

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

vs.

**OBJECTION TO PRETRIAL
VIOLATION REPORT**

21-CR-00652

TRACI J. SUNSTRUM,

Defendant,

OBJECTION TO PRETRIAL VIOLATION REPORT


PLEASE TAKE NOTICE that upon the annexed Affidavit of Daniel J. DuBois, Esq., the undersigned hereby notifies this Court of our formal objection to the most recent Pretrial Violation Report submitted against defendant.

DATED: Buffalo, New York
February 23, 2022

Yours, etc.

DANIEL J. DUBOIS

BY /s/ Charles R. Haskell
Charles R. Haskell
641 Indiana Avenue, NW
Washington, DC 20004
202-888-2728
charles@charleshaskell.com

BY 
Attorney for Defendant,
TRACI J. SUNSTRUM
390 Elmwood Avenue
Buffalo, NY 14222
716-563-6132

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FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

vs.

**OBJECTION TO PRETRIAL
VIOLATION REPORT**

21-CR-00652

TRACI J. SUNSTRUM,

Defendant,

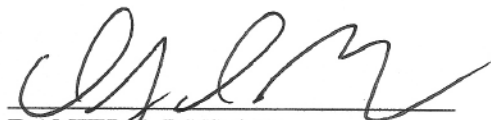
AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)


DANIEL J. DuBOIS, being duly sworn, deposes and states:

1. I am an attorney duly admitted Pro Hac Vice to practice law in the District Court for the District of Columbia. I have been retained to represent Traci J. Sunstrum in the above-mentioned matter. This affidavit is submitted in support of the Defense's Objection to the Pretrial Violation Report submitted today, February 23, 2022.
2. On November 17, 2021, the defendant pled guilty to an Information charging her with a violation of Title 40, United States Code, Section 5104(e)(2)(G).
3. The Defendant is currently scheduled to be sentenced on February 24, 2022 at 11:00 a.m. In order that the Court may have the benefit of all the available information regarding the current violation, the Defendant responds as follows:

- b) While Defendant denies using marijuana since her arrest, it was understood by all parties that because of her “heavy” use before her arrest, it was likely she would continue to test positive for a brief period until her body cleared itself of the marijuana.
 - c) By all accounts it appears as though her body cleared itself of all traces of marijuana by July of 2021. Ms. Sunstrum continually tested negative for all substances until she was notified of a positive test for marijuana taken on January 21, 2022.
 - d) Ms. Sunstrum was notified of the positive result on or about January 22, 2022. As a result of the positive result, and with the knowledge that Ms. Sunstrum **had not** consumed marijuana in any form, Ms. Sunstrum was tested by an accredited lab, Occustar, located in Western New York. She tested by submitting both a saliva and urine sample. Both tests came back negative for all substances, including marijuana. (see attached)
4. While we are under the impression that and appreciative of the fact that the Government is not recommending any action at this time, Ms. Sunstrum wanted this Court to know that she has taken this matter, in its entirety, very seriously, and she does not want this Court to be under the impression that she has violated ANY of the conditions lodged against her while this case was pending.


DANIEL J. DUBOIS
Attorney for TRACI J. SUNSTRUM
390 Elmwood Ave.
Buffalo, New York 14222
716-563-6132

Subscribed and sworn to before me this 23
day of February 2022


Notary Public

AMANDA NOTARO
Notary Public - State of New York
No. 01NO6384733
Qualified in Erie County
My Commission Expires Dec. 17, 2022

EXHIBIT A



MRO Express

3501 SW 185th Avenue

Miramar, Florida 33029

954-592-8912 - result sent by T.L

ATTENTION:

DER

OCCUSTAR WORKPLACE COMPLIANCE NON 2*

Participant: Sunstrum,Traci

Other ID:

SSN: 276-31-5456

Results of Controlled Substance Test

Record Status: Negative

Test Type: Periodic

Collection Date/Time: 01/21/2022 1:35 PM

Batch ID: 20220123

Specimen ID: V18403080

Date COC Received: 01/21/2022

Sample Type: Saliva

Test Panel: 5-Substances

Laboratory: MedTox Laboratories

402 West County Rd D

St. Paul, MN 55112

Collection Site: Occustar

4267 Transit Road

Williamsville, NY 14221

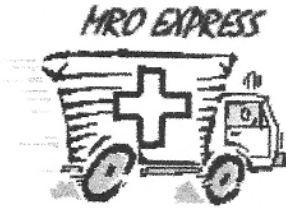
Specimen Collector: Bev B

<u>Test Performed</u>	<u>Result</u>	<u>Test Performed</u>	<u>Result</u>
Amphetamines	Negative	Cocaine	Negative
Opioids	Negative	Phencyclidine	Negative
Marijuana	Negative		

Philip A. Lopez, M.D.

1/23/2022

Verification Date



MRO Express

3501 SW 185th Avenue

Miramar, Florida 33029

954-592-8912 - result sent by T.L

ATTENTION:

Timothy Knight Or Bev Blaszak

OccuStar - NON DOT ***

4267 Transit Rd

Williamsville, NY 14221

Participant: Traci Sunstrum

Other ID:

SSN: 276-31-5456

Results of Controlled Substance Test

Record Status: Negative

Test Type: Other

Collection Date/Time: 01/21/2022 1:29 PM

Batch ID: 20220126

Specimen ID: 0881413971

Date COC Received: 01/21/2022

Sample Type: Urine

Test Panel: 5-Substances

Laboratory: LABCORP - RARITAN

69 FIRST AVENUE

RARITAN, NJ 08869

Collection Site: Occustar

4267 Transit Road

Williamsville, NY 14221

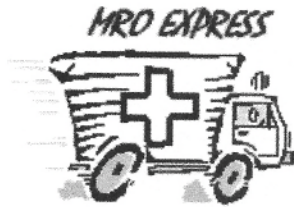
Specimen Collector: Bev B

<u>Test Performed</u>	<u>Result</u>	<u>Test Performed</u>	<u>Result</u>
Amphetamines	Negative	Cocaine	Negative
Marijuana	Negative	Opioids	Negative
Phencyclidine	Negative		

Philip A. Lopez, M.D.

1/26/2022

Verification Date



MRO Express

3501 SW 185th Avenue
 Miramar, Florida 33029
 954-592-8912 - result sent by T.L

ATTENTION:

Timothy Knight Or Bev Blaszak
 OccuStar - NON DOT ***
 4267 Transit Rd
 Williamsville, NY 14221

Participant: Lavette Warren
 Other ID:
 SSN: 879-78-3562

Results of Controlled Substance Test

Record Status: Negative
 Test Type: Pre-Employment
 Collection Date/Time: 01/21/2022 09:54 AM
 Batch ID: 20220127
 Specimen ID: 0881413536
 Date COC Received: 01/21/2022
 Sample Type: Urine

Laboratory: LabCorp OTS
 1904 Alexnder Drive
 RTP, NC 27709
 Collection Site: Occustar
 4267 Transit Road
 Williamsville, NY 14221
 Specimen Collector: NATHAN H '

<u>Test Performed</u>	<u>Result</u>	<u>Test Performed</u>	<u>Result</u>
Amphetamines	Negative	Barbiturates	Negative
Cocaine	Negative	Opioids	Negative
Phencyclidine	Negative	Benzodiazepines	Negative
Methadone	Negative	Propoxyphene	Negative

Philip A. Lopez, M.D.

1/27/2022

Verification Date