

United States of America v. Richard Petix

15-CR-227-CJS

Exhibit 4

(written notice under Rule 902(11))



U.S. Department of Justice

*United States Attorney's Office
Western District of New York*

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SENT VIA EMAIL

April 8, 2017

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**RE: United States v. Richard Petix
15-CR-227-CJS**

Dear Counselors:

In advance of the trial set for May 1, 2017, the government tenders its written notice of intent under Rules 902(11) and 803(6) of the Federal Rules of Evidence to offer the following business records via their accompanying custodian certifications that have previously been disclosed to you:

1. Bank of America statements and deposit slips and ledgers for four accounts in the names of Richard Petix and Brittany Benight, disclosed on or about April 18, 2016.
2. Verizon toll records for 585-434-6338, disclosed on or about April 18, 2016.
3. Google Gmail records, including email content, for accounts rptix7@gmail.com and rich13598@gmail.com, disclosed on or about May 9, 2016.

Please advise if you intend to object to admissibility under Rules 902(11) and 803(6) and if so, on what basis.

Sincerely,

JAMES P. KENNEDY, JR.
Acting United States Attorney

BY: s/WEI XIANG
Assistant United States Attorney