

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

3	UNITED STATES OF AMERICA,)	
4	Plaintiff,)	
5	vs.)	CRIMINAL CASE NO. CCB-17-106
6	DANIEL THOMAS HERSL and)	
7	MARCUS ROOSEVELT TAYLOR,)	
	Defendants.)	

Wednesday, January 31, 2018
Courtroom 1A
Baltimore, Maryland

BEFORE: THE HONORABLE CATHERINE C. BLAKE, JUDGE
(AND A JURY)

VOLUME V - EXCERPT

TESTIMONY OF RONALD HAMILTON

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7 Also Present:

8 Special Agent Erika Jensen, FBI

9 TFO John Sieracki

10 Matthew Kerrigan, Government's Trial Technician

11 Crystal Panas, Defense Paralegal

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P R O C E E D I N G S

(Excerpted as follows:

THE COURT: Be seated, please.

Are we ready for the jury?

MR. WISE: We are, Your Honor.

THE COURT: All right.

MR. PURPURA: Yes. Thank you.

(Jury entered the courtroom at 2:09 p.m.)

THE COURT: You can all be seated, please.

Mr. Wise.

MR. WISE: The United States calls Ronald Hamilton.

THE CLERK: Please raise your right hand.

RONALD HAMILTON, GOVERNMENT'S WITNESS, SWORN.

THE CLERK: Please be seated.

Please speak directly into the microphone.

State your full name for the record and spell your last name, please.

THE WITNESS: Ronald Hamilton, H-A-M-I-L-T-O-N.

THE CLERK: Thank you.

Can you move up just a little. Thank you.

THE COURT: Go ahead.

MR. WISE: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. WISE:

Q. Good afternoon, Mr. Hamilton.

~~HAMILTON DIRECT~~

1 A. Good afternoon.

2 Q. Mr. Hamilton, where do you live?

3 A. 1900 Ships Quarters Court.

4 Q. And what city is that in?

5 A. Westminster.

6 Q. And what county is Westminster in?

7 A. Carroll County.

8 Q. How long have you lived there?

9 A. Two years.

10 Q. And where did you live before that?

11 A. Owings Mills, 3514 Stoney Creek in Owings Mills.

12 Q. And what do you do for a living?

13 A. Used cars, sell used cars. And me and my wife have an
14 assisted living business.

15 Q. And where is the assisted living business that you own
16 located?

17 A. In West Baltimore.

18 Q. And do you have -- well, do you have a single facility or
19 more than one facility? What kind of business is it?

20 A. Residential assisted living. We assist senior citizens.

21 Q. And you mentioned that you buy and sell used cars?

22 A. Yes.

23 Q. Do you have a dealership, or how do you do that?

24 A. I have a dealer's license. I purchase cars from the
25 auctions, the dealer auctions.

1 Q. And where do you go to those dealer auctions?

2 A. Manheim, Pennsylvania; Bel Air; and Jessup.

3 Q. And then how do you sell the cars you buy at those
4 auctions?

5 A. Internet or word of mouth.

6 Q. And is that a cash business, Mr. Hamilton?

7 A. Yes.

8 Q. And why is that? Why do you have to use cash in that
9 business for someone in your position?

10 A. I basically buy cars at cost, like 1500, 2,000, 3,000.
11 And I'm not -- I don't have a -- what they consider a floor
12 plan.

13 Q. What's a floor plan?

14 A. Where you get funded basically like a banker, some type of
15 institution or monetary institution.

16 Q. Okay.

17 A. They might give you a line of credit for like --

18 Q. So does the -- will the auction give you a line of credit,
19 or do you have to pay in cash?

20 A. No. The auction doesn't give you a line of credit.

21 Q. Okay. And I think you started to say you buy -- you buy
22 cars, and you gave out some of the numbers. And then what do
23 you do after that?

24 A. What you mean? Say it again.

25 Q. How do you sell 'em?

~~HAMILTON DIRECT~~

1 **A.** On the streets, mostly through friends and families and
2 word of mouth.

3 **Q.** Okay. Mr. Hamilton, do you have a criminal record?

4 **A.** Yes.

5 **Q.** And in 2001, were you sentenced to 135 months for
6 possession with intent to distribute -- a conspiracy for
7 possession with intent to distribute?

8 **A.** Yes.

9 **Q.** And was that ultimately reduced to 108 months or 9 years?

10 **A.** Yes.

11 **Q.** And then in 2010, were you convicted or did you plead
12 guilty of conspiracy to possess with intent to distribute
13 cocaine? Did you plead guilty at that time?

14 **A.** Yes.

15 **Q.** And were you sentenced to 72 months?

16 **A.** Yes.

17 **Q.** And when did you come home from the second -- from your
18 second sentence?

19 **A.** December 2013.

20 **Q.** And what have you done for a living since December of
21 2013?

22 **A.** I was doing construction at DCF Staffing for like -- like
23 a year. From there we was in the process of startin' a
24 business, me and my wife. And then I got into the cars after
25 that.

~~HAMILTON DIRECT~~

1 Q. Was there also a time when you did a lot of gambling at
2 Arundel Mills, I guess, Maryland Live! Casino?

3 A. Yes.

4 Q. And how frequently were you gambling?

5 A. Every day.

6 Q. Did you have a gambling addiction?

7 A. I wouldn't consider it a gambling addiction, 'cause I have
8 control over it.

9 Q. Have you stopped? You said you were gambling every day.
10 Have you stopped?

11 A. No.

12 Q. How frequently do you gamble now?

13 A. I go there like four, five times a week.

14 Q. And do you win or do you lose or some of both?

15 A. Some of both.

16 Q. Do you also own some rental properties?

17 A. Yes.

18 Q. About how many?

19 A. We have five.

20 Q. And where are those located?

21 A. In West Baltimore.

22 Q. And do you have tenants in those rental properties?

23 A. We have tenants in two of the properties, and we have the
24 facility for the assisted living in the other.

25 Q. I see. Now, I want to ask you some questions about what

~~HAMILTON DIRECT~~

1 happened to you on July 8th, 2016; okay?

2 **A.** Yes.

3 **Q.** And have you testified about that day before in the
4 grand jury in this investigation?

5 **A.** Yes.

6 **Q.** And when you testified in the grand jury, were you given
7 immunity?

8 **A.** No.

9 **Q.** Do you recall if I gave you immunity in the grand jury,
10 Mr. Hamilton?

11 **A.** Not really. I just . . .

12 **Q.** Would it refresh your memory to see your transcript from
13 the grand jury?

14 **A.** Yes.

15 **Q.** Okay. I want to show you the transcript --

16 **MR. PURPURA:** Judge, I think -- we'll stipulate he was
17 given limited-use immunity.

18 **MR. WISE:** I'd like to make sure he understands that.

19 **THE COURT:** Yes.

20 **THE WITNESS:** Okay. Let me look.

21 Yes, I remember.

22 **BY MR. WISE:**

23 **Q.** All right.

24 **A.** Okay.

25 **Q.** And what did you understand that to mean?

~~HAMILTON DIRECT~~

1 **A.** What I say can be used against me if that's -- that I say
2 what couldn't be used against me.

3 **Q.** And what obligation did you have? What did you have to
4 do?

5 **A.** Just tell the truth.

6 **Q.** Okay. And you have immunity here today, Mr. Hamilton, and
7 you have the same obligation.

8 Do you understand that?

9 **A.** Yes.

10 **Q.** Now, you were never charged for anything after -- related
11 to that arrest on July the 8th of 2016; correct?

12 **A.** Correct.

13 **Q.** So you weren't facing any criminal charges when you
14 testified in the grand jury on January the 19th, were you?

15 **A.** Correct.

16 **Q.** And you're not facing any criminal charges today, are you?

17 **A.** No, sir.

18 **Q.** Now, did the FBI contact you or did you contact the FBI
19 before you testified in the grand jury?

20 **A.** The FBI contacted me.

21 **Q.** Do you know how they found you?

22 **A.** I had went to -- they came to my "resident"; but from my
23 understanding, when I went to court concerning my -- the money
24 they seized from me, I was making a statement to one of the
25 detective about Detective Randall -- "Rannam" saying that --

1 and they got -- and Carroll County is the one who got in
2 contact with the FBI.

3 Q. Okay.

4 A. And the FBI got in contact with me.

5 Q. Now, I want to ask you some questions about July the 8th
6 of 2016.

7 Were you stopped by the police on that day?

8 A. Yes.

9 Q. And what were you doing before they stopped you? Take us
10 through what you were doing.

11 A. Me and my wife went to Home Depot on Reisterstown Road.
12 We was in Home Depot, and I had a contract for a guy who fixes
13 up my houses. I was in there buying materials.

