

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

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:21-CR-312-JEB
	)	
Bradley Bennett,	)	
	)	
Defendant.	)	

**DEFENDANT’S RESPONSE TO GOVERNMENT’S NOTICE OF COORECTION TO  
GOVERNMENT’S MEMORANDUM IN SUPPORT OF PRE-TRIAL DETENTION**

Comes now Defendant, by and through his undersigned counsel, and for Defendant’s Response to Government’s Notice of Correction to Government’s Memorandum in Support of Pre-trial Detention, states to the Court as follows:

1. The Detention hearing in the present case commenced on 04-29-2021 and ended on 04-30-2021.
2. The Court ruled from the bench on 04-30-2021 granting the Motion of the Government for the Pretrial Detention of the Defendant.
3. The hearing concluded at approximately 1:00 PM (EST) on 04-30-2021.
4. At approximately 3:30 PM (EST) on 04-30-2021 counsel for the Defendant received a call from AUSA Stumpf advising of the need on the part of the Government to file a Notice of Correction herein; explaining the reason for the need to do so, confirming the anticipated prompt issuance of a Notice of Electronic Entry by the Court with respect to same and expressing a willingness to address any questions Defendant’s counsel may have with respect to the foregoing.

5. AUSA Stumpf comport herself professionally and with punctilious observance of legal and ethical duties in this regard, for which both the undersigned and the Defendant are grateful.

6. The Notice of Correction was filed with the Court virtually contemporaneously with the conclusion of the telephone call between Defendant's counsel and AUSA Stumpf.

7. The Court has yet to publish its written ruling in connection with the recently concluded Detention Hearing.

8. Based on the statements of the Court in its reasoned ruling from the Bench, the issue relating to the erroneously reported throwing by the Defendant of his cell phone out of the window of his vehicle on his way to self-surrender was one which was represented to have weighed heavily in the evaluation by the Court of the totality of the circumstances, when in fact the Defendant noted to the FBI the phone had broken and was discarded (not that he had thrown it out the window on his way to self-surrender).

9. In fact, the Court stated, in effect, if not verbatim, "I wish you had not thrown your phone out of the window on your way to self-surrender,"" intimating that the Court would have ruled favorably on the request of the Defendant for pretrial release but for this erroneously asserted act.

10. During the phone conversation between AUSA Stumpf and Defendant's counsel, AUSA Stumpf also noted that indeed the FBI received a phone call from an attorney (not the undersigned) on Friday, 04-09-2021, seeking to make arrangements with the FBI for the Defendant to self-surrender adding that later that same day the Defendant himself called the FBI to confirm the time of the self-surrender on Monday, 04-12-2021, during which the Defendant was advised not to bring a belt, but bring a form of identification, and other instructions, all of which are consistent with standard protocol given the need of authorities to seize personal property of an accused as part of pre-detention processing. This, of course, also supports the

proposition that the Defendant, even if his phone had not been broken and discarded, would not have brought his cell phone with him to be processed for detention.

11. This further supports the proposition the Defendant was not dodging or trying to evade law enforcement; indeed was in contact with counsel, and was acting in a fashion consistent with one who was trying to responsibly navigate for the first time in his life a federal criminal charge. Note: the Defendant acknowledges that when he was charged with a misdemeanor or ordinance violation, he simply paid the fine, thinking pleading guilty to the charge and paying the fine and court costs was the right thing to do.

12. Given the material nature of the issues relating to the need for the Government's Notice of Correction, the Defendant's counsel (being in the midst of moving offices) expedited the preparation and filing of the present pleading with an eye toward ensuring the Court was in possession of this pleading prior to the Court's issuance of the originally contemplated ruling on the Motion relating to the pretrial detention of the Defendant.

13. Additionally, with limited time, Defendant's counsel solicited writing(s) supportive of the proposition that Defendant has long standing and close ties to the Charlotte/Huntersville, NC area. Copies of same are collectively depicted in Exhibit A to this Response.

