

**FEDERAL PUBLIC DEFENDER**

EASTERN DISTRICT OF VIRGINIA

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*Frank W. Dunham, Jr.*  
*Federal Public Defender*

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*Assistant Federal Public Defender*  
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November 22, 2002

*Via First Class Mail*

Mr. James Niblock  
9941 Lawyers Road  
Vienna, VA 22181-2937

*Re: United States of America v. James Niblock*

Dear Mr. Niblock:

For continuity, please refer to our meeting on Thursday, November 22, 2002. As you will recall, we discussed your interest in filing a motion to suppress in connection with the above-referenced matter. It became apparent from our discussion and your two page written document that we required more specific information from you before we could evaluate whether or not there would be a reasonable legal basis for filing such a motion. For this reason, we asked you to specifically mark those portions of the Affidavit supporting the Criminal Complaint in the margins of the actual Affidavit itself, which you believed reflect false statements on the part of the case agent or confidential informants. We further asked you to provide any documentation which could be used to demonstrate that the identified statements are, in fact, false. As we also discussed, we emphasized the importance of reviewing these documents quickly as the deadline for filing motions is Monday, November 25, 2002 and asked that you provide us with the above information by last Monday, November 18, 2002. On Friday, November 15, 2002, you sent us two letters with attachments by facsimile. You have not, however, provided us with the requested copy of the marked-up Affidavit.

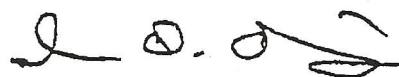
We have researched the issues which you raised in our meeting of November 14, 2002. Based upon the information that you have provided, there is simply no reasonable legal basis for filing a motion to suppress at this time. To the extent you have any interest in pursuing this matter any further, you must immediately provide us with the information we requested more than one week ago. Because the deadline for filing motions will have passed before you provide any further information, you should be advised that the Court may or may not be willing to

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entertain such a motion at a later date.

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Yours very truly,



Ivan D. Davis  
Assistant Federal Public Defender