14 Q. Had you just bought the house in Westminster, or close in
15 time had you bought the house in Westminster?

16 A. Close in time.

17 Q. If you could, tell us, how did you come to buy that house?

18 A. From working. I just put a down payment on it.

19 Q. Had that house been in foreclosure?

20 A. Yes.

21 Q. Okay. Did it need work?

22 A. A little bit.

23 Q. All right. So you started to testify you were in
24 Home Depot with your contractor?

25 A. Yes.

1 Q. And your wife?

2 A. Yes.

3 Q. And what were you doing?

4 A. We was shopping for materials for the house, and I was
5 also shopping for blinds for the house.

6 Q. Okay. And at some point did you notice something?

7 A. Yes.

8 Q. What did you notice?

9 A. One of the detectives was staring at -- he made visual
10 contact -- contact with me where he could see me in the aisle.
11 Me and my wife sat down. And I just noticed every time we
12 walked in one aisle, they would be in another or looking
13 directly where they could see me.

14 So I told my wife, I said, "Man, that guy is staring at
15 like a product for about 20 minutes, just lookin'."

16 Well, he had a good visual on me. Then
17 Detective Raymond [sic], I noticed he walked past me. But he
18 went to the bathroom, but he never came back to me. So I went
19 back up to the register. I paid for my material. I told my
20 contractor, "I'll just meet you at the house. My wife hasn't
21 made up her mind yet."

22 So I went back. We sat down for about --

23 Q. Let me just stop you for a second there.

24 So what did you -- who did you -- what did you think these
25 men were that you noticed were sort of watching you or moving

1 as you moved? Did you know --

2 **A.** No, I didn't know that they was police officers, no. I
3 just -- it was just strange -- they didn't like kept walking
4 back and forth, but it was just that way -- the way Home Depot,
5 where you order blinds at, you sit in the back kind of. And I
6 noticed that he was just staring at a product for a long time,
7 like wasn't -- he was just looking, just like (indicating).

8 So I didn't really like think nothin' of it, but I was
9 just like I just noticed he was just staring at it a long time.

10 **Q.** So then you said you sent the contractor back up to your
11 house?

12 **A.** Yes. I went and paid for my supplies.

13 **Q.** Okay.

14 **A.** And I sent them back to the house.

15 **Q.** And then where did you and your wife go?

16 **A.** We went back in -- well, we stayed in for a minute. Then
17 we left out -- for about another half hour, we left out, was
18 going to the cleaners. As we turned onto Reisterstown Road and
19 made another right -- we made a left on Reisterstown Road and
20 made a right into another shopping center where the cleaners at
21 near the Safeway. And as soon as I pulled in, they just -- all
22 the cops jumped out with guns. And it was like, "Get out the
23 car," dragged me out the car.

24 **Q.** So just to sort of walk us through that, you said you
25 were -- were you boxed in?

1 A. Yes.

2 Q. And you said officers had their guns out?

3 A. Yes.

4 Q. And they told you, "Get out of the car"?

5 A. They pulled me out the car.

6 Q. Someone pulled you out of the car?

7 A. Uh-huh.

8 Q. And what happened once you were pulled out of the car?

9 A. He -- he -- he put me against the car. And he said,
10 "Where your money at?"

11 And I was like, "Money?"

12 So he took the money I had in my pocket, stuck it inside
13 his vest (indicating). Grabbed my wife out. They had my wife,
14 like, probably like 10 feet away from -- pulled her out, had
15 her over, just standing over there. Patted me down and just
16 put me in the car.

17 Q. Now, you testified that this officer took money out of
18 your pocket. How much money did you have in your pocket?

19 A. Approximately 3400.

20 Q. And you said you saw the officer put it in his vest?

21 A. He put it in -- in his vest, like (indicating), just stuck
22 it right down in his vest (indicating).

23 Q. How many other police officers were, I guess, surrounding
24 your car or at your car at this time?

25 A. It was three carloads. So each one, probably like six or

~~HAMILTON DIRECT~~

1 seven guys.

2 Q. Okay. Now, were you put in handcuffs?

3 A. Yes.

4 Q. And then what happened to you?

5 A. I was taken down to Northern Parkway at a barrack station.

6 Q. Where was your wife? What happened to her?

7 A. She was in another -- in another car.

8 Q. Was she also -- did you see her get handcuffed?

9 A. She was handcuffed.

10 Q. And let me ask you: Did anyone tell you why you were
11 being arrested?

12 A. No. He was just saying -- I was in the car with "Gomdo."
13 And he was just saying, "Oh, that's not my investigation. I
14 don't know what's going on."

15 I was like, "Well, what's going on?"

16 He was like, "I don't know." Just . . .

17 Q. Now, you testified that one of the officers took money out
18 of your pocket; right?

19 A. Yes.

20 Q. Did he take anything else?

21 A. No, not at that time. Just the money that was in my
22 pocket.

23 Q. And did you have any drugs on you?

24 A. No, sir.

25 Q. Did you have any guns?

1 A. No, sir.

2 Q. Did you have any guns or drugs in your car?

3 A. No, sir.

4 Q. Had you been doing anything with guns or drugs before
5 these officers boxed you in?

6 A. No, sir.

7 Q. So you started to say that they took you to
8 Northern Parkway?

9 A. Yes.

10 Q. Where did they take you? Where did you wind up?

11 A. On Northern Parkway and Park Heights.

12 Q. So by Pimlico racetrack?

13 A. Yes. Yes.

14 Q. What kind of building was it that they brought you to?

15 A. It looked like a training facility to me.

16 Q. Okay. Did you know what it was?

17 A. No.

18 Q. And once you got there, what happened?

19 A. When I got out the car, who I know now, Officer Jenkins
20 walked up to me and was like, Hey, I'm such-and-such from the
21 United States office.

22 So I was like, "All right."

23 Briefly, he was take -- saying little stuff like, "We got
24 you under three controlled buys."

25 I said, "Man, that's a lie." So --

1 Q. When was he -- when was he saying this to you? When did
2 he tell you he was --

3 A. Outside, before we walked in -- before they took me
4 inside.

5 Q. All right. So he told you they had you in three
6 controlled buys?

7 A. Uh-huh.

8 Q. Had you done three -- three buys --

9 A. No, sir.

10 Q. -- with anybody --

11 A. No.

12 Q. -- controlled or not?

13 Then what happened?

14 A. Took me inside, asked me a whole bunch of questions.

15 Like, well, we got you -- threw some paperwork at me, said,

16 "Well, we got you. We been surveilling you."

17 I said, "Okay. I ain't doin' nothing."

18 So I don't -- he was like, "We got you."

19 So he said --

20 Q. Who was there when he was saying this to you?

21 A. Officer Jenkins -- it was Officer Jenkins talkin',

22 "Raymans" and that "Gumbo."

23 Q. Gondo?

24 A. And Detective Hersl.

25 Q. All right. And so you said he showed you some papers and

1 started --

2 **A.** Folders, yes.

3 **Q.** What else did he say?

4 **A.** Had me in there, was like, "Well, we know you doing this."

5 I said, "I ain't doing nothin', man."

6 So kept me in there for about 20 minutes; then was asking
7 me a whole bunch of questions like, "Well, we got you. We got
8 you."

9 I said, "You don't -- okay. If you got me, let's go down
10 to the Federal Courthouse."

11 So we walked outside. They took me outside -- no. They
12 took me on to another side where they had a little meetin' or
13 talkin' or whatever.

14 **Q.** Who had a little meeting or were talking?

15 **A.** The four officers that was in the room.

16 **Q.** And who were they again?

17 **A.** Jenkins, "Gumbo," "Raymans," and Hersl.

18 **Q.** Then you said -- you started to say they took you outside?

19 **A.** After that, they took me back. They was like separating
20 me from their little, whatever they was discussing. One of
21 them walked over and like stand there and me come back. Then
22 they took me outside, back into the car, put me back in the
23 car.

24 **Q.** Did you know where you were going at this point?

25 **A.** No. Until we started driving upwards towards, like,

1 Park Heights. So I was like, "Where we going at?"

2 He said, "We going to your house."

3 By this time he got me and my wife in the car.

4 **Q.** Who's driving?

5 **A.** "Raymans."

6 **Q.** All right. Let me ask you this before -- before we go
7 further: You said that Jenkins asked you questions. Did he
8 ask you if you had any guns or drugs or money at the house?

9 **A.** He asked me did I have any guns and drugs in my house. I
10 told him, "No."

11 **Q.** Did he ask you about money?

12 **A.** Yes.

13 **Q.** And what did you tell him?

14 **A.** I said I had some money at my house.

