



FEDERAL DEFENDER

Middle District of Florida

Federal Defender

James T. Skuthan
First Assistant Defender

Reply to: ORLANDO

June 15, 2015

DEA
Freedom of Information Request
8701 Morrissette Drive
Springfield, VA 22152

Via Email: dea.foia@usdoj.gov

RE: PBCSO Case No.: 06-122845, WPBPD Case No.: 06-9219, GPD Case No.: 06-7411 ,
SLCSO Case No.: 06-13332, and **DEA Case No.: G8-06-0002**
United States v Varela, et al. – SDFL 9:06-Cr-80171-DTKH

This is a Capital Habeas Case; Expedited Processing Requested

Dear Sir/Madam:

Please be advised our office has been appointed to represent Daniel Troya in Capital Habeas proceedings. This correspondence is our official request for a copy of the DEA's files pursuant to the Freedom of Information act, 5 U.S.C. § 552. I respectfully request a copy of the following documents, files, records, etc., in the possession of the DEA, or in the possession of the Department of Justice:

- (1) all documents, files, records, etc. pertaining to any investigation, arrest, indictment, conviction, sentencing, incarceration, and/or parole of (3) **Daniel Troya (a/k/a "Homer")**, DOB: [REDACTED], who was charged on April 18, 2007, with violations of 21 U.S.C. § 846, 21 U.S.C. §§ 841(b)(1)(A) and 841(b)(1)(B), 18 U.S.C. § 922(g), 18 U.S.C. §§ 924(c), and 924(j), 18 U.S.C. § 2119(3), 18 U.S.C. § 3591(a)(2)(A) and 3592(c)(5), 3592(c)(8), (3592(c)(9), (3592(c)(11), and 3592(c)(16), in criminal case number 9:06-Cr-80171 in the U.S. District Court for the Southern District of Florida;
- (2) all documents, files, records, etc. pertaining to any investigation, arrest, indictment, conviction, sentencing, incarceration, and/or parole of Co-Defendant (1) **Danny Varela (a/k/a "D.V.")**, DOB: [REDACTED], who was charged on April 18, 2007, with violations of 21 U.S.C. § 846, 21 U.S.C. §§ 841(b)(1)(A) and 841(b)(1)(B), 18 U.S.C. § 922(g), 18 U.S.C. §§ 924(c), and 924(j), 18 U.S.C. § 371, 26 U.S.C. §§ 5861(d) and 5871, in criminal case number 9:06-Cr-80171 in the U.S. District Court for the Southern District of Florida;

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- (3) all documents, files, records, etc. pertaining to any investigation, arrest, indictment, conviction, sentencing, incarceration, and/or parole of Co-Defendant **(2) Ricardo Sanchez (a/k/a "Rick")**, **DOB: [REDACTED]**, who was charged on April 18, 2007, with violations of 21 U.S.C. § 846, 21 U.S.C. §§ 841(b)(1)(A) and 841(b)(1)(B), 18 U.S.C. § 922(g), 18 U.S.C. §§ 924(c), and 924(j), 18 U.S.C. § 2119(3), 18 U.S.C. § 3591(a)(2)(A) and 3592(c)(5), 3592(c)(8), (3592(c)(9), (3592(c)(11), and 3592(c)(16), in criminal case number 9:06-Cr-80171 in the U.S. District Court for the Southern District of Florida;
- (4) all documents, files, records, etc. pertaining to any investigation, arrest, indictment, conviction, sentencing, incarceration, and/or parole of Co-Defendant **(4) Juan Gutierrez (a/k/a "Flaco")**, **DOB: [REDACTED]**, who was charged on April 18, 2007, with violations of 21 U.S.C. § 846, 21 U.S.C. §§ 841(b)(1)(A) and 841(b)(1)(B), in criminal case number 9:06-Cr-80171 in the U.S. District Court for the Southern District of Florida;
- (5) all documents, files, records, etc. pertaining to any investigation, arrest, indictment, conviction, sentencing, incarceration, and/or parole of Co-Defendant **(5) Liana Lee Lopez (a/k/a "Negra")**, **DOB: [REDACTED]**, who was charged on April 18, 2007, with violations of 21 U.S.C. § 846, 21 U.S.C. §§ 841(b)(1)(A) and 841(b)(1)(B), in criminal case number 9:06-Cr-80171 in the U.S. District Court for the Southern District of Florida;
- (6) all documents, files, records, etc. pertaining to any investigation, arrest, indictment, conviction, sentencing, incarceration, and/or parole of Co-Defendant **(6) Kevin Vetere, DOB: [REDACTED]**, who was charged on April 18, 2007, with violations of 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(B), in criminal case number 9:06-Cr-80171 in the U.S. District Court for the Southern District of Florida.

For purposes of this request the terms "records," "documents," and "files" are intended to include, without limitation, any and all written, typed, printed, recorded, graphic, computer-generated or other matter of any kind from which information can be derived, whether produced, reproduced, or stored on paper, cards, tapes, films electronic facsimiles, computer storage devices or any other medium. These terms also include, without limitation, letters, memoranda (including internal memoranda), calendars, schedules, books, indices, notes, printed forms, publications, press releases, notices, memoranda, minutes, summaries or abstracts, reports, files, transcripts, computer tapes, printouts, drawings, photographs, recordings (including videotapes, audiotapes, CD's, CD-Rom's, or DVD's or any other form of electronic recordation), telegrams, facsimiles, telex messages, emails, as well as any reproductions thereof that differ in any way from any other reproduction, such as copies containing marginal notations.

This is a capital habeas case, and our office represents the defendant, Daniel Troya. Mr. Varela, Mr. Sanchez, Mr. Gutierrez, Ms. Lopez and Mr. Vetere were Mr. Troya's co-defendants. As

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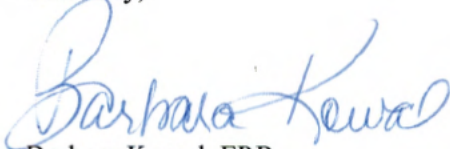
these documents are necessary to the conduct of a civil proceeding which is progressing on a fast timetable, I request that you expedite your response to and processing of this request. I respectfully request production of the requested records on or before the close of business Friday, July 31 , 2015.

Our office is part of the Judicial Branch of the United States Government. We are appointed to represent indigent defendants charged with a federal offense, therefore, charges are usually waived. Our agency **does not** have a business/bank account. Payments for services rendered are paid through the United States Treasury. Because we are a government agency, our office is **not permitted to pay in advance** for service rendered until we are in actual receipt of the requested documentation. **However**, upon **receipt of an estimate**, our office can prepare a **purchase order** which **guarantees** payment upon receipt of the requested records and your **final invoice**. If the cost of the reproduction of the requested copies **exceeds \$100.00, please contact me** for authorization.

If feasible, **our office would prefer the records in electronic format "pdf" or "tiff" on a CD/DVD**. If this option is not available please mail the records to my attention in our Orlando office. If the records have been purged, destroyed or lost, please send an official written response with your agency's record retention policy and procedures noting the date the records were purged, destroyed or lost. Should you have any questions regarding this request please contact me directly at Barbara_kowal@fd.org or 407-648-6760 ext. 122.

Thank you for your prompt assistance and I look forward to hearing from your agency.

Sincerely,



Barbara Kowal, FRP
Paralegal Specialist