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February 24, 2024

Sent via Electronic Mail

Dana Poll
Lexi Kakis
Andrea Cipriano
The Justice Show – Seeking Justice for Dawn Pasela

Sent Via Email Only to seekingjusticeshow@gmail.com

RE: Potential False and Defaming Statements About Mark Bennett to Be Made in Seeking Justice YouTube Series on Dawn Pasela Starting February 28, 2024.

Dear Ms. Poll, Ms. Kakis and Ms. Cipriano,

Instead, as part of the trial preparation, the FBI Agent assigned to the federal trial learned of the one recording from one of the agents working on the state prosecution case. Mr. Bennett immediately instructed the FBI agent to obtain a copy of the one

recording and listen to the recording to determine if it needed to be produced. The FBI Agent advised Mr. Bennett that the sound quality of the record was so poor it was not audible. Mr. Bennett advised the Agent to make copies of the one recording anyway and provide it to all defense counsel. Mr. Bennett never listened to the one recording to this day.

Regards,

MICHAEL P. HARVEY, CO., L.P.A.

/s/Michael P. Harvey
Michael P. Harvey, Esq.

MPH/map

Enclosures (Via Dropbox)

IV. Viola Fails on Claims of Prosecutorial Misconduct.

A. Ground Four: Spying on the Defense after the Sixth Amendment Right to Counsel Attaches after the Indictment.

Viola claims the United States directed Mortgage Fraud Task Force Office Manager Dawn Pasela to secretly record conversations with Viola, post indictment. (R. 475-1: 2255 Motion at PageID 10403). Viola also argues that prosecutors used cancelled checks from Pasela's contributions to Viola's legal defense fund to identify the fund's bank account.

Viola's claims of government misconduct relating to Pasela are not true and, even if they were, do not amount to reversible plain error. First and foremost, the federal government had no involvement in any activities of Ms. Pasela. Secondly, Pasela did not testify at all in the federal trial, let alone testify about any incriminating statements that Viola made in the absence of counsel. Finally, Viola did not raise this issue with this Court during the federal trial, and Viola has not identified any alleged error made by this Court with respect to Pasela - let alone any plain error that affected his substantial rights. His untethered claim of government misconduct with respect to Pasela is blatantly untrue and lacks substance to be considered by this Court.

Respectfully submitted,

STEVEN M. DETTELBAUGH
United States Attorney

By: /s/ Mark S. Bennett

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