15 **Q.** Did you tell him how much money you had?

16 **A.** No, sir.

17 **Q.** So then you started to say -- I guess once you realized
18 you were going like towards Park Heights . . .

19 **A.** Once they got us, they put me -- when they was
20 transporting us, they put my wife in the car with me. So I was
21 like -- when they pulled out, they got up towards, going
22 towards Old Court and Park Heights.

23 So I said, "Where are we going?"

24 He's like, "We're going to your house."

25 I was like, "For what?"

1 So I leaned over to my wife and I was like -- I said,
2 "Just don't say nothin'." I said, "They getting ready to rob.
3 They trying to rob me." She was like (indicating) -- so I
4 said, "Don't say nothing."

5 **Q.** Is that what you thought was happening?

6 **A.** Yes. I was, like, once we started driving that way,
7 'cause I thought they was honestly getting ready to take me to
8 the marshals, 'cause after we -- 'cause he introduced us, so I
9 was like, "Take me down to the Federal Courthouse."

10 **Q.** So Jenkins introduced himself as some kind of federal
11 officer?

12 **A.** Yes.

13 **Q.** All right.

14 **A.** So we -- they get us to the house. They let my wife make
15 a phone call, 'cause we had kids in the house. They let all
16 the --

17 **Q.** What were the ages of the kids you had in the house?

18 **A.** 18, 9, and 8 was at the house.

19 **Q.** Okay.

20 **A.** So they allowed -- they had us in the back. They pulled
21 us in my driveway. So I -- I leaned down for that 'cause they
22 didn't want the kids to see us in the handcuff -- see us -- see
23 me get out with the handcuffs on.

24 My wife, when we got back to the car, she wasn't
25 handcuffed. She was handcuffed in the front.

~~HAMILTON DIRECT~~

1 So --

2 **Q.** Did she actually manage to get out of the handcuffs? Did
3 she sort of work her way --

4 **A.** Uh-huh. She got out when we -- when he said we could
5 use -- she could use the phone, to let them get out the car --
6 I mean let them leave the house. So they let them pack up, get
7 some stuff. They searched their bags. They let them drive
8 away.

9 **Q.** And this is all happening -- where are you when that's
10 happening?

11 **A.** I'm in the backseat in front of -- in my house. I'm
12 inside a car in the backseat.

13 **Q.** Okay. But out front of your house?

14 **A.** Yes.

15 **Q.** And where have the four officers you identify gone? Where
16 are they when you get to the house? Do they go inside?

17 **A.** Two went inside. One drove my truck back. And it was
18 another car.

19 **Q.** Another police car?

20 **A.** Yes.

21 **Q.** Okay.

22 **A.** Another unmarked car. It was a Hyundai -- I mean an
23 Altima.

24 **Q.** When you first arrived at the house and you described what
25 they did, I guess, to let your kids leave, did the officers go

1 inside the house?

2 **A.** Yes.

3 **Q.** Which officers?

4 **A.** "Raymans" went in and, I think, Jenkins. I'm not a
5 hundred percent sure which two, but I know "Raymans" went in my
6 house first.

7 **Q.** Okay.

8 **A.** Jenkins and "Raymans" definitely went in. I don't know
9 that the other two stayed out, because one stood near the car
10 with me.

11 **Q.** Do you remember which one stayed near the car with you?

12 **A.** Mr. -- Detective Hersl stayed outside, me and my car --
13 near the car that I was in. He didn't come in -- he didn't sit
14 in the car. They was just near the car, like, out -- outside
15 the car.

16 **Q.** Watching you?

17 **A.** Yes.

18 **Q.** And at some point, then, were you brought inside?

19 **A.** Yes.

20 **Q.** Where were you put?

21 **A.** I was put inside my living room with -- in the family
22 room.

23 **Q.** Were you in handcuffs?

24 **A.** Yes; the whole time.

25 **Q.** Now, at this point you testified that Jenkins said he was

1 a marshal or some kind of federal agent; right?

2 **A.** Yes.

3 **Q.** Is that what you thought all these -- who these police
4 officers were? I mean, did you know who they were?

5 **A.** I knew they wasn't federal officers once they took me back
6 to the house.

7 **Q.** You knew they weren't federal?

8 **A.** Wasn't, yes.

9 **Q.** Did you know if they were, in fact, even police officers?

10 **A.** Not really. To -- 'cause they never had no credentials
11 showing. But the way they was driving through the streets,
12 like get me back -- get me to North -- Northern Parkway, they
13 was driving in it like real reckless, 'cause it was more -- it
14 was more cars when we first went. But only a few cars came
15 back.

16 **Q.** I see.

17 **A.** And they was just driving like erratic, like just blowing
18 their horn, just going in and out through traffic, going to the
19 right -- to your right side and just going through -- on the
20 shoulders and just shoot -- and just driving real fast.

21 **Q.** And how were they dressed?

22 **A.** In street clothes with a vest on.

23 **Q.** What did the vest say?

24 **A.** "Police" on the front.

25 **Q.** Did it say which --

~~HAMILTON DIRECT~~

1 A. No.

2 Q. -- police department or agency or anything like that?

3 A. No, sir.

4 Q. And the cars they were driving, I think you've probably
5 said this already, but were they police cars or unmarked cars?

6 A. Unmarked car.

7 Q. Now, you start -- you testified that you were brought
8 inside and put in the living room; right?

9 A. Yes.

10 Q. Did Defendant Hersl come inside too?

11 A. Yes.

12 Q. All right. And then once -- well, where did they put your
13 wife?

14 A. In the living room also.

15 Q. Once you were in the house, what happened?

16 A. They sat me in the living room, next to my wife on the
17 chair. Detective Hersl was -- I guess was assigned to watch
18 us, 'cause he was sittin' there in the chair. They went
19 through my house, pulled me down the -- went through my house
20 for about -- about an hour, came back, and was like, "Where the
21 rest of your money and stuff?"

22 And I was like, "It's no more money in here."

23 He said, "Where the drugs at?"

24 I said, "There's no drugs in here, man. I don't sell
25 drugs."

1 So they took me back upstairs. "Gumbo" pulled me back
2 downstairs like, "Listen, ain't nobody telling" -- I said,
3 "Man, I'm not doing anything, man. I don't know what you
4 talking about."

5 He said, "I'm letting you know none of your friends -- "

6 I said, "I don't be with no one. I be with my wife and my
7 kids. Take me back upstairs."

8 So I told my wife, I said, "They playing a good cop/bad
9 cop."

10 So I'm still in the living room, I was in the living room
11 for about -- the whole time, probably upstairs about an hour
12 and a half. Then they called Carroll County to come in with
13 the dogs.

14 They was like, "Well, listen, if it's some drugs in here,
15 just give it -- just tell us. We'll put it up for you."

16 I said, "Man, there's nothing in -- "

17 **Q.** Who said that?

18 **A.** "Raymans."

19 **Q.** And what does "put it up for you" mean?

20 **A.** Like give it to them and they'll hide it somewhere, and
21 then you'll get it back.

22 **Q.** When Rayam said that to you, was that in the living room
23 or --

24 **A.** That was in the basement.

25 **Q.** In the basement?

1 A. Yes.

2 Q. And then what did you say in response?

3 A. I told him, "There's nothing in here."

4 Q. Was there anything in there?

5 A. No, sir.

6 Q. Did they ever find anything in there?

7 A. No, sir.

8 Q. Did Carroll County find anything in there?

9 A. No, sir.

10 Q. All right. So you said after about an hour or so is
11 when -- when they -- when, I guess, Carroll County showed up?

12 A. Yes.

13 Q. And so what happened once Carroll County showed up?

14 A. They did another search at the house where they was -- I
15 couldn't see what -- I was downstairs, so I'm --

16 Q. In the living room?

17 A. I was in the living room. So that's when they come back
18 with Carroll County. They got the dogs. And they going
19 through my stuff, like, pulling stuff out, throwing it down on
20 the -- just throwing everything, just trying to find stuff.

21 They came in there. I think they stayed probably like
22 40 minutes to an hour, did their thing, come back. They saying
23 that they found money in my house.

24 Q. Who said that?

25 A. Jenkins.

1 Q. Okay.

2 A. So they tried to get me to sign a paper. So I wouldn't
3 sign it 'cause I said -- I said, "Man, I had \$75,000."

4 So he said, "Well, we can't put no amount on it."

5 I said, "I'm telling you what I had in here."

6 So they pushed me back down. They -- they told me sit
7 back down, go back in --

8 Q. Who told you that?

9 A. Jenkins made me sit back down on the chair, 'cause he
10 didn't want me to interact with Carroll County.

11 Q. Okay.

12 A. So they -- I didn't -- I didn't -- I just signed it
13 anyway. He let me get back up and sign it. He said, "Just
14 sign the paper. Don't say nothing to them."

