.gov](mailto:Scott_L_Wallace@dcd.uscourts.gov)

Transcript Requests: [www.dcd.uscourts.gov/dcd/requesttranscriptform](http://www.dcd.uscourts.gov/dcd/requesttranscriptform)

---

**From:** Lisa Shannon [mailto:[lisa\\_shannon@sbcglobal.net](mailto:lisa_shannon@sbcglobal.net)]

**Sent:** Friday, August 18, 2017 7:17 PM

**To:** Scott Wallace <[scottlyn01@aol.com](mailto:scottlyn01@aol.com)>

**Subject:** Re: Heather Ann Tucci-Jarraf 804017 Case 1:17-mj-531 Transcript

Thank you very much, Scott.

In Gratitude,

Lisa Shannon

On Thursday, August 17, 2017 7:24 AM, Scott Wallace <[scottlyn01@aol.com](mailto:scottlyn01@aol.com)> wrote:

Ms. Shannon, I am out of the office today but will be able to respond tomorrow with an updated transcript.  
Sent from Alto

---

On Wednesday, August 16, 2017 at 1:48 PM Lisa Shannon <[lisa\\_shannon@sbcglobal.net](mailto:lisa_shannon@sbcglobal.net)> wrote:

Good Afternoon Scott,

Thank you for the information provided during our telephone conversation today regarding the missing/not included words and statements made by Heather during the 'swearing in' of her Identification Hearing with Deborah Robinson on August 4, 2017.

As you and I discussed, it is requisite ,beneficial and extremely important for Heather's case that the specific and particular words spoken and the language she used during the swearing in, to be in the official transcript.

As we discussed, Heather has a JD in Law, was formerly licensed with the B.A.R. and she cancelled her license for due cause. Heather is presenting herself Pro Se and specifically requested that we do our best to obtain the exact words and language she used during the swearing in - which is shown on the transcript as (Defendant Sworn). And - if possible - to also include this in the official transcript and/or provide us with another copy showing uninterrupted flow of statements.

As you requested, I am writing on behalf of Heather, to respectfully request that you retrieve and provide us with the complete swearing in portion only that you can obtain from the audio. We have already paid \$ 400.00 for the transcript and would be willing to pay any additional fee required to transcribe the complete statements by Heather during the period where (Defendant Sworn) is inserted in the transcript.

Thank you very much for the education you provided to me and your genuine desire to see if you can assist with this.

I look forward to your response and thank you in advance.



In Gratitude,

Lisa Shannon

(832) 746-5335

---

## **Attachments**

- 17-531, US v Tucci-Jarraf 8-4-17.pdf (220.34KB)
- image003.png (14.81KB)

AO 94 (Rev 06/09) Commitment to Another District

FOUR W: TH

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Case No 17-531 M

Heather Tucci-Jarraf

Defendant

Charging District's

Case No. 3:17-CR-82

## COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the Eastern District of Tennessee,

(if applicable) N/A division. The defendant may need an interpreter for this language:

**FILED**

AUG 04 2017

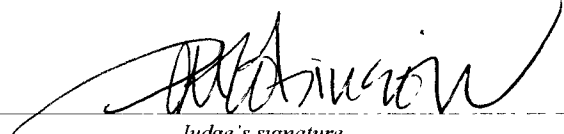
The defendant: ☐ will retain an attorney.☒ is requesting court-appointed counsel.Clerk, U.S. District and  
Bankruptcy Courts

The defendant remains in custody after the initial appearance.

**IT IS ORDERED:** The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date:

8/4/17



Judge's signature

**DEIDRA ROBINSON**  
**US DISTRICT JUDGE**

Printed name and title

FEDERAL PUBLIC DEFENDER  
DISTRICT OF COLUMBIA  
SUITE 550  
625 INDIANA AVENUE, N.W.  
WASHINGTON, D.C. 20004

A. J. KRAMER  
Federal Public Defender

TELEPHONE (202) 208-7500  
FAX (202) 208-7515

Authorization for Release of Case File

I, Heather Ann Tucci-Sorral, hereby authorize my attorney,  
David W. Bos, to release a copy of my case file in U.S. District Court case number 17-MJ-331  
to:

William T. Ferguson III

\_\_\_\_\_  
\_\_\_\_\_

Heather Ann Tucci-Sorral  
Signed  
8/8/2017  
Date

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

\_\_\_\_\_  
UNITED STATES OF AMERICA )

v. )

HEATHER TUCCI-JARRAF )

Defendant. )  
\_\_\_\_\_)

Case No. 17-531 (DAR)

**NOTICE OF FILING**

The Defendant, through counsel, Assistant Federal Defender David W. Bos, hereby files the attached materials in connection with the Identity Hearing held on August 4, 2017.

Respectfully submitted,

A. J. KRAMER  
FEDERAL PUBLIC DEFENDER

/s/

\_\_\_\_\_  
DAVID W. BOS  
Assistant Federal Public Defender  
625 Indiana Avenue, N.W., Suite 550  
Washington, DC 20004  
(202) 208-7500

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**CASE NO. : 1:17-mj-00531-DAR**

**Magistrate Judge Deborah .A. Robinson**

**ORIGINAL DUE DECLARATION  
OF ADDENDUM OF LAW,  
PRESUMPTION, AND PERPETUITY;  
CANCELLATION OF ORDER FOR  
COMMITMENT TO ANOTHER DISTRICT**

**DUE CANCELLATION OF ORDER FOR COMMITMENT TO ANOTHER  
DISTRICT, with file date of Aug 4 2017, and IDENTIFIERS OF CASE NO.: 17-  
531M, NO.: 3:17-CR-82, and CASE No.: 3:17-cr-00082-TAV-CCS, for due cause,  
specifically and particularly, inclusive of, ORIGINAL DUE DECLARATION OF  
ADDENDUM OF LAW, PRESUMPTION, AND PERPETUITY, nunc pro tunc,  
praeterea preterea:**

Annex 1	ORIGINAL DUE DECLARATION AND NOTICE OF FACTUALIZED TRUST	1;
Annex 2	ORIGINAL DUE DECLARATION OF ISSUE BY ORIGINAL DEPOSITORY	1 – 5;
Annex 3	The Perpetuity, UCC record number 2000043135, with receipt number 36090, inclusive of record numbers 2011055259, 2011055260 and 2011125781	1 – 12;
Annex 4	UCC record number 2012049126	1 – 2;
Annex 5	UCC record number 2012012675	1 – 2;
Annex 6	UCC record number 2012025545	1 – 2;
Annex 7	UCC record number 2012-125-1787-8	1 – 16;
Annex 8	UCC record number 2012012555	1 – 2;

Page 1 of 4

**CASE NO. : 1:17-mj-00531-DAR**

**DOCUMENT 2**

**FILED 8/8/2017**

Annex 27	UCC record number 2012083304	1 – 8;
Annex 28	UCC record number 2012086794	1 – 10;
Annex 29	UCC record number 2012086802	1 – 6;
Annex 30	UCC record number 2012088865	1 – 6;
Annex 31	UCC record number 2012088851	1 – 9;
Annex 32	UCC record number 2012094309	1 – 6;
Annex 33	UCC record number 2012096074	1 – 7;
Annex 34	UCC record number 2012113593	1 – 7;
Annex 35	UCC record number 2012114093	1 – 7;
Annex 36	UCC record number 2012114586	1 – 7;
Annex 37	UCC record number 2012114776	1 – 5;
Annex 38	DECLARATION OF FACTS	1 – 12;
Annex 39	UCC record number 2012132883	1 – 9;
Annex 40	UCC record number 2013032035	1 – 13;

Each said record herein duly identified, restated in entirety, and incorporated by reference as if set forth in full;

All said records in totality, “the Perpetuity”;

The Perpetuity, nunc pro tunc, praeterea preterea.

FBI/Still

## UNITED STATES DISTRICT COURT

RECEIVED BY: ROSDATE: 7/20/17 TIME: 0530

SEALED

for the

Eastern District of Tennessee

U.S. MARSHAL E/TN  
KNOXVILLE, TN

SEALED

United States of America  
v.

HEATHER ANN TUCCI-JARRAF

Defendant

Case No. 3:17-CR- 82

## ARREST WARRANT

To: Any authorized law enforcement officer

Case No: 1:17-mj-531  
Assigned To: Magistrate Judge Deborah A. Robinson  
Date Assigned: 7/26/2017  
Description: Arrest Warrant (Rule 40)

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) HEATHER ANN TUCCI-JARRAF

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

the defendant, did unlawfully and knowingly combine, conspire, confederate, and agree with each other and with other persons known and unknown to the Grand Jury to commit money laundering, in violation of Title 18, United States Code, Sections 1956 and 1957.

Date: 07/19/2017City and state: Knoxville, TN

Issuing officer's signature

U.S. Magistrate Judge

Printed name and title

Deputy Clerk

## Return

This warrant was received on (date) 7-20-17 and the person was arrested on (date) 7-26-17  
at (city and state) \_\_\_\_\_Date: 7-26-17

Arresting officer's signature

Matthew Saru's DUSM  
Printed name and title

FID#10365908

1774-0720-2495-J

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

FILED

2017 JUL 18 P 5:29

UNITED STATES OF AMERICA )

v. )

RANDALL KEITH BEANE, and )  
HEATHER ANN TUCCI-JARRAF )

No. 3:17-CR- 82

Judges: Varlan/Shirley

INDICTMENT

The Grand Jury charges as follows:

COUNTS ONE THROUGH FIVE

Wire Fraud  
(18 U.S.C. § 1343)

INTRODUCTION

Case No: 1:17-mj-531

Assigned To: Magistrate Judge Deborah A. Robinson

Date Assigned: 7/26/2017

Description: Arrest Warrant (Rule 40)

At all times relevant to this indictment:

1. United States Automobile Association ("USAA") is a financial institution insured by the Federal Deposit Insurance Corporation ("FDIC") with a home office in San Antonio, Texas. USAA offers products in the insurance, banking investing, real estate and retirement arenas.
2. Federal Reserve Bank in New York is a financial institution, located in New York, New York.
3. Whitney Bank is a FDIC insured financial institution with a home office in Louisiana.
4. The defendant, RANDALL KEITH BEANE, was a member and account holder at United States Automobile Association ("USAA").



