

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 07-CR-30192-JPG-DGW
)
TILDEN SPRAGUE,)
)
Defendant.)

DEFENDANT'S MOTION FOR ADDITIONAL DISCOVERY

Comes now Defendant, by his attorney, John D. Stobbs II, and for his Motion for Additional Discovery states:

1. On December 13, 2007 Defendant wrote Exhibit A to the Government requesting discovery.

2. In the event the Government feels that the Rule 16 requests made in Exhibit A are insufficient Defendant specifically requests the following additional discovery:

1. The hard disk drives of all computers in the exact condition as when they were seized from Defendant;
2. All removable drives in the exact condition as when they were seized;
3. All removable media, magnetic or otherwise, in the exact condition as when they were seized;
4. Any forensic copies of the storage devices which were made for inspections;
5. The hash numbers of each computer before and after any forensic copies were made, along with the hash number of any and all forensic copies

produced;

6. The dates, times and methods by which any forensic copies were made;
7. The name(s), experience and training of the person(s) who made the forensic copies;
8. The dates, times and methods by which any other copies were made of the storage devices;
9. The name(s), experience and training of person(s) who made the non-forensic copies, along with the purpose for doing so;
10. Any video capture files of the alleged illegal material made by law enforcement in this matter in its original and unaltered form as well as any subsequent copies;
11. The exact date and time law enforcement allegedly downloaded the alleged illegal material;
12. All computer equipment used by law enforcement in making the video capture file;
13. The name, date of birth, and social security number of any alleged minor appearing in the alleged illegal material;
14. The name and origin of the alleged illegal material;
15. The file name and file path of alleged illegal material;
16. Evidence that will be relied on to establish alleged illegal material contains an actual minor;
17. Methods used to create the alleged illegal material;

18. Methods used to determine that the images were not digitally altered and any and all tests done to determine that the material was not digitally altered;
19. Specific training received by the law enforcement in the area of internet crimes against children, including training in the area of digital imaging and differentiating digitally altered images from unaltered images;
20. The name of any peer to peer software utilized by law enforcement, if any;
21. The name of the software firewall utilized by law enforcement, if any;
22. The name of the video capture software and hardware used by law enforcement, if any;
23. Any and all steps taken by law enforcement to determine that the image displayed was not digitally altered;
24. The results of any I.P. Tracker performed by law enforcement;
25. The results of reverse DNS lookup performed by law enforcement;
26. Any subpoenas sent to Mr. Sprague's internet service provider and the corresponding replies;
27. Any photos of the Defendant's home taken by law enforcement;
28. Any affidavit prepared by law enforcement;
29. Specific training of any and all officers or law enforcement directly involved in this case in differentiating digitally altered images form unaltered images;
30. The name, age and social security number of any non federal employee(s) who searched the computers seized and other evidence;

31. The training, experience , and personnel files of any non federal employee(s) who searched the computers seized and other evidence;
32. The exact methods used to search the computer seized and other evidence;
33. Any evidence gathered by law enforcement concerning Mr. Sprague's computer system/equipment prior to obtaining a search warrant, including times, dates, and names of officers/law enforcement;
34. Any evidence gathered by law enforcement concerning Mr. Sprague's level of computer literacy, including times, dates and names of officers/law enforcement;
35. Any and all "I-drives" used by law enforcement officials; and
36. Any and all information found in the slack space of any digital storage device, as well as the methods used for extracting said data.
37. The complete EnCase or Forensic Tool Kit "activity log" files or case file generated by the use of such program.

WHEREFORE, Defendant requests that the Government provide the above discovery.

TILDEN SPRAGUE

STOBBS LAW OFFICES

BY:

/s/ John D. Stobbs, II

John D. Stobbs II, NO. 06206358

Attorney for Defendant

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Alton, Illinois 62002

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CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2008 a copy of the attached *Motion for Additional Discovery* was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Mr. Donald Boyce
Assistant U.S. Attorney
Nine Executive Drive
Fairview Heights, Illinois 62208

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/s/John D. Stobbs, II
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JOHN D. STOBBS, II

February 22, 2008

(618) 462-8484

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Mr. Tildon Sprague
5208 River Aire Drive
Godfrey, Illinois 62035

RE: U.S.A. v. Sprague
No. 07-CR-30192-JPG-DGW

Dear Mr. Sprague:

Enclosed please find the following Motions:

1. Motion for Equal Access to Discovery and for a Protective Order;
2. Motion for Bill of Particulars;
3. Motion for Additional Discovery; and
4. Motion to Continue.

From a strategic standpoint I'd like to have the Judge rule on the above Motions and then be given time to prepare a Motion to Suppress and other Motions attacking the forfeiture and way in which you were charged.

In the interim I'd like for you to see a psychologist who specializes in sexual disorders. Dr. Heller recommended someone who in turn recommended Dr. David Clark who I will contact later today. I'd like for you to begin seeing another doctor—along with Dr. Heller—so that we can make a strong pitch at the appropriate time that you are not a sexual predator in any way.

If you have any questions regarding the foregoing please contact me at your convenience.

Very truly yours,


John D. Stobbs II

JDSII:ms
enclosure
cc: Joshua Sprague

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1047403380 [Date=2/22/2008] [FileNumber=853729
[157a214321c786bd9b0560e443effd0fd9c307b7aa06a3ae2be1147d2861494b0
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Motions

3:07-cr-30192-JPG-DGW USA v. Sprague

U.S. District Court**Southern District of Illinois****Notice of Electronic Filing**

The following transaction was entered by Stobbs, John on 2/22/2008 at 4:37 AM CST and filed on 2/22/2008

Case Name: USA v. Sprague
Case Number: 3:07-cr-30192
Filer: Dft No. 1 - Tilden B Sprague
Document Number: 24

Docket Text:

MOTION for Discovery by Tilden B Sprague. (Stobbs, John)

3:07-cr-30192-1 Notice has been electronically mailed to:

Donald S. Boyce donald.s.boyce@usdoj.gov, Maria.Lanciault@usdoj.gov

John D. Stobbs , II stobbsjohn@hotmail.com

Michael Thompson Michael.Thompson2@usdoj.gov, Carmalee.Korte@usdoj.gov,
USAILS.SDILCiv@usdoj.gov

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