15 I signed the paper. I asked the officer before they sat
16 me down the first time, I said, "Man, put the amount. I want
17 to see what's the amount." So they didn't do it.

18 So I signed it after they sat me down. He said, "Just go
19 over there. Don't say anything to them. Just sign your
20 paper."

21 I signed it. They stayed in there. Carroll County left.
22 They took the handcuffs off me.

23 Q. Who took the handcuffs off you?

24 A. Carroll County -- they got a key from Carroll County
25 'cause they said they didn't have a cuff key.

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1 Q. Okay.

2 A. Carroll County gave them a key. And they -- as
3 Carroll County was leaving out, they unlocked -- took the
4 handcuffs off me.

5 Q. This may seem like a strange question, Mr. Hamilton, but
6 at any point in this whole -- from the time you were handcuffed
7 until you were unhandcuffed, did you ever feel like you could
8 leave?

9 A. No.

10 Q. Did you ever feel like you could -- well, when they took
11 you from the Home Depot to this other office up to your house,
12 did you ever feel like you had any choice in any of that?

13 A. No, I ain't have no choice.

14 Q. What do you think would have happened if you had said,
15 "I'm not doing that," or had resisted?

16 A. Probably got the shit beat out me.

17 Q. All right. Now, once the cuffs were off, you said
18 Carroll County had left --

19 A. Yes.

20 Q. -- and the cuffs were off. What happened then?

21 A. They sat me back in the living room, you know.

22 Q. Who's there when they -- when they sat you back in the
23 living room?

24 A. Officer Jenkins, "Gumbo," Hersl, and "Raymans."

25 Q. All right. And then what happened?

1 **A.** Jenkins talking to me, like asked me questions, like, if
2 you -- "Just be honest, man. If -- you know, if you can help
3 us, we can help you."

4 I said, "Man, I'm not in the streets, man."

5 So he said, "If you was doing bad, who would you rob?"

6 I said, "What?"

7 He said, "Who would you rob?"

8 So I said -- I said, "I'd rob President Obama."

9 So he laughed. He said, "You want to be a smart-ass."

10 I said, "Man, I'm not in the streets, man."

11 So he said, "Man, you can wake up, man. You got 20 keys
12 laying in your yard."

13 **Q.** What does that mean? What did you understand that to
14 mean -- "you wake up and you got 20 keys laying in your yard"?

15 **A.** 20 keys of coke or heroin or whatever, either one.

16 **Q.** Okay. What did you say?

17 **A.** I just shook my head. I was like, "Man, you" -- I did say
18 something like, "Man, you crazy."

19 **Q.** And he's saying all this in front of Gondo and Rayam and
20 Hersl?

21 **A.** Yes. It was just my wife, they let my -- after
22 Carroll County, my wife went back upstairs and just looking at
23 what they done to the house. And it was just us five in the --
24 in the living room.

25 **Q.** Okay. Now, when you told him he was crazy when he said

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1 that, what happened after that?

2 **A.** They was still asking me little questions. Then they
3 eventually got up, left. "Raymans" tried to put a -- gave me a
4 card with his number on it. He said, "Man, if you change your
5 mind, here go my card."

6 I go back through my house after they left. I called him
7 next day. I said -- I said, "You robbed me, man." I said,
8 "You robbed me."

9 And I left it as that. I didn't -- he didn't text back or
10 anything. I -- I text that number, said, "You robbed me."

11 **Q.** Who else did you call the next day?

12 **A.** I called Carroll County concerning my money. So I spoke
13 to Sergeant Stewart, Stafford, one of the officers. I was --
14 like he told me it was 50,000 -- I said, "Man, that's why I was
15 trying to" -- I said, "Man, there was \$75,000, man." I said,
16 "That's why I was trying to talk to you while they was there."

17 He said, "I know, but this is all that was recovered."

18 **Q.** And did you get -- did you ultimately get a forfeiture
19 notice -- I have --

20 **A.** Yes.

21 **MR. WISE:** RH-2, Mr. Kerrigan. And if you could
22 enlarge that.

23 **BY MR. WISE:**

24 **Q.** Is this the forfeiture notice you got --

25 **A.** Yes.

1 Q. -- from Carroll County?

2 And it says that only fifteen -- \$50,000 had been seized?

3 A. Yes.

4 Q. And, again, how much -- how much had actually been taken
5 from you on July the 8th?

6 A. 75,000.

7 Q. All right. I'm going to ask you about that.

8 So you -- I'm putting up what will be RH-9.

9 Now, this actually started at the car stop; right? Is
10 that part of the 75,000?

11 A. No. It was actually seventy-eight, if you want to --
12 \$78,400.

13 Q. Okay. So how much was taken at the car stop?

14 A. 3400.

15 Q. And that was at -- what did you say, the dry -- you were
16 stopped at the dry cleaner?

17 A. I was stopped at -- yes.

18 Q. And then at the house, how did you have -- how was the
19 50,000 packaged at the house?

20 A. It was in hundreds and twenties.

21 Q. And what was it in?

22 A. It was wrapped up -- it was like in the -- what the hell
23 they call 'em?

24 Q. A heat-sealed bag?

25 A. Heat-sealed bag, yes.

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1 Q. And --

2 A. A heat-sealed bag.

3 Q. Why did you put the \$50,000 in a heat-sealed bag?

4 A. I just -- 'cause to make it smaller, just to make it real
5 tight.

6 Q. Okay. Why did you have -- and we'll go into this in more
7 detail, but why did you have so much cash in the house?

8 A. From car sales. And I -- I had just won like 40-something
9 thousand from the casino.

10 Q. Okay.

11 A. Officer Jenkins, when we was in the basement, he knew
12 about it. He was like, "You did pretty good the other night."

13 So I was like, "What are you talking about?"

14 He said, We -- at the casino.

15 I said, "Yeah." I said, "Oh," and I just left it as that.

16 Q. So we've got 50,000, and that's what you actually got the
17 forfeiture notice over, just the 50,000; right?

18 A. Yes.

19 Q. And this had been -- where in your house did you have the
20 50,000?

21 A. In my bedroom, in the closet.

22 Q. And I should have asked you this: For the 3400, what was
23 the source of that money? Where did it come from?

24 A. Cars, gambling.

25 Q. All right. And what about the 50,000?

1 A. Cars and gambling.

2 Q. And then in addition to the 50,000 that was in the
3 heat-sealed bag, how much other money did you have to get up to
4 the amount you'd given?

5 A. Say that one more time.

6 Q. Did you have other money besides the 50,000 in the house?

7 A. No. I had 75,000 in my house.

8 Q. Okay.

9 A. I counted that before -- that was -- I had that -- when I
10 won the day before -- before the arrest, I put all that
11 together --

12 Q. I see.

13 A. -- and I sealed it. And that's when he -- 'cause he
14 mentioned that to me. He said, "You had a good night the other
15 night."

16 And I was like, "What are you talking about?"

17 He said, "At the casino."

18 Q. Now, so that you had another -- you said 25,000 in the
19 house?

20 A. I had -- yes. I had 75,000 in my house altogether in
21 one -- one -- one heat-sealed bag. I had --

22 Q. Well, the Carroll County -- I'll show you. This is RH-1.
23 Carroll County recovered 50,000.

24 MR. PURPURA: Objection. Objection. Objection. This
25 is at this point leading. I think he just said he had 75,000

1 in a heat-sealed bag. He just said that.

2 **THE COURT:** Right. And Mr. Wise is about to show him
3 a picture of some money in a heat-sealed --

4 **MR. PURPURA:** Right. He's going to lead him as to how
5 much money is in that bag. He's going to tell us. He should
6 tell us.

7 **THE COURT:** What is your question, Mr. Wise? Let's
8 assume that you're not going to --

9 **MR. WISE:** I'll just ask it this way.

10 **BY MR. WISE:**

11 **Q.** How was all the money you had in the house packaged? Take
12 us through it. Break it down for us.

13 **A.** In bundles. I don't know what I had in each bundle. It
14 was in bundles wrapped, and it was sealed in a heat-form bag.

15 **Q.** And how much -- how many -- how much was in a heat-sealed
16 bag?

17 **A.** Okay. I had one -- I had one bag with seventy-five --
18 with 75,000. One had fifty in it. One had twenty-five in it.
19 But they were individually wrapped in the heat-sealed bag.
20 Like one had a bundle of 50,000. One had a bundle of
21 twenty-five with all hundreds. It was --

22 **Q.** So were these two -- I guess two bags or two heat-sealed
23 bags within a bigger heat-sealed bag?