5. The defendant, **RANDALL KEITH BEANE**, did not have an account ending in xxxxxx-1135 at the Federal Reserve Bank.

6. All wire transfers discussed herein went through the Automated Clearing House and Fedwire.

7. **HEATHER ANN TUCCI-JARRAF**, is not a duly licensed attorney in the states of Tennessee and Washington authorized to represent others in legal matters.

#### **THE SCHEME**

8. In or around July 2017, **RANDALL KEITH BEANE**, and others known and unknown to the Grand Jury, embarked upon a scheme through which they sought to obtain and access funds that did not belong to them by exploiting the online banking options available through USAA.

9. The scheme involved the use of a valid routing number ending in xxxxxx-1452, belonging to Federal Reserve Bank, and a fictitious bank account number ending in xxxxxx-1135.

10. It was part of the scheme to make numerous attempts using the valid routing number and fictitious bank account number to purchase jumbo Certificates of Deposit ("CDs") until a transfer was completed.

11. It was further part of the scheme to immediately liquidate the CDs and then transfer proceeds from the CDs to **BEANE'S** personal bank account to purchase assets and pay personal expenses with funds that did not belong to him, including the purchase of a 2017 Entegra Cornerstone 45B; 45 foot diesel motorhome.

12. It was further part of the scheme that **HEATHER ANN TUCCI-JARRAF** purported to be **BEANE'S** attorney in order to induce, coerce and convince certain financial institutions to accept the fraudulently obtained funds for payment of a 2017 Entegra Cornerstone 45B; 45 foot diesel motorhome.

**MANNER AND MEANS**

13. In furtherance of the scheme, and to accomplish the ends thereof, the defendant, **RANDALL KEITH BEANE**, and others known and unknown to the Grand Jury, used the following means, among others:

- a. Defendant **RANDALL KEITH BEANE** was a member and account holder at United States Automobile Association ("USAA");
- b. The defendant, **RANDALL KEITH BEANE**, did not hold an account ending in xxxxx-1135 at Federal Reserve Bank.
- c. The defendant, **RANDALL KEITH BEANE**, obtained from others known and unknown to the Grand Jury, the valid routing number of Federal Reserve Bank, that is routing number ending in xxxix-1452.
- d. The defendant, **RANDALL KEITH BEANE** used his mobile device to access his USAA account.
- e. The defendant, **RANDALL KEITH BEANE**, would and did conduct electronic financial transactions, including the purchase and attempted purchase of jumbo CDs through USAA, in which the defendant **RANDALL KEITH BEANE**, falsely represented the funding source by using a fictitious account number, that is account number ending in xxxxx-1135.
- f. The vast majority of CDs the defendant, **RANDALL KEITH BEANE**, attempted to purchase through the scheme were returned as invalid because there was no valid account number entered. However, two CDs were funded by USAA bank and liquidated by the defendant, **RANDALL KEITH BEANE**, before USAA could reverse the transaction.

g. The defendant, **RANDALL KEITH BEANE**, would and did use funds fraudulently acquired through the CD purchase scheme to make purchases for his own personal benefit to include the purchase of a 2017 Entegra Cornerstone 45B; 45 foot diesel motorhome.

#### **EXECUTION OF THE SCHEME**

14. The allegations set forth in Paragraphs One through Thirteen are incorporated herein for reference for the purpose of alleging violations of 18 U.S.C. § 1343.

15. On or about the dates set forth below, within the Eastern District of Tennessee and elsewhere, the defendant, **RANDALL KEITH BEANE**, for the purposes of executing and attempting to execute the above-described scheme and artifice to defraud, purchased jumbo CDs with funds that did not belong to him by using routing numbers that did not belong to his accounts and fictitious bank accounts, and in so doing did knowingly transmit and cause to be transmitted, by means of wire communication in interstate commerce, signals and sounds including, without limitation the following:

COUNT	DATE	DESCRIPTION OF TRANSMISSION
1	7/6/2017	BEANE transferred funds he did not own, via wire, using Federal Reserve New York, routing number xxxxx-1452 and fictitious account number ending xxxxx-1135 to purchase CD number xxxxx-4613 in the amount of \$500,000.
2	7/6/2017	CD number xxxxx-4613 in the amount of \$500,000 was closed and funds in the amount of \$499,909.59 were transferred, via wire, to one of BEANE'S personal bank accounts at USAA, account number ending in xxxxx-3062.
3	7/6/2017	BEANE transferred funds he did not own, via wire, using Federal Reserve New York, routing number xxxxx-1452 and fictitious account number xxxxx-1135 to purchase CD number xxxxx-4623 in the amount of \$999,000.

COUNT	DATE	DESCRIPTION OF TRANSMISSION
4	7/6/2017	CD number xxxxx-4623 in the amount of \$999,000 was closed and funds in the amount of \$998,819.36 were transferred, via wire, to one of BEANE'S personal bank accounts at USAA, account number xxxxx-3062.
5	7/7/2017	BEANE transferred the sum of \$493,110.68, via wire from BEANE's personal account number xxxxx-4026 to Whitney Bank account number xxxxx-4960 belonging to B.G., whose identity is known to the Grand Jury, for the purchase of a 2017 Entegra Cornerstone 45B; 45 foot diesel motorhome.

All in violation of Title 18, United States Code, Section 1343.

**COUNT SIX**

**BANK FRAUD**  
**(18 U.S.C. § 1344)**

16. The allegations contained above in Paragraphs One through Fifteen are incorporated herein by reference for the purpose of alleging a violation of Title 18, United States Code, Section 1344.

17. From on or about July 5, 2017, continuing through at least on or about July 11, 2017, in the Eastern District of Tennessee, for the purpose of executing the scheme described above, the defendant, RANDALL KEITH BEANE, devised a scheme to defraud financial institutions and to obtain moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of financial institutions by means of false and fraudulent pretenses, representations, and promises, executed and attempted to wit, to purchase Certificates of Deposit with money that did not belong to him, without permission or authority, alter the financial instruments, and liquidate the CDs at and through financial institutions in order to obtain money and property fraudulently and for defendant's own use and benefit.

All in violation of Title 18, United States Code, Section 1344.

**COUNT SEVEN**

**CONSPIRACY TO COMMIT MONEY LAUNDERING**  
**(18 U.S.C. § 1956(h))**

18. The allegations contained above in Paragraphs One through Seventeen are incorporated herein by reference for purpose of alleging conspiracy to commit money laundering in violation of Title 18, United States Code, Section 1956(h).

19. The Grand Jury further charges that in on or about July 2017, in the Eastern District of Tennessee and elsewhere, the defendants **RANDALL KEITH BEANE** and **HEATHER ANN TUCCI-JARRAF**, did unlawfully and knowingly combine, conspire, confederate, and agree with each other and with other persons known and unknown to the Grand Jury to commit certain offenses against the United States, in violation of Title 18, United States Code, Sections 1956 and 1957, as follows:

a. knowingly conducting and attempting to conduct financial transactions affecting interstate commerce, which transactions involved the proceeds of specified unlawful activity, that is, (wire fraud, bank fraud), in violation of Title 18; United States Code, Sections 1343 and 1344, with the intent to promote the carrying on of a specified unlawful activity, that is bank and wire fraud, and that while conducting such financial transactions knew that the property involved in the financial transactions represented the proceeds for some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i);

b. knowingly conducting and attempting to conduct financial transactions affecting interstate commerce, which involved the proceeds of specified unlawful activity, that is: (1) wire fraud in violation of 18 U.S.C. § 1343 and (2) bank fraud in violation of 18 U.S.C. § 1344, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew

that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(B)(i).

c. knowingly engaging and attempting to engage in monetary transactions by, through or to a financial institution, affecting interstate commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is (1) wire fraud in violation of 18 U.S.C. § 1343; and (2) bank fraud in violation of 18 U.S.C. § 1344, in violation of Title 18, United States Code, Section 1957.

All in violation of Title 18, United States Code, Section 1956(h).

#### **FORFEITURE ALLEGATIONS**

20. The allegations contained in Counts One through Seven of this Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 982(a)(1), 982(a)(2) and 28 U.S.C. § 2461.

21. Pursuant to 18 U.S.C. § 982(a)(2), upon conviction of any offense in violation of 18 U.S.C. §§ 1344, 1343, and any defendant so convicted shall forfeit to the United States any property, real or personal, constituting or traceable to the proceeds of any violation of 18 U.S.C. §§ 1344, 1343, including but not limited to the following property:

- a. 2017 Entegra Cornerstone 45B; 45 foot diesel motorhome; VIN # 4VZVU1E94HC082752; topaz in color with eight wheels ("motorhome"); and
- b. A personal money judgment in favor of the United States and against the defendant, RANDALL KEITH BEANE, in the amount of \$553,749.99, which represents the proceeds the defendant personally obtained, directly or indirectly, as a result of the criminal violations of 18 U.S.C. §§ 1343; and 1344.

22. Pursuant to 18 U.S.C. § 982(a)(1), upon conviction of an offense in violation of 18 U.S.C. 1956(h), any defendant so convicted shall forfeit to the United States of America any property, real or personal, involved in such offense, and any property traceable to such property, including but not limited to the following property:

- a. 2017 Entegra Cornerstone 45B; 45 foot diesel motorhome; VIN # 4VZVUIE94HC082752; topaz in color with eight wheels ("motorhome").