14. Counsel for Defendant wishes to make clear as a matter of record that the Department of Justice, by and through AUSA Stumpf, acted with the highest order of respect for justice and candor for this Court and the Defendant and nothing about the actions of the Government which gave rise to the need for the Notice of Correction is perceived by Defendant or his counsel as nefarious, underhanded, intentional, or prejudicial, especially in light of the prompt transparency and forthcoming nature of the Notice of Correction and accompanying call by the AUSA to Defendant's counsel.

WHEREFORE, in light of the foregoing, Defendant prays this Honorable re-evaluate its ruling from the Bench regarding the pretrial detention of the Defendant and issue an Order directing the pretrial release of the Defendant pursuant to such terms of release as the Court deems appropriate in the circumstances.

KODNER WATKINS, LC

By: /s/ Albert S. Watkins  
ALBERT S. WATKINS, LC DC#399625  
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Clayton, Missouri 63105  
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**CERTIFICATE OF SERVICE**

Signature above is also certification that on April 30, 2021 a true and correct copy of the foregoing was electronically filed with the Clerk of the Court utilizing the CM/ECF system which will send notification of such filing to all parties of record.

# **Exhibit A**

From: Jd [mailto:jdporcelli@gmail.com]  
Sent: Friday, April 30, 2021 2:53 PM  
To: Albert Watkins <al@kwklaw.net>  
Subject: Brad Bennett

Good afternoon, Mr. Watkins.

First off, thank you for all your help with Brad.

Second, the intent of this email is to hopefully convey to the right people the character of Brad Bennett.

I've known of Brad for almost a decade. We are both affiliated with the same leadership development group based in NC. We have been friends for the past couple years and I can vouch for the fact that he is 1) one of the kindest, most selfless and generous, God-loving men I've ever known. And 2) as long as I've known of him, he has lived in the Charlotte area. He has literally THOUSANDS of people that can vouch for all of the above.

Brad has a stellar reputation with all his peers and mentors. He himself is a tremendous leader and stands for truth, love and giving to help people in any way he can. He is by far one of the funniest and laid back people I know, and is always quick with a joke to make someone laugh. I have NEVER heard a negative sentence come out of his mouth about anyone. He is positive, uplifting and kind to everyone he meets.

Please advise if you need more information and if I can be doing anything else for him.

Thank you.

JD Porcelli

Sent from my iPhone

**From:** Marty Collins [mailto:marcolinc@gmail.com]  
**Sent:** Friday, April 30, 2021 3:17 PM  
**To:** Albert Watkins <al@kwklaw.net>  
**Subject:** Letter for Brad

If we had more time I know we could get many many more.

Thank you

Marty Collins

ATTACHED LETTER

To whom it may concern.

I have known Brad Bennett for about 6 years. Brad has always been a great guy and a friend. Brad Has been here in Huntersville Charlotte area ever since I've known him. I know he was a Mom that he talks about helping her often and she lives in Trinity about an hour from here. Out of the whole time I have known Brad I have never seen him drink and never even heard him use fowl language. He often attends one of my Church campuses and different church in charlotte. Brad is upstanding and comes to my house for BBQs, my kids love him.

Thank you

Marty Collins



4-30-21

**From:** Ashley Collins [mailto:ashleyjaycollins@gmail.com]

**Sent:** Friday, April 30, 2021 3:21 PM

**To:** Albert Watkins <al@kwklaw.net>

**Subject:** Brad Bennett - reference letter

Character Reference Letter attached.

4/30/21

To whom it may concern:

I have known Brad Bennett for 6 years.

He is a man of character, morals & great faith.

We met through business, but he became a friend of our family over the years.

He has a big circle of friends here in the Huntersville, NC area.