24 **A.** Yes.

25 **Q.** Okay.

1 **A.** They popped -- they opened the -- when I saw -- when I saw
2 this, it was opened. They took the 25,000 out.

3 **Q.** Okay. Did you see them take the twenty-five --

4 **A.** No, I didn't see it. I made a -- I made a fuss about it
5 the next day. And that's why I was trying to get them to put
6 the amount, 'cause I said it that when they was -- I said,
7 "Man, it was 75,000 up there."

8 **Q.** Right.

9 **A.** He said, "We can't count it."

10 I said, "Man, can you just count it? 'Cause I need to
11 put -- I want you to put the amount on my paper before I sign
12 it."

13 So the next morning I called 'em. I called 'em bright and
14 early. He said, "It was only fifty."

15 I said, "Man, that's why I tried to talk to you before you
16 left, man. It was \$75,000."

17 **Q.** So why did you want -- why were you so insistent that it
18 be counted? What did you think was going to happen to some of
19 that money?

20 **A.** Get missing, like it did, just mysteriously got missing.

21 **Q.** Right. Now, I want to ask you -- well, I'm going to show
22 you a couple of exhibits. Well, I'll just finish this.

23 The 25,000, where was that?

24 **A.** In my closet.

25 **Q.** Also -- so that's closet. And what was the source of

1 that?

2 **A.** Cars and gambling.

3 **Q.** Okay. And how much was reported as seized?

4 **A.** 50,000.

5 **Q.** All right. I'll come back to that to do the math in a
6 second.

7 Mr. Hamilton, you actually -- you contested the seizure of
8 this money ultimately; right?

9 **A.** Yes.

10 **Q.** And in the course of that, you produced some business
11 records -- I'm just going to show you some of them. The first
12 one is RH-3. This is a receipt book that you kept; right?

13 **A.** Yes.

14 **Q.** And if we start at the top here, it's January -- receipt
15 dated January 2nd, 2015.

16 **A.** Yes.

17 **Q.** The amount is \$1,025. And what have you checked there?

18 **A.** I can't see your finger.

19 **Q.** I'm sorry.

20 **A.** Cash.

21 **Q.** And so is this a receipt for a sale of a car?

22 **A.** No. That's for -- that's for a rental property.

23 **Q.** Oh, that's for a rental property?

24 **A.** Yes.

25 **Q.** What about the next one?

1 **A.** That's 2750. That's a rental property.

2 **Q.** Okay. Oh, I see. I see what you mean. So is this all --
3 are these all receipts for your rental properties?

4 **A.** Yes.

5 **Q.** So we've got 1,025, 1,066, 1100, 916 all on this first
6 page, all just in cash -- I mean all in cash; right?

7 **A.** Yes.

8 **Q.** So all these tenants were paying you their rent in cash?

9 **A.** Sometimes they pay in money order; sometimes they pay with
10 a check and cash.

11 **Q.** Okay. And then that's just the first couple days of
12 January in 2015; right?

13 **A.** Yes.

14 **Q.** And if we go through, now we get the next batch for
15 February, again, similar amounts?

16 **A.** Yes.

17 **Q.** All in cash; is that right?

18 **A.** Yes.

19 **Q.** Now into March of 2015, cash, amounts of 1,006, that
20 1,025, 1,066; right?

21 **A.** Yes.

22 **Q.** And now March into April, same kind of amounts and all in
23 cash; right?

24 **A.** Yes.

25 **Q.** April into May, same amounts, all in cash.

1 Now, I'm not going to -- I'm not going to keep going. But
2 is it accurate to say that if you add up the rental income you
3 had in cash from the 1st of January of 2015 till just before
4 March 22nd, there's over \$75,000 in cash that you received in
5 that period; right?

6 **A.** Yes.

7 **Q.** And then in addition to that, you also have your auto
8 auction -- your buying-and-selling-cars business; right?

9 **A.** Yes.

10 **Q.** And this is about, almost an inch thick of receipts --

11 **A.** From the auction.

12 **Q.** -- and records from the auction; right?

13 **A.** Yes.

14 **Q.** And so this is RH-4, and we'll just go through a couple of
15 these.

16 What's this?

17 **A.** This is -- when I purchase a car -- say I paid 750 for it.

18 **Q.** That's over here (indicating)?

19 **A.** Yes. With the tax, with the auction fee, it came -- it
20 was \$115. This car was a -- it looked like --

21 **Q.** I want to say --

22 **A.** It was a Caravan that I paid 700 -- 750 for.

23 **Q.** Okay. And then --

24 **A.** So eight -- I paid \$865 altogether, total.

25 **Q.** Okay. And then if we go to the next page, you said it was

1 a Dodge van, and the VIN ends in 726; right?

2 **A.** Yes.

3 **Q.** If we go to the next page --

4 **A.** I sold it for 1500.

5 **Q.** All right.

6 **A.** So I made, what, 750, \$700 profit.

7 **Q.** Uh-huh. And is that the bill of sale?

8 **A.** Yes. That's -- that's what I give them.

9 **Q.** Give your customers?

10 **A.** Yes.

11 **Q.** And --

12 **A.** This is a BMW, an '04 BMW. I paid 1500 with the tax. I
13 paid \$170 with the auction fee; came to 1670.

14 **Q.** All right. And I think we already saw the receipt.

15 **A.** That's for the BM --

16 **Q.** For the BMW; right?

17 **A.** Yes.

18 **Q.** How much did you sell it for?

19 **A.** 3500.

20 **Q.** And if I didn't ask you this at the last one, what does
21 the receipt show you were paid in?

22 **A.** Cash.

23 **Q.** And then same thing for the one we saw before?

24 **A.** Yes.

25 **Q.** All right. And I'm not going to go through all of these,

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1 Mr. Hamilton, but it looks like there's dozens and dozens of
2 them; is that accurate?

3 **A.** Yes.

4 **Q.** And did you pay taxes in the tax year before -- before
5 this --

6 **A.** Yes.

7 **Q.** -- episode, March 22nd?

8 **A.** Yes.

9 **Q.** And do you recall what you reported in taxable income?

10 **A.** Me and my wife together was like one-something, almost two
11 hundred, I think.

12 **Q.** All right. And that was made up of what? What was your
13 income?

14 **A.** Assisted living, the cars, the rental property.

15 **Q.** Okay.

16 **A.** And she was working for United -- United, well, it's Optum
17 now, but that's where she was at. That was that.

18 **Q.** Now, were you also -- you testified about making money or
19 winning money at the casino.

20 **A.** Yes.

21 **Q.** Did you also lose a lot of money?

22 **A.** Not really a lot, but I lost. I stay within a budget.

23 **Q.** Okay. So if there were records from Maryland Live! that
24 showed in 2016 that you had -- you had gambled about a million
25 dollars --

1 A. Yes.

2 Q. -- and lost about 150,000 overall, does that sound about
3 right?

4 A. Yes.

5 Q. And then in 2015, that you gambled about 742,000 and lost
6 about 137,000?

7 A. Yes.

8 Q. And how were you able to sustain that level of --

9 A. If -- like, how they do it, like, if I start off at like a
10 thousand dollars, if I go back and win 2,000, that's 3,000 I
11 got. But if I go back and cash -- and cash it in and come
12 back, it leaves -- cashing another thousand, that's 4,000. But
13 technically it was only just 1,000 I started off with.

14 Q. I see.

15 A. So that's how they keep a track of what goes out of the
16 table and what comes in on the table. It's really not as much
17 as it's written, as it seem on the paper.

18 Q. I see.

19 A. Because it's no way I'm going to lose nowhere like that.

20 Q. Sort of builds up over time?

21 A. Yeah, it builds up 'cause you can actually start off with
22 \$200 and play through the whole day and go through \$10,000 off
23 of \$200, but you don't have actually \$10,000 in your hand.

24 Q. I see.

25 A. You actually might win a little, go cash it in, come back,

1 play again, and they still just keep adding it up as you come
2 in with new money; but you're really just starting -- you're
3 just taking your winnings, going back to the window, and coming
4 back. That's how it goes.

5 **Q.** Okay. Now, you testified that you were never charged
6 after --

7 **A.** No.

8 **Q.** -- July 8th of 2016; right?

9 **A.** No, 'cause I -- I was never charged with any crime.

10 **Q.** Sitting here today, do you even know why these officers
11 arrested you on that day?

12 **A.** No. They was -- somebody put them on me and -- and when
13 they -- they just thought I was just another one -- another
14 person they can get.

15 **MR. WISE:** Nothing further, Your Honor.

16 **THE COURT:** All right. Mr. Purpura?

17 **MR. PURPURA:** Thank you, Your Honor.