23. Pursuant to Title 21, United States Code, Section 853(p), the defendants shall forfeit substitute property, up to the value of the property subject to forfeiture, if by any act or omission of any of the defendants, said property, or any portion thereof:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461.

A TRUE BILL:

Signature Redacted  
FOREPERSON

NANCY STALLARD HARR  
UNITED STATES ATTORNEY

  
CYNTHIA F. DAVIDSON  
ANNE-MARIE SVOLTO  
Assistant United States Attorneys

DR.MARMV0000

14:01 07/14/17 11944

14:01 07/14/17 43839 TNFBIXCO

\*ELRHR9TN

TXT

NAME: HEATHER ANN TUCCI-JARRAF

PRIMARY CONTACT ADDRESS: 29 WESTERN AVENUE; LYNN,MA 01904

DATE OF BIRTH: 1972-07-30

SSN: 532801682

HEIGHT: 509

GENDER: F

\*\*\* DRIVER LICENSE DETAILS \*\*\*

DRIVER AUTHORIZATION ID: S29943354

JURISDICTION AUTHORITY CODE: MA

ISSUE DATE: 2016-05-27

EXPIRATION DATE: 2020-07-30

\*\*\* ADDITIONAL INFORMATION \*\*\*

FIELD NAME: MILITARY

FIELD VALUE: 0

FIELD NAME: DRIVER'S ED.

FIELD VALUE: 0

FIELD NAME: ORGAN DONOR

FIELD VALUE: N

FIELD NAME: MAB

FIELD VALUE: N

\* \* \* END OF RECORD \* \* \*





DR.WAIMG0000

14:02 07/14/17 11973

14:02 07/14/17 43941 TNFBKXCO

\*ELRI4BTN

TXT

WASHINGTON DRIVER LICENSE PHOTO IMAGE RESPONSE

QUERY DATA: OLN/TUCCIHA286MT.

STATUS: CLEAR

ISSUED: 11-09-2007 EXPIRES: 7/30/2010

TUCCI-JARRAF, HEATHER ANN

DOB/07-30-1972 FEMALE

R/3809 116TH ST CT NW

EYE/BRN;HGT/5-08;WGT/200

R/GIG HARBOR

WA 98332

PDL:ISS/11-09-07

EXP/07-30-10 DUI/PC 000 VH 000 CDL:STATUS: NONE

STATUS: CLEAR

RD/DUI 000 VA 000

DWLS/R 1ST:000 DWLS/R 2ND:000 DWLS/R

3RD:000



QWA.TNNCIC000  
14:03 07/14/17 25620  
14:03 07/14/17 44006 TNFBIKXC0  
\*ELRIDQTN  
TXT

TNFBIKXC0

NO NCIC WANT SOC/532801682  
NO NCIC WANT NAM/TUCCI-JARRAF,HEATHER ANN DOB/19720730 RAC/W SEX/F  
\*\*\*MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.

---

datetime: 2017-07-14T15:03:43-0400 desc: QH.TNNCIC000 encrypted: 0 name:  
RESP offset: 15694 q2client: 2017-07-14T14:03:43-0500 responsekey: QH src:  
SERVER type: DATA xid: 883082319

OPT ELRIOITN

ORI TNFBIKXC0

**FBI CHRI RESPONSE**

MKE QH

QH.TNNCIC000  
14:04 07/14/17 09144  
14:04 07/14/17 44086 TNFBIKXC0  
\*ELRIOITN  
TXT

TNFBIKXC0

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF  
YOUR

INQUIRY ON NAM/TUCCI-JARRAF,HEATHER ANN DOB/19720730 SEX/F RAC/W  
SOC/532801682 PUR/C ATN/JARON PATTERSON

NAME	FBI NO.	INQUIRY DATE
TUCCI,HEATHER ANN	886100KD4	2017/07/14

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
F	W	1972/07/30	000	180	BRO	BRO	N

BIRTH PLACE  
WASHINGTON

FINGERPRINT CLASS      PATTERN CLASS

ALIAS NAMES  
TUCCI-JARRAF,HEATHER ANN

IDENTIFICATION DATA UPDATED 2011/02/04

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE  
FOLLOWING:

WASHINGTON      - STATE ID/WA26045007

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION  
INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

---

MKE IR

IR.TNSIR0000  
14:04 07/14/17 12024  
14:04 07/14/17 44131 TNFBIKXCO  
\*ELRIUCTN  
TXT  
PUR/C.ATN/JARON PATTERSON

BASED ON AN AUTOMATED SEARCH, NO IDENTIFIABLE RECORD WAS FOUND IN THE  
TENNESSEE CRIMINAL HISTORY FILES FOR:

NAM/TUCCI-JARRAF, HEATHER ANN.  
DOB/19720730.  
RAC/W.  
SEX/F.  
SOC/532801682.

TENNESSEE BUREAU OF INVESTIGATION, NASHVILLE TN DATE: 7/14/2017  
2:05:21 PM

---

datetime: 2017-07-14T15:04:30-0400 desc: IR.MASIR0000 encrypted: 0 name: MKE

IR

**MA NEGATIVE RESULTS**

IR.MASIR0000  
14:05 07/14/17 12028  
14:05 07/14/17 44149 TNFBIKXCO  
\*ELRIUCTN  
TXT  
PUR/C.ATN/JARON PATTERSON.NAM/TUCCI-JARRAF, HEATHER ANN.DOB/1972-07-  
30.SEX/F.RAC/W.SOC/532801682  
NO FINGERPRINT SUPPORTED CRIMINAL RECORD DATA EXISTS

\*\*\*\*\*  
\*\*\*\*\*

THE FOLLOWING NONFINGERPRINT SUPPORTED DATA IS A CANDIDATE LIST OF  
POTENTIAL  
MATCHES ON YOUR NAME/DOB REQUEST. FOR MORE DETAIL ON A SPECIFIC  
CANDIDATE RUN  
AN FQ WITH THE ASSOCIATED PCF NUMBER IN THE SID FIELD PREPENDED WITH  
'MAP'.

NO NONFINGERPRINT SUPPORTED DATA EXISTS

END OF RESPONSE

\*\*\*\*\* IDENTIFICATION  
\*\*\*\*\*

SUBJECT DESCRIPTION

\* \* \* END OF RECORD \* \* \*

---

datetime: 2017-07-14T15:04:54-0400 desc: CR.WAIII0000 encrypted: 0 name:  
RESP offset: 23922 q2client: 2017-07-14T14:04:54-0500 responsekey: CR src:  
SERVER type: DATA xid: 883082718

OPT ELRIZKTN  
ORI TNFBIKXC0

WASHINGTON CHRI RESULTS

MKE CR

CR.WAIII0000  
14:05 07/14/17 12038  
14:05 07/14/17 44174 TNFBIKXC0  
\*ELRIZKTN

TXT

HDR/2L01QR\*ELRIZKTN  
ATN/JARON PATTERSON  
PAGE 1

\$.A.CHR.HDR/2L01QR\*ELRIZKTN

.TME/1504.TMZ/EDT.DTE/20170714.ORI/TNFBIKXC0.SID/  
WA26045007.FBI/886100KD4.NAM/TUCCI,HEATHER ANN.PUR/C.TOS/BASED ON  
FBI

NUMBER ONLY.ORT/FBI KNOXVILLE.ATN/JARON PATTERSON.CRIMINAL HISTORY  
REQUESTED

ATN/JARON PATTERSON

WASHINGTON STATE CRIMINAL HISTORY RECORD FOR SID/WA26045007  
SINGLE STATE OFFENDER

WASHINGTON STATE PATROL  
CRIMINAL HISTORY RECORD SECTION  
P.O. BOX 42633  
OLYMPIA, WASHINGTON 98504-2633

\*\*\*\*\*  
\*\*\*\*\*

CRIMINAL HISTORY INFORMATION AS OF 07/14/2017

\*\*\*\*\*  
\*\*\*\*\*

NOTICE

THE FOLLOWING TRANSCRIPT OF RECORD IS FURNISHED FOR OFFICIAL USE ONLY.  
SECONDARY DISSEMINATION OF THIS CRIMINAL HISTORY RECORD INFORMATION IS  
PROHIBITED UNLESS IN COMPLIANCE WITH THE WASHINGTON STATE CRIMINAL  
RECORDS  
PRIVACY ACT, CHAPTER 10.97 RCW.

POSITIVE IDENTIFICATION CAN ONLY BE BASED UPON FINGERPRINT COMPARISON.  
BECAUSE  
ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE  
REQUESTED  
FOR SUBSEQUENT USE. WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS  
NEEDED,  
COMMUNICATE DIRECTLY WITH THE AGENCY THAT SUPPLIED THE INFORMATION TO  
THE  
WASHINGTON STATE PATROL.

\*\*\*\*\*  
\*\*\*\*\*

MASTER INFORMATION

\*\*\*\*\*  
\*\*\*\*\*

NAME: TUCCI, HEATHER ANN  
SID NUMBER: WA26045007

DOB: 07/30/1972  
FBI NUMBER: 886100KD4

\*\*\*\*\*  
\*\*\*\*\*

PERSON INFORMATION

\*\*\*\*\*  
\*\*\*\*\*

SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR	PLACE OF BIRTH
F	W		180	BRO	BRO	WA

OTHER NAMES USED NUMBER	OTHER DATES OF BIRTH USED	SOC SEC NUMBER	MISC
TUCCI-JARRAF, HEATHER ANN			

DNA TAKEN: N DNA TYPED: N

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\*\*\*\*\*

NO KNOWN SCARS, MARKS, TATTOOS, AND AMPUTATIONS

\*\*\*\*\*  
\*\*\*\*\*

\*\*\*\*\*  
\*\*\*\*\*

CONVICTION AND/OR ADVERSE FINDING SUMMARY

\*\*\*\*\*  
\*\*\*\*\*

\*\*\*\* NO KNOWN CONVICTIONS AND/OR ADVERSE FINDINGS \*\*\*\*

\*\*\*\*\*  
\*\*\*\*\*

\*\*\*\* NO KNOWN DOC SUMMARY INFORMATION \*\*\*\*

\*\*\*\*\*  
\*\*\*\*\*

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\*\*\*\*\*

CRIMINAL HISTORY INFORMATION

\*\*\*\*\*  
\*\*\*\*\*

THE ARRESTS LISTED MAY HAVE BEEN BASED ON PROBABLE CAUSE AT THE TIME OF  
ARREST  
OR ON A WARRANT. PROBABLE CAUSE ARRESTS MAY OR MAY NOT RESULT IN THE  
FILING OF  
CHARGES. CONTACT THE ARRESTING AGENCY FOR INFORMATION ON THE FORMAL  
CHARGES  
AND/OR DISPOSITIONS.

