

United States of America v. Richard Petix

15-CR-227-CJS

# Exhibit 1

(Bank of America certification)

Bank of America Legal Order Processing  
Regarding reference number: U011116000806  
Court case number: 2015R00160-25-2016  
Court or issuer: UNITED STATES ATTORNEY'S OFFICE  
Court case name: RICHARD PETIX

**AFFIDAVIT OF BANK OF AMERICA BANK OFFICER AND/OR CUSTODIAN OF RECORDS**

Before me, the undersigned authority, personally appeared,  
NANCY WILLIAMS

Who, being duly sworn by me, deposes and says as follows:

- 1.) **Authority.** I, NANCY WILLIAMS, am a duly authorized bank officer and/or custodian of the records of Bank of America N.A with authority to execute this affidavit and certify to the authenticity and accuracy of the records produced with this affidavit.
- 2.) **Records.** The records produced herewith by Bank of America, N.A. are original documents or are true copies of records of a regularly conducted banking activity that:
- a.) Were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
  - b.) Were made and kept in the course of regularly conducted banking activity by Bank of America, N.A. personnel or by persons acting under their control; and
  - c.) Were made and kept by the regularly conducted activity of Bank of America N.A. as a regular practice, on or about the time of the act, condition, or event recorded.

**Additional Comments:**

Combined statements and electronically produced credits for accounts ending in 1303 and 0435 in the name of RICHARD PETIX for the period of August 2014 to December 2015

Statements and electronically produced credits for account ending in 0334 in the name of BRITTANY N BENIGHT for the period of April 2015 to December 2015

Statements and electronically produced credits for account ending in 0966 in the name of BRITTANY N BENIGHT for the period of April 2015 to January 2016

3.) **Production.**

The records produced herewith (together with any banking records produced by Bank of America N.A. previously in response to the subject request, order, or subpoena) constitute a complete production of bank records responsive to the subject request order or subpoena (or a complete production under the terms of a subject request, order, subpoena as subsequently limited by the issuer).

OR

A thorough search has been conducted and no records could be located that are responsive to the subject request, order, or subpoena.

4.) I declare under penalty of perjury that the foregoing is true and correct.

Date: 2/5/16

Signature: Nancy Williams

The above named Bank of America N.A. bank officer and/or custodian of records is known to me (or satisfactorily proven) to be the person who subscribed the within document and acknowledged to me that he/she executed the same for the purposes stated there in.

☒ Signer is personally known to me.

☐ Signer has produced the following identification: \_\_\_\_\_

Sworn to and subscribed before me this 5 day of February 2016. In witness thereof I have set my hand and official seal.

Sandra J. Allen  
Signature of Notary Public in and for  
State of New York  
City/County of Utica/Oneida

**SANDRA J ALLEN**  
Notary Public - State of New York  
ID: 01AL6308494  
Qualified in Herkimer County  
My Commission Expires July 28, 2018