18 **THE CLERK:** Excuse me, Mr. Purpura.

19 **MR. WISE:** And actually, Your Honor, I have one other
20 question. I apologize.

21 **THE COURT:** Okay. Well, why don't you come up --
22 everybody come up to the bench anyway.

23 (Bench conference on the record:

24 **THE COURT:** So we have some more questions.

25 One: Which officer took the money and put it in his

1 vest?

2 Two: Was he shown a warrant to search the house?

3 Three: Did Carroll County show a warrant?

4 **MR. WISE:** Like I said, I have one more question, so I
5 can cover these as well.

6 **THE COURT:** Okay.)

7 (Bench conference concluded.)

8 **BY MR. WISE:**

9 **Q.** Mr. Hamilton, which officer took your money at the car
10 stop and put it in his vest?

11 **A.** Ray -- "Raymans."

12 **Q.** And were you ever shown a warrant to search your house?

13 **A.** No. I was showed a folder.

14 **Q.** A folder?

15 **A.** Yes. It just had 1800 or something -- it was just the
16 folder -- he showed me a folder, like we got folders. It
17 wasn't never like they showed me a warrant. They wouldn't even
18 give me a copy of it or nothing. They told me I would get it.
19 I didn't get anything.

20 **Q.** So who did -- who showed you this?

21 **A.** "Raymans."

22 **Q.** And was it a -- I'm sorry. Was it a folder or a photo?

23 **A.** A photo -- a folder.

24 **Q.** A folder?

25 **A.** Yes.

1 Q. With your address written on it?

2 A. Just my address. It wasn't even my address.

3 Q. Oh.

4 A. They had a photo of my truck, the house, and my wife's
5 car.

6 Q. And did Carroll County, when they get there, did they show
7 you a warrant?

8 A. No, sir.

9 Q. I'm going to show you what's been marked RH-8. (Handing.)

10 Do you recognize that, Mr. Hamilton?

11 A. Yes.

12 Q. What is it?

13 A. My watch.

14 Q. And was your watch taken that night too?

15 A. Yes.

16 Q. Is this the first time you've seen it since March 22nd of
17 2016?

18 A. Yes.

19 MR. WISE: Nothing further, Your Honor.

20 THE COURT: All right. Mr. Purpura.

21 MR. PURPURA: Thank you, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. PURPURA:

24 Q. Mr. Hamilton, I'm going to show you --

25 THE CLERK: Mr. Purpura, is your microphone on?

~~HAMILTON~~ ~~CROSS~~

1 **MR. PURPURA:** Ms. Moyé, thank you. Works better when
2 you turn them on.

3 **THE CLERK:** Yes, it does.

4 **BY MR. PURPURA:**

5 **Q.** Good afternoon, Mr. Hamilton.

6 **A.** Good afternoon, sir.

7 **Q.** So I'm going to show you what has been admitted into
8 evidence as Hersl No. 11.

9 Do you recognize that residence?

10 **A.** Yes.

11 **Q.** Whose residence is it, sir?

12 **A.** My house.

13 **Q.** And this house was purchased when?

14 **A.** In May of 2016.

15 **Q.** And Mr. Wise asked you if the house needed a lot of work
16 or work. Looks fairly new. Is the house fairly new?

17 **A.** No.

18 **Q.** The outside need any work?

19 **A.** Yes.

20 **Q.** A lot of work?

21 **A.** Yes.

22 **Q.** Tell me, what had to be done to the outside of the house?

23 **A.** Say that again.

24 **Q.** What did you do to the outside of that house?

25 **A.** Like, this is all -- right here, if -- well, you really

1 can't see it. It was like a whole bunch of trash. It was
2 like -- the house sat for like four years on the market. It
3 was -- what happened -- whoever had it, the tenant left the
4 water running, so it messed the whole inside of the house.

5 Q. So the inside of the house was damaged, and you had -- you
6 refurbished a lot of the house from water damage; is that fair
7 to say?

8 A. Yes.

9 Q. And this is right now what you've done; you've refurbished
10 the house; correct?

11 A. I don't think this is a picture of me -- because I don't
12 remember this black vehicle at all, so it could have been a
13 picture from somewhere else.

14 Q. Is that your house?

15 A. This is the house.

16 Q. Okay. Well, forget the vehicle.

17 A. Okay.

18 Q. This is your house; correct?

19 A. Yes.

20 Q. Okay. And today, if we went to look at your house, would
21 it look like this?

22 A. No. It looks better.

23 Q. It would look better today?

24 A. Yes.

25 Q. You put a lot of money into the house?

~~HAMILTON~~ ~~CROSS~~

1 A. Yes.

2 Q. How much money did you put into the house?

3 A. Probably like twenty.

4 Q. Twenty?

5 A. Thousand, yes.

6 Q. Just 20?

7 A. Yes. Not just. I mean approximately around 20.

8 Q. All right. So you put 20,000, cash?

9 A. Yes.

10 Q. All right. And you have a pool with that house; right?

11 A. Yes.

12 Q. Did you have to fix the pool up?

13 A. Yes.

14 Q. How much did you put into that pool? They're expensive.

15 A. It was a lot of debris in the pool, basically.

16 Q. Well --

17 A. The pool was already there when the house was --

18 Q. So what did it cost you?

19 A. Probably like 3,000.

20 Q. All right. The bottom line is you got the house fixed up
21 and you got the pool running and it's nice; correct?

22 A. Yes.

23 Q. And when did you do this again? I'm sorry. What was the
24 year?

25 A. In '16.

~~HAMILTON~~ ~~CROSS~~

1 Q. 2016?

2 A. Yes.

3 Q. And you got released from federal prison in -- when?

4 A. December 2013.

5 Q. So two years later, you were able to do all this?

6 A. Yes.

7 Q. And in addition to this, you also indicated that you have
8 rental properties and assisted living facilities as well;
9 correct?

10 A. One assisted living, yes.

11 Q. And that's -- the assisted living is 2723 Fairmount; is
12 that correct?

13 A. Yes.

14 Q. And that's a corporation that's been in your wife's name;
15 correct?

16 A. Yes.

17 Q. And do you know how many corporations she's formed for the
18 assisted living?

19 A. Just one, to my knowledge, yes, one.

20 Q. All right. We'll get back to that in a second.

21 A. Okay.

22 Q. I'm going to show you what has been admitted into
23 evidence. Actually, are you sure it's for elderly?

24 A. Say again.

25 Q. Are you sure the assisted living is for elderly and not

1 for the mentally disabled?

2 **A.** It's for elderly and mentally disabled, both.

3 **Q.** All right. And so this would be the house; is that
4 correct?

5 **A.** Correct.

6 **Q.** All right.

7 **THE CLERK:** The exhibit number, please?

8 **MR. PURPURA:** I'm sorry. This is Defense
9 Exhibit No. 8.

10 **THE CLERK:** Thank you.

11 **BY MR. PURPURA:**

12 **Q.** And that's on Fairmount Street; right?

13 **A.** Yes.

14 **Q.** Whose house -- who's the titled owner of that house?

15 **A.** My brother.

16 **Q.** Okay. And who paid for that house?

17 **A.** My brother.

18 **Q.** And 2721, Exhibit No. 9, on Fairmount Street, whose house
19 is that?

20 **A.** Me and my wife.

21 **Q.** Who paid for that house?

22 **A.** Me and my wife.

23 **Q.** How much you pay for that?

24 **A.** It was 5,000.

25 **Q.** You renovating that?

~~HAMILTON~~ ~~CROSS~~

1 A. Yes.

2 Q. How much you pay for that?

3 A. It varies. Like five, six thousand.

4 Q. Cash; right?

5 A. Yes.

6 Q. Cash down on that house, 2721; right?

7 A. Yes.

8 Q. Cash payments to fix the house up; right?

9 A. Yes.

10 Q. Okay. We got -- well, I'll ask you -- Defense
11 Exhibit No. 20, I believe.

12 Do you recognize this (handing)?

13 A. Yes.

14 Q. What is it?

15 A. 2717.

16 Q. Fairmount; right?

17 A. Yes.

18 Q. Who owns that house?

19 A. My brother.

20 Q. Defense Exhibit No. 20.

21 What's your brother's name?

22 A. Rajesh.

23 Q. And he owns this house?

24 A. Yes.

25 Q. And what do you have to do with this house?

1 A. What I have to do with it?

2 Q. Yeah.

3 A. I'm the manager.

4 Q. You're the manager?

5 A. Yes.

6 Q. What do you got to do to manage that house, 2717?

7 A. Well, we keep records of everything.

8 Q. Like what?

9 A. The rental agreement. The --

10 Q. People live there?

11 A. Yes, they do.

12 **THE COURT:** Mr. Purpura, let him finish.