-----  
ARREST 1  
02/03/2011

DATE OF ARREST:

-----  
NAME USED: TUCCI, HEATHER ANN  
CONTRIBUTING AGENCY: WA0270000 PIERCE COUNTY SHERIFFS OFFICE  
LOCAL ID: 338108 PCN: 540343951 TCN:  
WA2700000101732572  
-----

-----  
ARREST OFFENSES | DISPOSITION  
0500800 OBSTRUCT LAW ENFORCEMENT OFC | CONTRIBUTOR OR RESPONSIBLE  
AGENCY: |  
RCW: 9A.76.020 | WA0270000 PIERCE COUNTY  
SHERIFFS |  
GROSS MISDEMEANOR | OFFICE  
ORIGINATING AGENCY: WA0270000 |  
PIERCE COUNTY SHERIFFS OFFICE | STATUS: DISPOSITION NOT  
RECEIVED |  
DISPO RESPONSIBILITY: WA0270000 |  
DATE OF OFFENSE: 02/03/2011 |  
|

\*\*\*\*\*  
\*\*\*\*\*

NO KNOWN DEPARTMENT OF CORRECTIONS INFORMATION

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

NO KNOWN SEX/KIDNAPPING OFFENDER REGISTRATIONS

\*\*\*\*\*  
\*\*\*\*\*

\*\*\*\*\*  
\*\*\*\*\*

NO KNOWN APPLICANT DETAILS

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

NO KNOWN MONITORED POPULATION REGISTRATION TRACKING INFORMATION

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

GLOSSARY OF TERMS IS AVAILABLE IN THE CRIMINAL JUSTICE TRAINING MANUAL  
(CJTM)

LOCATED AT [HTTP://WWW.WSP.WA.GOV/\\_SECURED/IDENT/RESOURCE.HTM](http://WWW.WSP.WA.GOV/_SECURED/IDENT/RESOURCE.HTM)

\*\*\*\*\*  
\*\*\*\*\*

RESOURCES

\*\*\*\*\*  
\*\*\*\*\*

ADMINISTRATIVE OFFICE OF

THE COURTS (AOC)-----WWW.COURTS.WA.GOV

WSP CHRU-----CRIMHIS@WSP.WA.GOV OR (360) 534-2000

WSP CRIMINAL HISTORY &

FINGERPRINT TRAINING-----  
HTTP://WWW.WSP.WA.GOV/\_SECURED/IDENT/RESOURCE.HTM  
DEPARTMENT OF CORRECTIONS (DOC)--WWW.DOC.WA.GOV  
WSP SOR UNIT----- (360) 534-2000  
WSP CRIME LAB CODIS----- (206) 262-6020  
RCW-----HTTP://APPS.LEG.WA.GOV/RCW/  
LEGISLATION-----HTTP://APPS.LEG.WA.GOV  
END OF RECORD \* \* \* END OF RECORD \* \* \*

FEDERAL BUREAU OF INVESTIGATION  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION  
CLARKSBURG, WV

Date: 07/27/2017



TO: FBI  
KNOXVILLE, TN

ATTN: SA PARKER H. STILL

FROM: FBI - CJIS DIVISION  
SPECIAL PROCESSING CENTER - BTC  
1000 CUSTER HOLLOW ROAD CLARKSBURG,  
WV 26306

PHONE: 304-625-5584 (24 HOUR - VOICE)  
304-625-5587 (24 HOUR - AUTO FAX)

EMAIL: spc@leo.gov

SUBJECT: TUCCI-JARRAF, HEATHER ANN

YOUR CASE #:

DATE PRINTS SUBMITTED: 07/26/2017 & 07/27/2017

The fingerprints you submitted on the above subject have been identified with FBI/UCN# 886100KD4

NAME: TUCCI, HEATHER ANN

DOB: 07/30/1972

COMMENTS:

THE SUBMITTED PRINTS, DOA 02/03/2011 ARE IDENTICAL WITH QUOTED FBI/UCN# 886100KD4. THE PRINTS SUBMITTED TODAY FOR THIS SUBJECT ARE IDENTICAL WITH THE PRINTS SUBMITTED YESTERDAY AND BOTH ARE IDENTICAL WITH THE QUOTED FBI/UCN# 886100KD4.

This subject's criminal history is available in and must be obtained through the  
NCIC Interstate Identification Index (III).

AUTHORIZATION: WGM/JAM

CONFIDENTIALITY NOTICE

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U.S. Department of Justice

Federal Bureau of Investigation

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Clarksburg, WV 26306

07/28/2017

To: Lisa N. Walters  
Senior Assistant United States Attorney - Magistrate Court  
Office of the U.S. Attorney for the District of Columbia  
Violent Crime & Narcotics Trafficking Section  
555 4<sup>th</sup> Street, N.W., Rm. 4118  
Washington, D.C. 20530

Title: Criminal Justice Information Services (CJIS) Division  
Report of Examination

CJIS Case Number: CJIS 2017-276

References: Request received from Special Agent Parker H. Still  
dated 07/27/2017.

Subject: Heather Ann Tucci-Jarraf

The correspondence referenced above requested *"For your review, I am attaching records on Tucci-Jarraf from a previous arrest in Washington State as well as records from the arrest yesterday in DC. I would ask that you please review the records, and confirm that this is the same individual."*

Per your request, exhibits examined were as follows:

**Exhibit 1** - is a tenprint fingerprint card received from the METROPOLITAN POLICE DEPARTMENT, WASHINGTON, D.C., bearing the name of TUCCI-JARRAF, HEATHETR ANN, DATE OF BIRTH 07/30/1972, DATED 07-27-2017, other descriptive information, and marked by me as **Standard (S-1)** in the lower right corner of the exhibit.

**Exhibit 2** - is a tenprint fingerprint card received from SA PARKER H. STILL bearing the name of TUCCI, HEATHER ANN, DATE OF BIRTH 07-30-1972, DATE OF ARREST 02-03-2011, other descriptive  
2017-276

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Page 1

information, and marked by me as **Standard (S-2)** in the lower right corner of the exhibit.

Pursuant to Rule 16(a) (1) (G) of Federal Rules of Criminal Procedure, the following relates to the proposed testimony of *Certified Tenprint Examiner, Joshua A. Cutler, FBI CJIS Division, Clarksburg, WV.*

The two fundamental principles of friction ridge identification are uniqueness and persistence, meaning each area of friction ridge skin is specific to one person and remains unchanged throughout that person's life.

A known/inked print is the deliberate reproduction of the friction ridges located on the underside of the fingers, palms, and soles of the feet. Impressions are obtained by rolling the area of interest in ink and placing same onto a contrasting background/card. Additionally, computer systems referred to as Live Scan are employed for obtaining electronic images by rolling the area of interest across a glass panel to produce a replica of the image.

My process for reaching a conclusion is best described as Analysis, Comparison, Evaluation and Verification or ACE-V:

The Analysis Phase is performed to make observations of the individual impressions. This includes the general flow of ridges; clarity of the ridges and individualizing characteristics present; and any apparent movement or distortion appearing within the impression. The examiner determines if the impressions in question contain sufficient information to continue to the comparison phase.

The Comparison Phase begins when two or more impressions have been found to be suitable for comparison. The impressions are compared by following the ridges in sequence to determine if the same ridge detail and characteristics are present and in the same relative position.

The Evaluation Phase is when an identification, exclusion, or inconclusive determination is made by the examiner.

In the Verification Phase, a second examiner conducts an independent examination following ACE described above, providing a quality assurance measure.

**Examination Notes:** On 07/28/2017, I examined two exhibits containing known/inked impressions.

S-1 is a tenprint card that contained ten rolled and ten plain fingerprint impressions. I was able to compare the rolled fingerprint impressions with the plain fingerprint impressions and determined all fingers where in the proper sequence on the exhibit.

S-2 is a tenprint card that contained ten rolled and ten plain fingerprint impressions. I was able to compare the rolled fingerprint impressions with the plain fingerprint impressions and determined all fingers where in the proper sequence on the exhibit.

The **right thumb** fingerprint impression(s) present on all exhibits reveal **loop patterns** with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The **right index** fingerprint impression(s) present on all exhibits reveal **arch patterns** with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The **right middle** fingerprint impression(s) present on all exhibits reveal **loop patterns** with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The **right ring** fingerprint impression(s) present on all exhibits reveal **loop patterns** with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The **right little** fingerprint impression(s) present on all exhibits reveal **loop patterns** with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The **left thumb** fingerprint impression(s) present on all exhibits reveal **loop patterns** with similar size, shape and flow;

2017-276

displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left index* fingerprint impression(s) present on all exhibits reveal *arch patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left middle* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left ring* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left little* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

Result of Examination:

The fingerprints present on the standards referenced above as S-1 and S-2 are the fingerprints of one and the same individual.

As a quality assurance measure, a second Tenprint Examiner conducted an independent examination and reached the same conclusion that exhibits S-1 and S-2 are the fingerprints of one and the same individual.

