

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA

v.

REALITY LEIGH WINNER,

Defendant.

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CR 117-34

**GOVERNMENT’S RESPONSE TO DEFENDANT’S MOTION FOR DISCLOSURE OF
ALL 404(b) EVIDENCE (DOC. 20)**

COMES NOW the United States of America, by and through James D. Durham, Acting United States Attorney for the Southern District of Georgia, and responds to Defendant Reality Leigh Winner’s Motion for Disclosure of All 404(b) Evidence (doc. 20) as follows:

The government does not oppose the defendant’s motion insofar as it requests notice of the government’s intent to offer evidence pursuant to Fed.R.Evid. 404(b) at a reasonable time prior to trial. Pursuant to the Court’s Scheduling Order (doc. 33), the government will file a Notice of Intent pursuant to Rule 404(b) on or about August 2, 2017, following the government’s classification review of all potentially classified evidence to date. If additional information subject to Rule 404(b) is discovered after that date, or if the government intends to use classified information pursuant to Rule 404(b), the government will file a supplemental notice as soon as possible.

CONCLUSION

The Government will timely disclose to the defense, in accordance with Rule 404(b) and the Court’s Scheduling Order, its intention to rely upon other crimes, wrongs or acts of the

defendant to prove or disprove at trial an issue other than the defendant's character or propensity.

Respectfully submitted,

JAMES D. DURHAM
ACTING UNITED STATES ATTORNEY

//s// Jennifer G. Solari

Jennifer G. Solari
Assistant United States Attorney

//s// David C. Aaron

David C. Aaron
Trial Attorney
U. S. Department of Justice
National Security Division

//s// Julie Edelstein

Julie Edelstein
Trial Attorney
U. S. Department of Justice
National Security Division

CERTIFICATE OF SERVICE

This is to certify that I have on this day served all the parties in this case in accordance with the notice of electronic filing ("NEF") which was generated as a result of electronic filing in this Court.

This 30th day of June, 2017.

JAMES D. DURHAM
ACTING UNITED STATES ATTORNEY

//s// Jennifer G. Solari

Jennifer G. Solari
Assistant United States Attorney

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