13 **MR. PURPURA:** I'm sorry. I'm sorry. It's contagious.
14 It happens to a lot of people.

15 **THE WITNESS:** Yes, they do.

16 **BY MR. PURPURA:**

17 Q. And Rajesh can't collect rents himself?

18 A. He's doing something else.

19 Q. Do you go fix things up there?

20 A. Yes, I do.

21 Q. So that's what you do; right?

22 A. Yes.

23 Q. How much do you get for doing that?

24 A. I get a portion of the rental.

25 Q. How much?

1 A. It depends. We put -- it just goes into an account.

2 Q. How much?

3 A. 10 percent.

4 Q. 10 percent of how much on 2717?

5 THE COURT: What do you mean "how much"?

6 BY MR. PURPURA:

7 Q. How much monthly -- how much monthly rent do you get for
8 2717?

9 A. 1100, 900. I don't -- I can't --

10 Q. 10 percent, maybe you get what, 100, 150, 200?

11 A. Uh-huh.

12 Q. Cash; right?

13 A. Yes, and the rest goes into the bank.

14 Q. It's not a lot of cash, though, is it?

15 A. No.

16 Q. Okay. Now, but -- but as you indicated, you do gamble;
17 right?

18 A. Yes.

19 Q. And gambling is a source of income for you; right?

20 A. Yes.

21 Q. Let me see if I can get the right records. Defense
22 Exhibit No. 21A and B.

23 Showing you what has been marked as Defense Hersl 21A, and
24 this is what appears to be annual activity for the year of 2015
25 at Maryland Live! Casino. That's where you gamble; is that

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1 correct?

2 **A.** Yes.

3 **Q.** In fact, you supplied this through your lawyer in an
4 effort to get back your \$50,000 which was seized; is that
5 correct, sir?

6 **A.** Yes.

7 **Q.** And so it appears, at least -- and that would be the last
8 four digits of your Social Security number, 3015; correct?

9 **A.** Correct.

10 **Q.** So we know it goes to you; correct?

11 **A.** Correct.

12 **Q.** But just out of curiosity, who lives at
13 8600 Gray Fox Road, Apartment 102, Randallstown, Maryland?

14 **A.** My mother.

15 **Q.** So you use your mother's address when you're gambling?

16 **A.** No. That's the address that was on my license.

17 **Q.** And it wasn't changed yet in 2015?

18 **A.** No, sir.

19 **Q.** So since it's on your license, you have to use that at
20 Maryland Live!

21 **A.** Yes.

22 **Q.** And it shows, at least for 2015, that the dollars in was
23 \$742,888 in. That means dollars in at the pit -- you see it
24 says "pit" right there (indicating)?

25 **A.** Uh-huh.

1 Q. And what's the pit?

2 A. The table.

3 Q. The table. Could be tables, could be crap tables, could
4 be blackjack tables; right?

5 A. Yes, sir.

6 Q. It's not the slot machines?

7 A. No, sir.

8 Q. Okay. So at the pit, they kept a record. "Dollars in"
9 means dollars in that you're putting down to get chips for,
10 dollars in; correct? You put down a thousand dollars, they
11 give you 10 blacks back; right?

12 A. Correct.

13 Q. Dollars out, that's how much you cash out, 7 out, ah,
14 loser. What's left? And here's what you cash out with.
15 Dollars out, 604,910.

16 At the end of the year, this casino calculates that you
17 lost \$137,978, apparently in cash, for 2015. That's the annual
18 activity at Maryland Live! Casino; isn't that correct, sir?

19 A. Correct.

20 Q. That's a lot of cards. 3,000 a pop. I mean, I'm not good
21 at math, but, dude, you must be the best; right?

22 A. Unh-unh.

23 **THE COURT:** I don't think that was a question. You
24 can move on.

25 **MR. PURPURA:** I'm asking if he's the best car

~~HAMILTON~~ ~~CROSS~~

1 salesman, Judge. I'm sorry.

2 **BY MR. PURPURA:**

3 **Q.** Let's go to 2016.

4 Now, this, you're going to see, is 2016. But it's not the
5 whole year, because you requested these records --

6 **MR. PURPURA:** Can we get it back up on the screen.

7 Mine seems to be off. Does it go to sleep?

8 **THE CLERK:** Yes.

9 **MR. PURPURA:** Wake up. Wake up. Wake up. Wake up.

10 It's like -- I'm not going to say anything else.

11 **THE CLERK:** Is it back on?

12 **MR. PURPURA:** I put the screen to sleep. Imagine what

13 I'm doing to everybody else.

14 **THE CLERK:** Is it back on?

15 **MR. PURPURA:** It is. Thank you.

16 **THE CLERK:** Okay. And your exhibit number, please?

17 **MR. PURPURA:** 21B.

18 **THE CLERK:** Thank you.

19 **BY MR. PURPURA:**

20 **Q.** Now, you'll see, because you requested this, because your
21 lawyer was filing documents to get your \$50,000 back for you --

22 **A.** Yes.

23 **Q.** -- that Maryland casino printed this out as of July 18th,

24 2016. So for the calendar year of 2016, the year that the

25 police came to your house, again, you're at

1 Maryland Live! Casino; correct?

2 A. Correct.

3 Q. And, again, that's your Social Security number

4 (indicating); correct?

5 A. Correct.

6 Q. And whose address is this one, 1498-M Reisterstown Road,

7 Pikesville, Maryland?

8 A. P.O. box.

9 Q. That's a P.O. box?

10 A. Correct.

11 Q. So you're using a P.O. box this time?

12 A. Correct.

13 Q. All right. And, again, according to Maryland Live! Casino
14 in 2016, dollars in is \$751,900 in. We won't do it again, but
15 that's you taking cash -- 'cause you play with cash when you go
16 to the casino; correct?

17 A. Correct.

18 Q. You put the money on the table. The guy behind the group
19 here goes (indicating), 10,000 blacks or 10,000, what do we
20 have? And they pass it out to you, whoosh, chips across;
21 right?

22 A. Uh-huh.

23 Q. You get stacks when you go in there; correct?

24 A. Unh-unh.

25 Q. No?

1 A. No.

2 Q. We'll get to that in a second, then.

3 A. Yes.

4 Q. Hold on.

5 So, anyway, the money in is 751,900 in. Dollars out,
6 apparently a bad year, 681,240. So as of July 18th of 2016,
7 you are now in the hole \$70,000.

8 So 2015 through July of 2016, a hundred fifty and seventy,
9 two hundred -- almost a quarter million dollars, money out;
10 right?

11 A. I'm listening.

12 **THE COURT:** I'm sorry. I missed -- I missed your
13 math, Mr. Purpura.

14 **BY MR. PURPURA:**

15 Q. 137,000. Excuse me. I apologize.

16 Let's see if I can be a little better with my math.
17 Probably can't.

18 137 in 2015 and through July 2016, 70,000. So let's be
19 fair. \$200,000 in losses.

20 A. Uh-huh.

21 Q. But we're not finished with the year.

22 Now, what you said under oath when Mr. Wise asked you, to
23 show why you would just have \$75,000 in your house in a
24 plastic, sealed, wrapped container was that you just got lucky
25 at Maryland Live!; right? So now I'm going to show you

1 Defense Exhibit No. 22.

2 Defense Exhibit No. 22, again, is for the calendar year of
3 2016; right?

4 **A.** Correct.

5 **Q.** Same Social Security number, same -- what is that? That's
6 your -- what address is that?

7 **A.** Pikesville.

8 **Q.** Yeah. But, again, where is it?

9 **A.** P.O. box.

10 **Q.** It's a PO box. Same P.O. box?

11 **A.** Uh-huh.

12 **Q.** Now, this record goes all the way up to October 19th of
13 2016. And as of October 19th, 2016, money in is \$1,044,525,
14 and money out is \$892 -- or \$892,995; right?

15 **A.** Correct.

16 **Q.** For a net loss of \$151,000 as of October 19th, 2016;
17 correct?

18 **A.** Correct.

19 **Q.** Now, let's go back and look around July 8th to see how
20 lucky you were.

21 So July 18th, that's past that time. So the most recent
22 time would have been July 5th of 2016. And what you did on
23 July 5th, 2016, is you put money in, \$29,550.

24 **A.** Uh-huh.

25 **Q.** And you actually won. You got back 30,100. So that's a

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1 net \$550; right?

2 **A.** Yes.

3 **Q.** And then if we go back to June 30th, 2016, money in --
4 again, that's a lot of money you're gambling with. You're
5 putting down \$13,400, and you're walking away with 14,100.

