
From: Miller, Samantha (USADC)

Sent: Saturday, May 20, 2023 11:03 AM

To: Roger Roots; McCauley, Sean (USADC); Jonathan Moseley; John Pierce; Emily Lambert

Subject: RE: missing an Ainsworth 302

Mr. Roots,

Respectfully, no.

Per the below screenshots, on or before May 5, 2023, we provided you with a number of files, including the one entitled "089B-WF-3368293-214_AFO_0000002(1)." This is a 2/12/2021 302 of Ainsworth. We also provided you with a file entitled "0176-JK-3496432_0000028." This is a 3/28/2023 302 of Ainsworth. On May 17, 2023, we provided you with the two 302s summarizing our trial prep with Cpl Ainsworth, all of which occurred in May 2023. These constitute the totality of the 302s of Cpl Ainsworth, unless you can provide us with a different one of which we are not aware.

In addition, after just now speaking with one of the prosecutors on the Wren/Smith case, I can tell you the following;

1. Ainsworth was not a witness in that trial.
2. Ainsworth was not a named victim in that trial.
3. Campanale's BWC from the 4pm timeframe, which is and has been available to you (as is evidenced by the fact that you pulled a portion of it yourself that formed one of your defense exhibits already in this case, D-Ex. 236), shows he was not near Wren during the 4:22 PM EST push, and was in fact on a lower level of the Upper West Terrace at that time; he had nothing to do with Defendant Wren's push on officers' shields. Campanale's testimony related to the other Defendant, Defendant Smith, and discussed how Defendant Smith picked up a metal pole and threw it at Officer Campanale around 4:26 PM EST.

This is the last communication we plan to have on this matter or on the subject of your most recent filings. We will take this up before the Judge on Monday.

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NAME	UPDATED ↓	SIZE
Other Materials - Defense	May 9, 2023 by Samantha Miller	14 Files
LEWIS - Defense	May 2, 2023 by Samantha Miller	6 Files

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NAME	UPDATED ↑	SIZE
0176-JK-3496432_0000028.pdf	May 2, 2023 by Samantha Miller	...
089B-JK-3455137_0000046.pdf	May 2, 2023 by Samantha Miller	428.4 KB
0176-JK-3496432_0000028_1A0000013_0000001.png	May 2, 2023 by Samantha Miller	347 KB
IAPRO NextGen Ainsworth #2260.pdf	May 2, 2023 by Samantha Miller	115.2 KB
0176-JK-3496432_0000028_1A0000013_0000003.png	May 2, 2023 by Samantha Miller	647.1 KB
089B-JK-3455137_0000046_1A0000018_0000001.PNG	May 2, 2023 by Samantha Miller	1.7 MB
089B-WF-3368293-214_AFO_0000002_1A0000001_0000005.PNG	May 4, 2023 by Samantha Miller	203.4 KB
089B-WF-3368293-214_AFO_0000002_1A0000001_0000002.PNG	May 4, 2023 by Samantha Miller	296.7 KB
089B-WF-3368293-214_AFO_0000002(1).pdf	May 4, 2023 by Samantha Miller	1.1 MB
089B-WF-3368293-214_AFO_0000002_1A0000001_0000001.pdf	May 4, 2023 by Samantha Miller	595.6 KB
089B-WF-3368293-214_AFO_0000002_1A0000001_0000004.PNG	May 4, 2023 by Samantha Miller	582.4 KB
266T-LR-3367829_0000269.pdf	May 5, 2023 by Samantha Miller	404.6 KB
266T-LR-3367829_0000269_1A0000165_0000001.pdf	May 5, 2023 by Samantha Miller	889.3 KB

Have a nice weekend.

Samantha

—

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Desk Tel: [REDACTED]

From: Roger Roots [REDACTED]@johnpiercelaw.com>
Sent: Saturday, May 20, 2023 10:30 AM
To: Miller, Samantha (USADC) [REDACTED]>; McCauley, Sean (USADC) [REDACTED]>; Jonathan Moseley [REDACTED]@johnpiercelaw.com>; John Pierce [REDACTED]@johnpiercelaw.com>; Emily Lambert [REDACTED]@johnpiercelaw.com>
Subject: [EXTERNAL] missing an Ainsworth 302

Samantha,

We just got off the phone with George Pallast, who represented Wren and Smith in that trial 2 weeks ago. He indicated that (1) his clients may have already been convicted of doing the assault on Ainsworth which our client is currently on trial for, and (2) there is at least one missing 302 from Ainsworth from 2021.

Will you stipulate to the dismissal of the assault count involving Ainsworth? And do you have the 2021 Ainsworth 302?

Respectfully,

Roger Roots

Partner

John Pierce Law

P: [REDACTED]

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