Sincerely,

Ashley Collins



-----Original Message-----

From: Patrick Byers [mailto:patrick.byers1@gmail.com]

Sent: Friday, April 30, 2021 3:31 PM

To: Albert Watkins <al@kwklaw.net>

Subject: Brad Bennett

## ATTACHED LETTER

**30th April 2021**

To whom it may concern,

I have known Brad Bennett for about 6 years now since I moved to Charlotte in 2015. Every encounter I had with him, I could tell he was a very caring Christian with excellent character and morals.

Today, I would now consider Brad a true friend, whom I believe would surely give the shirt off his back to help someone in need.

Sincerely,  
Patrick Byers

**From:** Ashlea Gallimore [mailto:gallimorea@hotmail.com]

**Sent:** Friday, April 30, 2021 3:25 PM

**To:** Albert Watkins <al@kwklaw.net>

**Subject:** Bradly Bennett

Please see the attached letter on Brad's behalf.

Thank you,

**Ashlea Bullins**

ATTACHED LETTER

To Whom It May Concern,

I have known Bradley Bennett my entire life. I am his sister. We grew up together in Trinity NC. We have always remained close, even when he moved to Charlotte, NC in his early 20's. The only time in his adult life that he has not lived in Charlotte, NC is when he met a beautiful and sweet girl named Elizabeth from Texas. He fell in love with her and decided to move to Texas last fall to see where their relationship could lead. He struggled with the decision to move for months, but love can make you do some crazy things and he didn't feel it was fair to request her to move to NC. Sadly, the relationship did not last and they broke up very amicably sometime in February 2021. He moved directly back to North Carolina and back to the Charlotte area, Huntersville, NC specifically.

We do not get to see each other as much as we would like because we both live super busy lives. He has built a life with his sports nutrition business, close friends, church family and mentors in Charlotte, NC. Whereas, I have built a life near our hometown in High Point, NC. We keep in touch through calls and texts as much as we can.

Brad is a good man. He is a devout Christian and is committed to spreading the word of Jesus to others. Brad has always been very into living a healthy lifestyle. He has never used drugs or alcohol of any kind, ever. He is a very clean eater and enjoys exercise.

I am available by phone call if you would like to hear more regarding Brad or his character.

Thank you for your time,

Ashlea Bullins

1-336-906-9302

**From:** Matthew Davidson [mailto:mzdavidson117@gmail.com]

**Sent:** Friday, April 30, 2021 3:17 PM

**To:** Albert Watkins <al@kwklaw.net>

**Subject:** Friend of Brad Bennett

To whom this may concern,

Brad is a fine upstanding guy who cares deeply about people and his country. I've known Brad for a little over 6 years now and can honestly say he is a man of compassion, character, and integrity. My time around Brad has always been nothing short of enjoyable; whether it be business, leisure, or simply catching up. He is certainly someone that has your back and many of his friends and colleagues would say the same. Anybody that knows him personally will tell you that Brad loves on people every chance he gets. He's always the first to make you laugh, yet the first to sit down and pray with you; this is just simply who he is. Trust me, he adds far more value to this country when he is out and about making an impact in the community as opposed to his current situation.

Thankyou for representing such a great guy during a very unfortunate time.

Best Regards with honor, courage and prayers

Zeth Davidson

**From:** Toni Shuppe <tshuppe@gmail.com>  
**Date:** April 30, 2021 at 3:41:50 PM CDT  
**To:** Albert Watkins <al@kwklaw.net>  
**Subject:** Brad Bennett

STATEMENT FOR BRAD BENNETT:

My name is Toni Shuppe. I live in Pittsburgh Pennsylvania. I have known Brad for close to 18 years. We met through the Amway/LTD business. In all the years I have known him, Brad has been an amazing, upstanding citizen. He is a wonderful Christian man and wouldn't hurt a fly. I have never even seen him get angry, let alone violent. He is a man of his word and has my utmost trust and respect. The charges against him are completely false, and I recommend you release him immediately and drop all charges.

Regards,

Toni Shuppe