

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

UNITED STATES OF AMERICA	:	
	:	CASE NO. 22-mj-110
v.	:	
	:	
BENJAMIN ROBINSON,	:	
	:	
Defendant.	:	

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

The United States of America and defendant Benjamin Robinson (“Defendant”) hereby agree and stipulate as follows:

RECITALS

1. On or about May 19, 2022 pursuant to a court-authorized search warrant in Case No. 3:22-mj-229, Western District of North Carolina, government agents seized a digital device 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”):

Samsung SM-S127DL cellular telephone, marked as FBI item 1B1

3. The government has created an exact and accurate image (the “Image”) 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 authenticity or admissibility of the Image of the Digital Media and the right to question witnesses or make arguments concerning the reliability of the methods used to create the Images. Defendant reserves the right to object to the admission of evidence obtained from the Image on other grounds, such as hearsay.

2. The government will retain, and upon request will provide to defense counsel, the Image extracted from the Digital Media.

3. The Digital Media will be returned to counsel for Benjamin Robinson or his designee, as requested by defense counsel.

4. The government will retain the Image of the Digital Media, including all evidence thereon, for use at trial and any other proceedings in this matter.

5. The Image 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 Image for materials identified in the Search Warrant consistent with the terms of the Search Warrant.

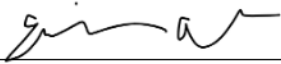
7. Defendant retains the right to challenge the Search Warrant and move to suppress the Images of the Digital Media pursuant to Fed. R. Crim. P. 41(h).

So stipulated.

Respectfully submitted and agreed,

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

Date: 8/16/2022

By: 

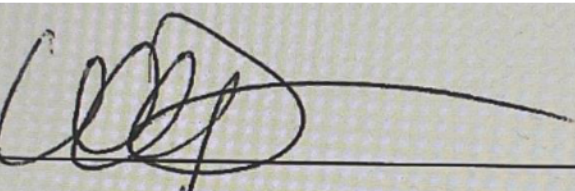
Emily W. Allen
Assistant United States Attorney
601 D Street, N.W.
Washington, D.C. 20530

Date: 7/12/22



Benjamin Robinson
Defendant

Date: 7/12/22



William Shipley
Attorney for Defendant