

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	CRIMINAL NO. 21-CR-519 (TFH)
v.	:	
	:	
STEVEN C. BILLINGSLEY,	:	
	:	
Defendant.	:	

**STIPULATION REGARDING RETURN OF DIGITAL DEVICES AND
ELECTRONICALLY STORED INFORMATION**

The United States of America and defendant Steven C. Billingsley (“Defendant”) hereby agree and stipulate as follows:

RECITALS

1. On or about August 13, 2021, pursuant to a court-authorized search warrant in Case No. 2:21-mj-536, Southern District of Ohio, government agents seized certain digital devices and electronically stored information from defendant’s residence and/or person.

2. Defendant has requested the return of the following specified digital devices and electronically stored information (the “Digital Media”):

LG V40 cellphone, ESN: LGXXXXXXXXXXXX48
Samsung Galaxy S10 cellphone, IMEI XXXXXXXXXXXXXXX37

3. The government has created an exact and accurate image (the “Image”) of each of the Digital Media specified in paragraph 2 by performing an extraction for the purpose of searching the Image.

4. The government intends to use materials discovered as a result of its search(es) as evidence in the pending and ongoing investigation and prosecution including, possibly, introducing those materials into evidence at trial or other proceedings.

STIPULATION

Accordingly, the parties AGREE and STIPULATE as follows:

1. Defendant waives the right to object to the admissibility of the Images of the Digital Media and the right to question witnesses or make arguments concerning the reliability of the methods used to create the Images.
2. The government will retain, and upon request will provide to defense counsel, the Images extracted from the Digital Media.
3. The Digital Media will be returned to [insert name of defendant or defense counsel, as requested by defense counsel].
4. The government will retain the Images of the Digital Media, including all evidence thereon, for use at trial and any other proceedings in this matter.
5. The Images of the Digital Media and/or any other copies are “admissible [into evidence] to the same extent as the original,” within the meaning of Federal Rule of Evidence 1003.
6. The government may continue to examine the Images for materials identified in the Search Warrant consistent with the terms of the Search Warrant.

7. Defendant retains the right to challenge the Search Warrant and move to suppress the Images of the Digital Media pursuant to Fed. R. Crim. P. 41(h).

So stipulated.

Respectfully submitted and agreed,

MATTHEW M. GRAVES
ACTING UNITED STATES ATTORNEY
D.C. Bar Number 481052

Date: _____

By: _____

SUSAN T. LEHR
Assistant United States Attorney (Detailee)
NE Bar No. 19248
1620 Dodge Street, #1400

Date: 12-20-21



STEVEN C. BILLINGSLEY
Defendant

Date: 01/06/2022



JOSEPH R. CONTE
Attorney for Defendant