 7-28-17

Joshua A. Cutler, CTPE  
Federal Bureau of Investigation  
Criminal Justice Information Services Division  
Biometric Services Section  
(304) 625-5400 (Office & Fax)  
(304) 476-9718 (Mobile)  
[jacutler@fbi.gov](mailto:jacutler@fbi.gov)

202 7271586

MPD

09:20:29 a.m.

07-27-2017

2:2

008172070011

101729966

FD-249 (Rev. 3-1-10)

STATE USAGE

NFF SECOND

SUBMISSION

APPROXIMATE CLASS

AMPUTATION

SCAR

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

TUCCI-JARRAF, HEATHETR ANN

SIGNATURE OF PERSON FINGERPRINTED

SOCIAL SECURITY NO.

532-80-1682

LEAVE BLANK

ALIASES/MAIDEN

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

FBI NO.	STATE IDENTIFICATION NO.	DATE OF BIRTH MM DD YY	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
886100KD4	724726	07/30/1972	F	W	509	200	BRO	BLK

1. R. THUMB

2. R. INDEX

3. R. MIDDLE

4. R. RING

5. R. LITTLE

6. L. THUMB

7. L. INDEX

8. L. MIDDLE

9. L. RING

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

DC Metro P

07-27-2017 09:40:04

5-1  
7-28-17  
5525 JAC  
6028 ASZ  
7/28/17

ID:WA26045007

STATE USAGE

NFF SECOND



SUBMISSION

APPROXIMATE CLASS

AMPUTATION

SCAR

ATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

TUCCI, HEATHER ANN

FCN:2700000101732572

NATURE OF PERSON FINGERPRINTED

SOCIAL SECURITY NO.

LEAVE BLANK

ASES/MAIDEN

ST NAME, FIRST NAME, MIDDLE NAME, SUFFIX  
TUCCI-JARRAF, HEATHER ANN

NO.	STATE IDENTIFICATION NO. WA26045007	DATE OF BIRTH MM DD YY 07-30-1972	SEX F	RACE W	HEIGHT 000	WEIGHT 180	EYES BRO	HAIR BRO
1. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE				
6. THUMB	7. L. INDEX	8. L. MIDDLE	9. L. RING	10. L. LITTLE				
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY		L. THUMB	R. THUMB	RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY				

S-2  
7-28-17  
5525 JAL  
602852  
7/28/17

**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, CLARKSBURG, WV 26306**

ACT OF 1974 (P.L. 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.

SID:WA26045007

MISSION YES <input type="checkbox"/>  AT AS ADULT YES <input type="checkbox"/>		DATE OF ARREST MM DD YY 02-03-2011		ORI WA0270000 CONTRIBUTOR ADDRESS TCN: 2700000101732572 REPLY YES <input checked="" type="checkbox"/> DESIRED?	
D COPY TO: ER ORI]		DATE OF OFFENSE MM DD YY		PLACE OF BIRTH (STATE OR COUNTRY) WA COUNTRY OF CITIZENSHIP	
JELLANEOUS NUMBERS		SCARS, MARKS, TATTOOS, AND AMPUTATIONS			
		RESIDENCE/COMPLETE ADDRESS 3809 116TH ST CT NW,GIG HARBOR,WA CITY STATE			
ICIAL TAKING FINGERPRINTS ME OR NUMBER]		LOCAL IDENTIFICATION/REFERENCE OCA:338108		PHOTO AVAILABLE? YES <input type="checkbox"/> PALM PRINTS TAKEN? YES <input type="checkbox"/>	
LOYER: IF U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY. IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO. JNEMP				OCCUPATION	
RGE/CITATION				DISPOSITION 1.	
				2.	
				3.	
JITIONAL Showing all charges				ADDITIONAL	
JITIONAL INFORMATION/BASIS FOR CAUTION				STATE BUREAU STAMP	

FD-249(REV. 5-11-99)

UNEMP





**U.S. DEPARTMENT OF JUSTICE**  
**FEDERAL BUREAU OF INVESTIGATION**

**Joshua A. Cutler**  
Supervisory Fingerprint Examiner  
Area Manager

CJIS Division  
1000 Custer Hollow Road  
Clarksburg, WV 26306

Telephone: (304) 625-5400  
Fax: (304) 625-5587  
Cell: (304) 476-9718  
E-mail: [joshua.cutler@ic.fbi.gov](mailto:joshua.cutler@ic.fbi.gov)



U.S. Department of Justice

Federal Bureau of Investigation

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Clarksburg, WV 26306

07/28/2017

To: Lisa N. Walters  
Senior Assistant United States Attorney - Magistrate Court  
Office of the U.S. Attorney for the District of Columbia  
Violent Crime & Narcotics Trafficking Section  
555 4<sup>th</sup> Street, N.W., Rm. 4118  
Washington, D.C. 20530

Title: Criminal Justice Information Services (CJIS) Division  
Report of Examination

CJIS Case Number: CJIS 2017-276

References: Request received from Special Agent Parker H. Still  
dated 07/27/2017.

Subject: Heather Ann Tucci-Jarraf

The correspondence referenced above requested *"For your review, I am attaching records on Tucci-Jarraf from a previous arrest in Washington State as well as records from the arrest yesterday in DC. I would ask that you please review the records, and confirm that this is the same individual."*

Per your request, exhibits examined were as follows:

Exhibit 1 - is a tenprint fingerprint card received from the METROPOLITAN POLICE DEPARTMENT, WASHINGTON, D.C., bearing the name of TUCCI-JARRAF, HEATHETR ANN, DATE OF BIRTH 07/30/1972, DATED 07-27-2017, other descriptive information, and marked by me as Standard (S-1) in the lower right corner of the exhibit.

Exhibit 2 - is a tenprint fingerprint card received from SA PARKER H. STILL bearing the name of TUCCI, HEATHER ANN, DATE OF BIRTH 07-30-1972, DATE OF ARREST 02-03-2011, other descriptive  
2017-276

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Page 1

information, and marked by me as Standard (S-2) in the lower right corner of the exhibit.

Pursuant to Rule 16(a) (1) (G) of Federal Rules of Criminal Procedure, the following relates to the proposed testimony of *Certified Tenprint Examiner, Joshua A. Cutler, FBI CJIS Division, Clarksburg, WV.*

The two fundamental principles of friction ridge identification are uniqueness and persistence, meaning each area of friction ridge skin is specific to one person and remains unchanged throughout that person's life.

A known/inked print is the deliberate reproduction of the friction ridges located on the underside of the fingers, palms, and soles of the feet. Impressions are obtained by rolling the area of interest in ink and placing same onto a contrasting background/card. Additionally, computer systems referred to as Live Scan are employed for obtaining electronic images by rolling the area of interest across a glass panel to produce a replica of the image.

My process for reaching a conclusion is best described as Analysis, Comparison, Evaluation and Verification or ACE-V:

The Analysis Phase is performed to make observations of the individual impressions. This includes the general flow of ridges; clarity of the ridges and individualizing characteristics present; and any apparent movement or distortion appearing within the impression. The examiner determines if the impressions in question contain sufficient information to continue to the comparison phase.

The Comparison Phase begins when two or more impressions have been found to be suitable for comparison. The impressions are compared by following the ridges in sequence to determine if the same ridge detail and characteristics are present and in the same relative position.

The Evaluation Phase is when an identification, exclusion, or inconclusive determination is made by the examiner.

In the Verification Phase, a second examiner conducts an independent examination following ACE described above, providing a quality assurance measure.

Examination Notes: On 07/28/2017, I examined two exhibits containing known/inked impressions.

S-1 is a tenprint card that contained ten rolled and ten plain fingerprint impressions. I was able to compare the rolled fingerprint impressions with the plain fingerprint impressions and determined all fingers where in the proper sequence on the exhibit.

S-2 is a tenprint card that contained ten rolled and ten plain fingerprint impressions. I was able to compare the rolled fingerprint impressions with the plain fingerprint impressions and determined all fingers where in the proper sequence on the exhibit.

The *right thumb* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *right index* fingerprint impression(s) present on all exhibits reveal *arch patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *right middle* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *right ring* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *right little* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left thumb* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow;

2017-276

displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left index* fingerprint impression(s) present on all exhibits reveal *arch patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left middle* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left ring* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

The *left little* fingerprint impression(s) present on all exhibits reveal *loop patterns* with similar size, shape and flow; displaying the same minute ridge characteristics and detail occupying the same spatial relationship; and located in the same relative position.

Result of Examination:

The fingerprints present on the standards referenced above as S-1 and S-2 are the fingerprints of one and the same individual.

As a quality assurance measure, a second Tenprint Examiner conducted an independent examination and reached the same conclusion that exhibits S-1 and S-2 are the fingerprints of one and the same individual.

 7-28-17

Joshua A. Cutler, CTPE  
Federal Bureau of Investigation  
Criminal Justice Information Services Division  
Biometric Services Section  
(304) 625-5400 (Office & Fax)  
(304) 476-9718 (Mobile)  
jacutler@fbi.gov

202 7271586

MPD

09:20:29 a.m.

07-27-2017

2/2

008172070011

101729966

FD-249 (Rev. 3-1-10)

STATE USAGE

NFF SECOND

SUBMISSION

APPROXIMATE CLASS

AMPUTATION

SCAR

STATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

TUCCI-JARRAF, HEATHETR ANN

SIGNATURE OF PERSON FINGERPRINTED

SOCIAL SECURITY NO.

