

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07-CR-30193-JPG
	)	
TARA PRINCE,	)	
	)	
Defendant.	)	

**MOTION TO TURN OVER AGENT [REDACTED] ROUGH NOTES  
AND TO PROVIDE BRADY/GIGLIO INFORMATION**

Comes now Defendant, by her attorneys, John D. Stobbs II and Grant J. Shostak, and for her Motion to Turn Over Agent [REDACTED] Rough Notes and to Provide *Brady/Giglio* Information states:

1. On December 11, 2007 Defendant was indicted by a Grand Jury in the Southern District of Illinois.
2. On January 2, 2008 a Pretrial Order was entered.
3. On August 6, 2008, Pursuant to the Criminal Justice Act the undersigned was appointed to represent Defendant.
4. On August 6, 2008 the undersigned forwarded to Assistant U.S. Attorney Burke

Exhibit A. Paragraph 11 of Exhibit A request that:

“any rough notes made or taken by any agent which are now in existence be saved and any notes made or taken from hereon out be saved. Please advise immediately if you refuse to do this so that the requisite Motion may be filed.”

5. On April 11, 2006 Postal Inspector [REDACTED] made contact Mike Hessler who works for the Illinois Department of Insurance. [REDACTED] failed to prepare a report during the calendar years 2006, 2007, 2008 and did not manufacture a Memorandum to File until approximately three weeks ago. (Exhibit B)

6. [REDACTED] performance improved regarding his *Brady* obligations insofar as it only took him approximately two and half years to manufacture a Memorandum To File regarding his contacting Toni Michael. (Exhibit C)

7. Not willing to presume that [REDACTED] possesses a photographic memory regarding these interviews, the undersigned sent the Government Exhibit D requesting [REDACTED] rough notes. To date, the Government has failed to provide those rough notes.

8. On September 4, 2009 in Exhibit E the undersigned made certain *Brady/Giglio* requests to the Government including:

- a. An explanation of how Inspector [REDACTED] prepare the memoranda two to three years after the investigative action was taken;
- b. Any policies, procedures, guidelines and the like governing the preparation of memoranda by Postal Inspectors, including but not limited to when such memoranda are to be prepared in relation to the investigative action taken;
- c. Whether Postal Inspector [REDACTED] received any disciplinary action concerning the memoranda;
- d. Why the memoranda were “authored” on Sept. 2, 2009 when the events took place on April 11, 2006 and May 7, 2007;
- e. What investigative action was taken, if any, concerning law enforcement’s learning from Mr. Hessler that Mr. Linzee provided false information to the Illinois Dept. Of Insurance.

- f. Whether Mr. Hessler “pulled the Department’s file on LT Consulting” and called back to provide further information;
- g. If Mr. Hessler did not call to provide further information, whether any member of law enforcement contacted Mr. Hessler to obtain further information;
- h. If members of law enforcement did not contact Mr. Hessler to obtain further information, an explanation of why they did not;
- i. Any questioning of Mr. Linzee by law enforcement concerning Mr. Hessler’s statements;
- j. If Mr. Linzee was not questioned by law enforcement concerning Mr. Hessler’s statements, an explanation of why he was not questioned;
- k. What investigative action was taken, if any, concerning Ms. Akers’ fraudulent use of a credit card and forgery;
- l. If no such investigative action was taken concerning Ms. Akers’ fraudulent use of a credit card and forgery; an explanation of why no such action was taken;
- m. Any questioning of Ms. Akers by law enforcement concerning her fraudulent use of a credit card and forgery;
- n. If no such questioning of Ms. Akers concerning her fraudulent use of a credit card and forgery; an explanation of why she was not questioned;
- o. Copies of the fraudulent charges and checks referenced in Inspector O’Hanlon’s memo.

9. To date, the Government has failed to comply with these reasonable *Brady/Giglio* requests.

WHEREFORE, Defendant requests that she be provided copies of any and all rough notes made or taken by Postal Inspector [REDACTED] regarding the aforesaid individuals as well as *Giglio* information.

TARA PRINCE

STOBBS LAW OFFICES

BY:

/s/ John D. Stobbs, II

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Respectfully submitted

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2009 a copy of the attached *Motion to Turn Over Agent's Rough Notes and To Provide Brady/Giglio Information* 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. Steve Weinhoef  
Assistant U.S. Attorney  
Nine Executive Drive  
Fairview Heights, Illinois 62208

STOBBS LAW OFFICES

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