532-80-1682

LEAVE BLANK

ALIASES/MAIDEN

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

FBI NO.	STATE IDENTIFICATION NO.	DATE OF BIRTH MM DD YY	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
886100KD4	724726	07/30/1972	F	W	509	200	BRO	BLK

R. THUMB

2. R. INDEX

3. R. MIDDLE

4. R. RING

5. R. LITTLE

6. L. THUMB

7. L. INDEX

8. L. MIDDLE

9. L. RING

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

DC Metro P

07-27-2017 09:40:04

5-1  
7-28-17  
5525 JAC  
6028 AS26  
7/28/17

ID:WA26045007

STATE USAGE

NFF SECOND

SUBMISSION

APPROXIMATE CLASS

AMPUTATION

SCAR

ATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX  
TUCCI, HEATHER ANN

FCN:2700000101732572

INATURE OF PERSON FINGERPRINTED

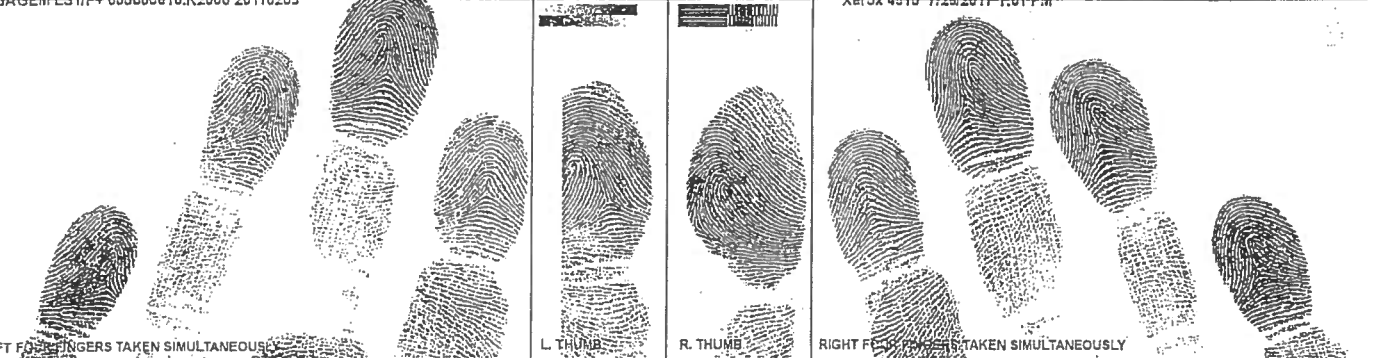
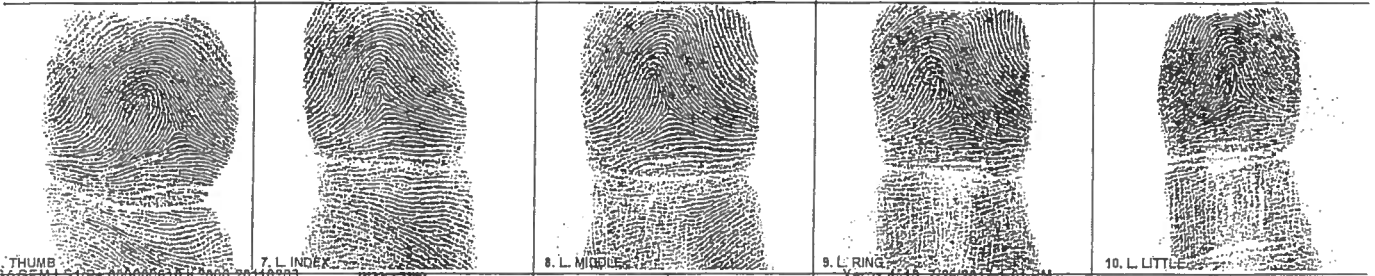
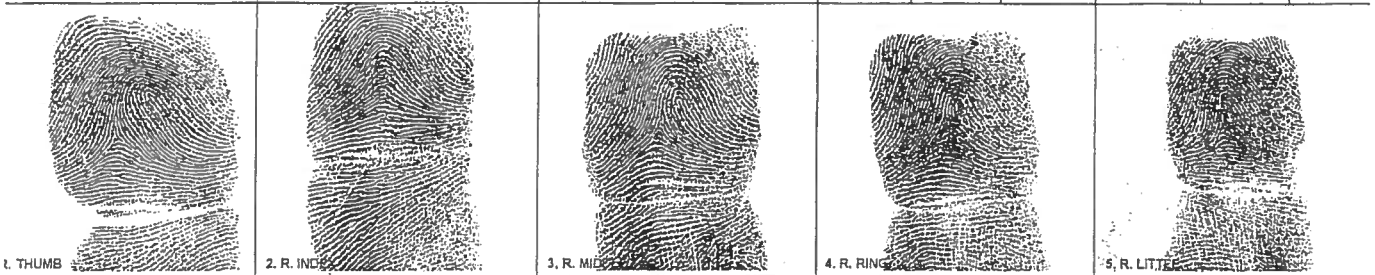
SOCIAL SECURITY NO.

LEAVE BLANK

ASES/MAIDEN

ST NAME, FIRST NAME, MIDDLE NAME, SUFFIX  
TUCCI-JARRAF, HEATHER ANN

NO.	STATE IDENTIFICATION NO.	DATE OF BIRTH MM DD YY	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
	WA26045007	07-30-1972	F	W	000	180	BRO	BRO



S-2  
7-28-17  
5535 JAL  
608852  
7/28/17



**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, CLARKSBURG, WV 26306**

ACT OF 1974 (P.L. 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.

SID:WA26045007

ENILE FINGERPRINT MISSION YES <input type="checkbox"/> AT AS ADULT YES <input type="checkbox"/>		DATE OF ARREST MM DD YY 02-03-2011	ORI WA0270000 CONTRIBUTOR ADDRESS TCN:2700000101732572 REPLY YES <input checked="" type="checkbox"/> DESIRED?
D COPY TO: (ER ORJ)	DATE OF OFFENSE MM DD YY	PLACE OF BIRTH (STATE OR COUNTRY) WA	COUNTRY OF CITIZENSHIP
ELLANEOUS NUMBERS		SCARS, MARKS, TATTOOS, AND AMPUTATIONS	
RESIDENCE/COMPLETE ADDRESS 3809 116TH ST CT NW,GIG HARBOR,WA		CITY	STATE
ICIAL TAKING FINGERPRINTS ME OR NUMBER)	LOCAL IDENTIFICATION/REFERENCE OCA:338108	PHOTO AVAILABLE? YES <input type="checkbox"/> PALM PRINTS TAKEN? YES <input type="checkbox"/>	
LOYER: IF U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY. IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO. JNEMP		OCCUPATION	
RGE/CITATION		DISPOSITION 1. 2. 3.	
JITIONAL Showing all charges		ADDITIONAL	
JITIONAL INFORMATION/BASIS FOR CAUTION		STATE BUREAU STAMP	

FD-249 (REV. 5-11-89)

UNEMP

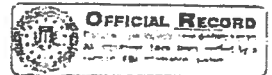


**U.S. DEPARTMENT OF JUSTICE**  
**FEDERAL BUREAU OF INVESTIGATION**

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/25/2017

[REDACTED] employed as [REDACTED] for [REDACTED] telephone number [REDACTED] cellular telephone number [REDACTED] was interviewed at his place of business being [REDACTED]. After being advised of the identity of the interviewing Agents and the nature of the interview, [REDACTED] provided the following information:

[REDACTED] entered the Ted Russell dealership and purchased a truck. [REDACTED] did not ask for any discounts and stated that he would be purchasing three other vehicles. [REDACTED] paid approximately \$86,000 for the truck which was a Ford F-250 crew cab diesel red in color.

[REDACTED] paid for the truck with a USAA check. A verification was done on the check and it was confirmed to be good. As such, [REDACTED] left the dealership in the truck.

[REDACTED] kept coming into the dealership over the next few days, and recalled Goggling [REDACTED] name which revealed several arrest.

[REDACTED] advised that his attorney recommended that he cancel the check, and she would wire the funds for the truck. [REDACTED] believed that the date of this recommendation was July 7th. [REDACTED] also stated that [REDACTED] should call his attorney on Monday [REDACTED] believed the date was July 10th).

The call with the attorney took place, and the attorney's name was Heather Tucci-Jarraf. [REDACTED] could tell from the call that she was not an attorney and noticed that she fumbled around during the call. Tucci-Jarraf stated that [REDACTED] would bring the truck back and the funds would be wired. This call was [REDACTED] only conversation with Tucci-Jarraf.

As directed, [REDACTED] brought the truck back without damage to the dealership. [REDACTED] put approximately 300 miles on the truck. The truck has since been sold to another individual.

[REDACTED] described [REDACTED] as a nice guy, and the he [REDACTED] fell for the scam. [REDACTED] stated that the check used by [REDACTED] contained a bogus

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Investigation on 07/21/2017 at Knoxville, Tennessee, United States (In Person)

File # 318B-KX-2186901, 196E-KX-2186954

Date drafted 07/21/2017

by STILL PARKER H, James John Doran

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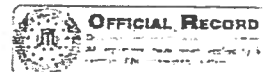
318B-KX-2186901

Continuation of FD-302 of (U) Interview of [REDACTED] . On 07/21/2017 , Page 2 of 2

telephone number. [REDACTED] contacted USAA after obtaining their number from Google. USAA advised that the check could not be cashed.

[REDACTED] provided the name of Ted Russell employee, [REDACTED] as the point of contact to obtain records associated with [REDACTED] transaction.

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FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/28/2017

Pursuant to an authorized arrest warrant for HEATHER ANN TUCCI-JARRAF (TUCCI-JARRAF) signed by A. Brush, Deputy Clerk, United States District Court for the Eastern District of Tennessee, Special Agents from the Federal Bureau of Investigation (FBI), Washington Field Office, Squad CT-4, interviewed [REDACTED]

and [REDACTED]

[REDACTED] both residing at [REDACTED] both were interviewed at the Trump International Hotel at 1100 Pennsylvania Avenue, NW Washington D.C. 20004 [REDACTED]. After being advised of the identity of the interviewing Agents, and the nature of the interview and the arrest warrant for TUCCI-JARRAF, [REDACTED] provided the following information:

[REDACTED] allowed the interviewing agents into their hotel room at the Trump Hotel in Washington D.C. They were staying in [REDACTED] with TUCCI-JARRAF while they during their visit to Washington D.C. [REDACTED] did not know where TUCCI-JARRAF was at the time, and stated that they thought she was getting a coffee or smoking a cigarette. ALEX and [REDACTED] said that she was not in the hotel room. They stated that they did not have any firearms or drugs in the hotel room.

Agent note: FBI CT-4 Agents from outside room 601 at the Trump International Hotel were sent to look for TUCCI-JARRAF at the coffee shops nearby. The hotel room was checked for safety.

[REDACTED] had just met TUCCI-JARRAF 8 days earlier. TUCCI-JARRAF had convinced them to come to Washington D.C. because she claimed she had a meeting with President Donald Trump. TUCCI-JARRAF wanted to petition the federal government pertaining the Randell Beane (BEANE) case in Tennessee. BEANE had been taken into custody a few weeks earlier. [REDACTED] stated that they had researched the Sovereign Citizen Ideology, but did not adhere to it. [REDACTED] believed that TUCCI-JARRAF was very nice, and would give cash and cigarettes to homeless

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Investigation on 07/25/2017 at Washington D.C., District Of Columbia, United States  
(In Person)

File # 318B-KX-2186901, 266S-WF-244686Date drafted 07/26/2017by WINECOFF JUSTIN DAVID

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318B-KX-2186901

(U//FOUO) Interview of [REDACTED]

Continuation of FD-302 of [REDACTED], On 07/25/2017, Page 2 of 2

people in the city. TUCCI-JARRAF was paying for the room at the Trump International Hotel, which cost approximately \$700.00 per night.

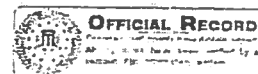
[REDACTED] would text TUCCI-JARRAF with her cell phone to see where she was getting coffee from. [REDACTED] did not get a response. [REDACTED] looked out the hotel window and saw TUCCI-JARRAF in a courtyard area smoking.

Agent note: FBI CT-4 Agents were radioed the location of TUCCI-JARRAF so they could affect the arrest warrant. TUCCI-JARRAF was taken into custody without incident.

[REDACTED] wanted to know where TUCCI-JARRAF was being taken for processing. They also wanted to know where the court hearing would be. The interviewing agents provided them with the contact information for the court.

TUCCI-JARRAF wanted to leave her bags with [REDACTED]. The interviewing agents brought the bags to [REDACTED] room. [REDACTED] consented to taking the bags in their care. [REDACTED] asked if Washington D.C. was a part of the United States or if it was its own country. Passport photos of [REDACTED] as well as, the NCIC results are being enclosed in the 1A.

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/28/2017

Pursuant to an authorized arrest warrant signed by A. Brush, Deputy Clerk, United States District Court for the Eastern District of Tennessee, Special Agents of the Federal Bureau of Investigation, Washington Field Office (WFO), Squad CT-4 located and arrested HEATHER ANN TUCCI-JARRAF at Trump International Hotel, 1100 Pennsylvania Ave, Washington D.C.

On 07/25/2017, United States Secret Service (USSS) notified WFO that TUCCI-JARRAF was staying at the Trump International Hotel, 1100 Pennsylvania Ave, Washington D.C. In response WFO CT-4 Special Agents (SA) and Task Force Officers (TFO), SA Robin Bairstow, SA Thomas O'Connor, TFO Timothy Hartman, TFO Michael Stevenson, SA Andrew Miller, SA Victoria Marsh, and SA Justin "Dave" Winecoff, with assistance from JTTF Agents, SA Aidan Garcia, SA Richard Gaylord and Metropolitan Police Department (MPD) TFO Jeffery Janczyk, deployed to the Trump International Hotel.

At approximately 10:25 am, after identifying that TUCCI-JARRAF was checked into [REDACTED] Agents knocked and announced on the room door. [REDACTED]

[REDACTED] answered the door. [REDACTED] reported that TUCCI-JARRAF had left the room to buy coffee. Agents SA Robin Bairstow, TFO Michael Stevenson, SA Andrew Miller, SA Victoria Marsh, and TFO Jeffery Janczyk proceeded to search the hotel and the surrounding area for her.

SA Thomas O'Connor, TFO Timothy Hartman, SA Justin "Dave" Winecoff, SA Aidan Garcia and SA Richard Gaylord, remained with [REDACTED] at the hotel room. [REDACTED] stated they had met TUCCI-JARRAF eight (8) days ago, they did not identify as Sovereign Citizens, but had looked into the ideology in the past. With the assistance of [REDACTED] Agents in the room were able to identify the current location of TUCCI-JARRAF, which was then relayed to the Agents surrounding the hotel.

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Investigation on 07/25/2017 at Washington, District Of Columbia, United States (In Person)  
File # 318B-KX-2186901, 266S-WF-244686 Date drafted 07/25/2017  
by Robin T. Bairstow

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318B-KX-2186901

(U//FOUO) Arrest of HEATHER ANN TUCCI-

Continuation of FD-302 of JARRAF

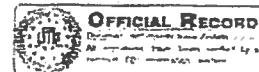
. On 07/25/2017 . Page 2 of 2

At 10:45 am, Agents located TUCCI-JARRAF seated outside the rear entrance of the Trump International Hotel. Agents then identified themselves to TUCCI-JARRAF and advised her that she was under arrest. TUCCI-JARRAF was taken into custody without incident.

At 11:00 am TUCCI-JARRAF was transferred to the custody of MPD Officer Robert M. Van Dyke, Badge #4522 and transported to MPD 1st District, 101 M Street SW, Washington, D.C.

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/25/2017

[REDACTED] employed as [REDACTED] at Buddy Gregg RVs and Motor Homes, telephone number [REDACTED] cellular telephone [REDACTED] e-mail address [REDACTED] was interviewed at his place of business being [REDACTED]. After being advised of the identity of the interviewing Agents and the nature of the interview, Byrne provided the following information:

[REDACTED] participated in two calls with an attorney for [REDACTED] named "Heather" surrounding the purchase of a motor home by Beane. The calls took place the day before [REDACTED] was arrested while at Buddy Gregg. Present with [REDACTED] at the Buddy Gregg office during the first call were [REDACTED] and a female described by [REDACTED] as the same individual with [REDACTED] when he was arrested. During the second call, the same parties were involved along with [REDACTED] from Buddy Gregg and a representative from Whitney Bank. Whitney Bank was brought in on the call due to the fact that USAA tried to cancel the transaction.

In between the two calls, [REDACTED] from USAA, called [REDACTED] told [REDACTED] that [REDACTED] was a scam artist and had CDs that he cashed out early. [REDACTED] told [REDACTED] that he was an FBI agent, and [REDACTED] did not feel that he could trust [REDACTED] based on that representation. [REDACTED] advised that he had earlier contacted USAA and was advised everything was on the up and up.

[REDACTED] described the role of "Heather" in the calls as attempting to legitimize the transaction supported by the fact that she took calls. Specifically, the purpose of the calls was to convince the dealership that everything was on the up and up.

[REDACTED] was contacted several times by the sales manager for a Ford dealership in Knoxville [REDACTED] regarding a truck [REDACTED] purchased. There was an issue with the check issued by [REDACTED] to the Ford dealership, and they were unsure if [REDACTED] was legit or not. Ultimately, [REDACTED] returned the truck to the Ford dealership as the check was cancelled. Heather explained that the check had to be reissued

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Investigation on 07/21/2017 at Knoxville, Tennessee, United States (In Person)

File # 318B-KX-2186901, 196E-KX-2186954

Date drafted 07/21/2017

by STILL PARKER H, James John Doran

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318B-KX-2186901

Continuation of FD-302 of (U) Interview of [REDACTED], On 07/21/2017, Page 2 of 2

in the trust's name. [REDACTED] understood that [REDACTED] attempted tried to hit a KIA dealership as well.

As to the trust, [REDACTED] provided paperwork to the Buddy Gregg dealership the day he was arrested.

Writer's Note: [REDACTED] entered the room shortly after the interview started.

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FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/20/2017

Heather Ann Tucci Jarraf, date of birth (DOB) July 30, 1972, Social Security Account Number (SSAN) 532-80-1682, telephone number (253) 241-2008, residential address 116th Street CT NW, Gig Harbor, Washington, 98332, was interviewed by telephone. After being advised of the identity of the interviewing Agents (SA Jason Pack also on the call) and the nature of the interview, Jarraf provided the following information:

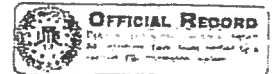
Jarraf was the lawyer for [REDACTED] and his trust. Jarraf was preparing for military operations and could not talk. Jarraf requested a call back number which SA Still did not provide.

Agents attempted a second call which went to voicemail.

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Investigation on 07/14/2017 at Knoxville, Tennessee, United States (Phone)  
File # 318B-KX-2186901, 196E-KX-2186954 Date drafted 07/17/2017  
by STILL PARKER H

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FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/25/2017

[REDACTED] employed as [REDACTED] for Buddy Gregg RV and Motor Homes, telephone number [REDACTED] e-mail address [REDACTED] was interviewed at [REDACTED]

[REDACTED] After being advised of the identity of the interviewing Agents and the nature of the interview, [REDACTED] provided the following information:

Buddy Gregg received notice through Whitney Bank of a possible request to withdraw the wire as associated with [REDACTED] purchase of a motor home. [REDACTED] called [REDACTED] who advised that he did not want to withdraw the wire transfer of funds. Following this call, [REDACTED] came into Buddy Gregg and requested that his attorney be called.

[REDACTED] took part in two telephone calls with an attorney named Heather. Present in person with [REDACTED] at the Buddy Gregg location during the calls were Buddy Gregg employee, [REDACTED] and a female with grey hair. Buddy Gregg employee, [REDACTED] was not on the call. [REDACTED] did not initially recall a representative from Whitney Bank being on the phone, but later during the interview did recall that a Whitney Bank representative was on the second phone call.

The attorney, Heather, talked legal stuff and stated that Buddy Gregg would be provided papers that [REDACTED] has "sole authority" as to a trust. Heather's actions were an attempt to convince Buddy Gregg that the funds being used by Beane to purchase the motor home were good. [REDACTED] became suspicious of Heather by the way she was talking, and while he was not intimidated by her, [REDACTED] felt she was trying to convince the dealership. These calls were the only conversations [REDACTED] had with Heather.

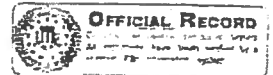
[REDACTED] provided papers to [REDACTED] the day he was arrested at Buddy Gregg.

There are no security cameras at the dealership..

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Investigation on 07/21/2017 at Knoxville, Tennessee, United States (In Person)  
File # 318B-KX-2186901, 196E-KX-2186954 Date drafted 07/21/2017  
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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/25/2017

[REDACTED], employed as [REDACTED] telephone number [REDACTED] e-mail [REDACTED] was interviewed by telephone. Also present during the phone call were [REDACTED]

After being advised of the identity of the interviewing Agents and the nature of the interview, [REDACTED] provided the following information:

[REDACTED] was previously provided a link to an audio recording. The e-mail in which SA Parker H. Still sent [REDACTED] the link is attached in a 1A for reference. [REDACTED] acknowledged that [REDACTED] was on the call which took place on July 10, 2017, at 12:06 CST. Also present on the call were Heather Ann Tucci-Jarraf, [REDACTED] and [REDACTED]

Prior to the aforementioned call, [REDACTED] had attempted to call [REDACTED] on a phone number that appeared on a purchase agreement of which was e-mailed to [REDACTED]

USAA claimed that [REDACTED] had recalled the wire transaction to Buddy Gregg. However, [REDACTED] stated that he did not recall the transaction. Tucci-Jarraf held herself as being [REDACTED] attorney. [REDACTED] recalled being surprised that [REDACTED] had obtained an attorney, but thought there could be other issues which would be the reason for the attorney. [REDACTED] described the actions of Tucci-Jarraf as attempting to convince [REDACTED] that the wire was valid.

Tucci-Jarraf provided documents via e-mail to [REDACTED]. These documents included an affidavit from Tucci-Jarraf and [REDACTED] asserting the wire to Buddy Gregg was valid and had not been recalled. The affidavit was purportedly notarized by [REDACTED]. Tucci-Jarraf continued to provide [REDACTED] documents via e-mail from July 11 through July 12, 2017. [REDACTED] received the last e-mail from Tucci-Jarraf at 5:44 CST on July 12.

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Investigation on 07/20/2017 at Knoxville, Tennessee, United States (Phone)

File # 318B-KX-2186901, 196E-KX-2186954

by STILL PARKER H, James John Doran

Date drafted 07/20/2017

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Continuation of FD-302 of (U) Interview of [REDACTED], On 07/20/2017, Page 2 of 2

True Brown from USAA left a message for [REDACTED]. [REDACTED] returned [REDACTED] call on July 10 at 12:02 CST and left a message. [REDACTED] also acknowledged receiving a message from a [REDACTED] at USAA on July 10 which mentioned [REDACTED] and the Buddy Gregg wire. [REDACTED] advised that [REDACTED] may have also been on the aforementioned recording.

[REDACTED] did speak with [REDACTED] at USAA on July 10. The conversation was primarily about a truck and recalling funds by another company. [REDACTED] could not tell from the call who was recalling funds.

It was the understanding of [REDACTED] from information provided by Tucci-Jarraf that the source of the funds used by [REDACTED] came from another bank and were then sent to USAA. From USAA, the funds were sent to Whitney Bank. [REDACTED] believed that Tucci-Jarraf was an attorney based on the representations she made.

[REDACTED] acknowledged that looking back in hindsight there were misrepresentations made to the bank.

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/21/2017

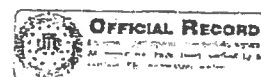
The purpose of this communication is to document the verification of the identity of the persons participating in a conference call between Heather Ann Tucci-Jarraf and Buddy Gregg Motor Homes staff. The phone call was recorded at Buddy Gregg Motor Homes, located at 11730 Snyder Road, Knoxville, TN 37932, having taken place on or about 07/10/2017.

Analysis of the audio recording revealed two unidentified male subjects who were believed to be employees of Buddy Gregg Motor Homes. The recording mentions [REDACTED] and [REDACTED]. On July 18, 2017, the author contacted Buddy Gregg Motor Homes and spoke by phone with [REDACTED] sales manager, who verified that he was one of the parties in the recording. [REDACTED] also verified that the second employee was [REDACTED] a manager. Additionally, [REDACTED] verified that [REDACTED] was present for the conference call, and that they were speaking with Heather Ann Tucci-Jarraf, the purported attorney of [REDACTED].

The phone call was then concluded.

Investigation on 07/18/2017 at Knoxville, Tennessee, United States (Phone)  
File# 196E-KX-2186954  
by Harnett, David T. Date drafted 07/19/2017

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/25/2017

On July 11, 2017, Special Agents J. Jason Pack, James John Doran, Parker H. Still, and Joelle M. Vehec of the Federal Bureau of Investigation conducted an investigation at Buddy Gregg RV, Snyder Road, Knoxville, Tennessee. Having previously coordinated verbally with Anne-Marie Svolto, Assistant United States Attorney for the Eastern District of Tennessee, regarding drafting a seizure warrant for a motor coach purchased with proceeds from wire fraud, Agents traveled to the location in an attempt to first interview [REDACTED]

[REDACTED] Agents knew [REDACTED] had an active arrest warrant out of Jasper County, South Carolina. The warrant was for resisting arrest. Agents also had information that [REDACTED] was an alleged Sovereign Citizen.

Agents Still and Doran initially established surveillance in the parking lot of the business and recognized [REDACTED] walking in the parking lot of Buddy Gregg Motor Homes and RVs. [REDACTED] observed Agents Still and Doran pull into the parking lot. Agents Vehec and Pack arrived approximately two minutes later. Also in route was Jaron B. Patterson, Task Force Officer University of Tennessee Police as well as additional Task Force Officers and Knox County Sheriff's Deputies.

In that time frame, [REDACTED] had boarded the motor coach he recently purchased from the dealership. Also aboard were an unidentified caucasian male and female. [REDACTED] was sitting in the driver's seat with the motor running and the door open. Agents Pack and Vehec parked their vehicle in front of the motor coach and exited their vehicle as Agents Doran and Still approached the coach. Agent Doran identified himself as a FBI Special Agent and ordered [REDACTED] to exit the coach. Agents Pack and Vehec made it to the door of the coach and Agent Pack identified himself a second time. [REDACTED] refused to exit the motor coach. The unidentified male exited the motor coach as instructed. Agents ordered [REDACTED] for a third time to exit the coach as well and began to assist him from the seat. [REDACTED] pulled away and began to resist agents, moving his hands toward his waistband. [REDACTED] was repeatedly ordered to stop resisting by Agents. Agents Still, Doran and Pack began to remove [REDACTED] from the coach with force and [REDACTED] fought back. Agents Pack, Doran and Still took [REDACTED] to the ground between the curb and fence line as [REDACTED] continued putting

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Investigation on 07/11/2017 at Farragut, Tennessee, United States (In Person)

File # 318B-KX-2186901

Date drafted 07/11/2017

by J. Jason Pack, James John Doran, STILL PARKER H, VEHEC JOELLE M

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318B-KX-2186901

Continuation of FD-302 of (U) Arrest of [REDACTED], On 07/11/2017, Page 2 of 3

his hands under his hips and in his waistband in an effort to resist arrest. Agents Doran and Pack eventually secured his hands and placed him in cuffs as he continued to resist. During the scuffle, [REDACTED] sustained a minor abrasion to his scalp. SA/EMT Pack called for an ambulance to assess [REDACTED] and provided medical care. A separate FD-898 (FBI Emergency Medical Incident Report) will be completed and made part of this file. SA /EMT Pack controlled the bleeding and bandaged [REDACTED] head.

American Medical Response (AMR) Paramedic Wayne Pack, Jr., arrived on the scene having been dispatched by 9-1-1. AMR Paramedic Pack assessed [REDACTED] injury and offered treatment and transportation to the hospital. [REDACTED] refused to give the paramedic his name, refused treatment, and refused to sign the refusal of care form. Knox County Deputies also arrived on the scene and placed [REDACTED] into custody on the outstanding warrant out of South Carolina. Sheriff's Deputies transported [REDACTED] to the Knox County Detention Facility for processing.

After the arrest, Agents attempted to speak with the two passengers aboard the motor coach. The male and female produced what they called passports for agents. The female's passport contained the name of [REDACTED]. The two would never provide their true identities and recorded the agents actions on their wireless devices. Agents attempted to gain consent to search the devices, but the couple refused. The female contacted someone via telephone whom she identified as her attorney to explain the situation. The female provided SA Still a piece of paper with a telephone number of [REDACTED] and the name Heather. The female advised this was an attorney that SA Still should contact. The piece of paper was placed in a 1A envelope. As she stood on the sidewalk, she began to feel hot, and agents allowed her to sit in the air conditioned motor home. Agents also provided cold towels to her to relieve her heat stress. She told agents she [REDACTED] were planning on traveling in the coach with [REDACTED] to Texas. The couple was not arrested and left the dealership in [REDACTED] private vehicle.

[REDACTED] is identified as follows:

Name- [REDACTED]

DOB- [REDACTED]

SSAN- [REDACTED]

TNDL- [REDACTED]

Agents seized the motor coach [REDACTED] was driving for inventory incident to arrest and secured it at the FBI Knoxville Field Office.

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Continuation of FD-302 of (U) Arrest of [REDACTED], On 07/11/2017, Page 3 of 3