6 So, again, you won \$700; right?

7 **A.** Correct.

8 **Q.** And then we go to June 25th, 2016: Money in, 5500. Money
9 out, 5900. You won \$400.

10 Correct?

11 **A.** Correct.

12 **Q.** June 24th, you actually won: 1500 in. 6700 out. You
13 netted \$5,200.

14 Correct?

15 **A.** Correct.

16 **Q.** Then the next day's would be the 16th, and the 22nd you
17 won again, thirty-four and forty-two hundred; correct? Right?

18 **A.** Right.

19 **Q.** But then here on June 12th, 13,530 in. You walked away
20 with nothing. 13,530 out.

21 That's June 8th.

22 June 7th -- or excuse me.

23 June 8th, 10,760 in. You walked away with nothing.

24 10,760 out.

25 So the month before, you have far greater losses, which is

1 23,000, than your small wins. Would you agree with me?

2 **A.** Uh-huh.

3 **Q.** Thank you.

4 **MR. PURPURA:** If the Court was going to take a break,
5 this will be a good time. I'll try to shorten everything else
6 I have up.

7 **THE COURT:** Okay. We'll take the mid-afternoon recess
8 in exchange for a promise of shortening.

9 (Jury left the courtroom at 3:17 p.m.)

10 (Recess taken.)

11 **THE COURT:** Be seated, please.

12 **MR. PURPURA:** We're ready.

13 **THE COURT:** Counsel --

14 **MR. PURPURA:** I think we've worked it out.

15 **THE COURT:** All right. Then we'll get the jury.

16 (Jury entered the courtroom at 3:36 p.m.)

17 **THE COURT:** You can be seated.

18 **THE CLERK:** Mr. Hamilton, you're still under oath.

19 **THE WITNESS:** Yes, ma'am.

20 **THE COURT:** All right, Mr. Purpura.

21 **MR. PURPURA:** Your Honor, thank you.

22 **BY MR. PURPURA:**

23 **Q.** Mr. Hamilton, when Mr. Wise first asked you some
24 questions, he asked about your background and your convictions.

25 Do you remember those questions?

1 **A.** Yes.

2 **Q.** I'm just going to touch on those very briefly.

3 February 16th, 2001, you were in this very court -- not
4 this courtroom, but this very courthouse. And you were
5 sentenced by then-Judge Benson Legg to a fairly substantial
6 period of incarceration, correct, 135 months?

7 **A.** Yes.

8 **Q.** And that was for conspiracy to distribute 500 or more
9 grams of cocaine; isn't that correct?

10 **A.** Yes.

11 **Q.** And while you were serving your federal sentence,
12 something happened which caused you to get a reduced sentence;
13 correct?

14 **A.** Yes.

15 **Q.** And you know what happened. It wasn't because of your
16 good conduct or your bad conduct. What happened was that the
17 sentencing guidelines which you were sentenced under changed,
18 and that change helped you. And so you came back for a
19 resentencing; is that correct?

20 **A.** I didn't come back. I just got resentenced.

21 **Q.** They shortened your sentence down; correct?

22 **A.** Yes, sir.

23 **Q.** So it went down from the 135 months, which is 11.25 years,
24 down to nine years; correct?

25 **A.** Yes.

~~HAMILTON~~ ~~CROSS~~

1 Q. While you were in federal custody, you actually filed a
2 complaint or you filed a request to get your money back; right?

3 A. Yes.

4 Q. So what happened in the 2001 incident that you were
5 involved in with distribution, there was \$496,675 seized from
6 you; correct?

7 A. Correct.

8 Q. That's pretty close to a half a million dollars cash;
9 right?

10 A. Correct.

11 Q. Heat-sealed?

12 A. No.

13 Q. And you wanted to attempt to get that money back; is that
14 correct, sir?

15 A. Correct.

16 Q. And so you filed something with either the Government or
17 the DEA contesting the seizure of that money; isn't that
18 correct, sir?

19 A. Correct.

20 Q. It's fair to say that the drug -- especially on the large
21 scale, that's a cash business; correct?

22 A. Correct.

23 Q. And once you got released from that first federal
24 conviction, since there's no longer parole, you were placed on
25 what's called supervised release; isn't that correct?

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1 A. Yes.

2 Q. And you had a five-year supervised release; correct?

3 A. Yes.

4 Q. And as part of that supervised release, obviously you're
5 not supposed to break the law; fair to say?

6 A. Yes.

7 Q. You did break the law; correct?

8 A. Yes.

9 Q. Because you got arrested again and you were brought right
10 back here to this United States District Court on your second
11 federal drug-trafficking crime; correct?

12 A. Yes.

13 Q. And on November 3rd, 2010, you pled guilty to a conspiracy
14 involving more than 5 kilograms of cocaine; correct?

15 A. Say that again.

16 Q. You pled guilty to a conspiracy involving more than
17 5 kilograms of cocaine.

18 A. Yes.

19 Q. And you received at that point another federal sentence;
20 is that correct?

21 A. Yes.

22 Q. Your second federal sentence; correct?

23 A. Yes.

24 Q. And you were serving that, and you were served your
25 federal sentence. Is there parole in the federal system?

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1 A. No, sir.

2 Q. So you know better than I on this one -- correct me if I'm
3 wrong: We understand you get about 54 days' credit or good
4 time for each year; is that accurate or not?

5 A. Yes.

6 Q. So roughly 54 days off and nothing more than that; right?

7 A. Yes.

8 Q. So when you got out in 2013, you were again placed on
9 supervised release; right?

10 A. Yes.

11 Q. And if you violate that supervised release, that's -- you
12 can go back to jail again for up to five years; right?

13 A. Yes.

14 Q. So if, for whatever reason -- and you're still on
15 supervised release now; correct?

16 A. Yes.

17 Q. If a Magistrate Judge in this courthouse -- and you have
18 some hearings -- you've had some hearings on that; right?

19 A. Say that again.

20 Q. You've had hearings on your supervised release violations?

21 A. Yes.

22 Q. If a Magistrate Judge in this courthouse thought that the
23 money was connected -- that was seized was connected to drug
24 trafficking, that could violate your conditions of supervised
25 release --

1 **MR. WISE:** Objection, Your Honor. "If the
2 Magistrate Judge thought." He's now asking him to testify
3 about what a Magistrate Judge would decide.

4 **MR. PURPURA:** Concluded, sure. Why not?

5 **MR. WISE:** He's not a Magistrate Judge.

6 **MR. PURPURA:** I apologize. Wouldn't be a Magistrate
7 Judge. I apologize.

8 **THE COURT:** Right. Right.

9 **MR. PURPURA:** As a matter of fact, the District Court
10 is busy enough that maybe a Magistrate Judge --

11 **THE COURT:** "If a judge."

12 **BY MR. PURPURA:**

13 **Q.** All right. A judge, United States District Court Judge --

14 **MR. PURPURA:** It was my error. And thank you,
15 Mr. Wise. If a United States District Court Judge --

16 **MR. WISE:** My objection is he's asking him to --

17 **THE COURT:** Why don't you come up to the bench.

18 (Bench conference on the record:

19 **THE COURT:** Your objection is?

20 **MR. WISE:** My objection is he's saying: If a
21 United States District Court judge thought or concluded that
22 your money was connected to drug dealing, they would violate
23 your supervised release.

24 So he's trying to argue that the fact that he is
25 fighting the forfeiture is because he has to because,

1 otherwise, he could be violated. I mean, there's so many links
2 in that chain of other people --

3 **THE COURT:** I don't think he got to fighting the
4 forfeiture.

5 **MR. WISE:** Well, that was the setup to this series of
6 questions.

7 **MR. PURPURA:** You give me more credit than I deserve.
8 No. That's not it. Just another question of his credibility.
9 He's testifying and why he's testifying --

10 **THE COURT:** I assumed that it -- obviously, the
11 defense theory is that he was, in fact, dealing drugs and does
12 not wish to admit it. And that is a credibility issue.

13 And I think what he's trying to point out is a motive
14 for Mr. Hamilton not to admit that he was dealing drugs,
15 because he's still on supervised release. And if he was
16 dealing drugs, he would be violating his supervised release.

17 **MR. WISE:** Except he has immunity.

18 **THE COURT:** He has immunity for what he's testifying
19 to; that's correct.

20 **MR. PURPURA:** "Immunity" means that they can't use
21 what he said against him, as the Government knows.

22 **THE COURT:** Correct.

23 **MR. PURPURA:** But they can use the drugs and any other
24 inferences like the K9 that hits the house and does a positive
25 test. The money, the way the money is packaged and the K9 with

1 the positive test. And, gosh -- well --

2 **MR. WISE:** He's asking how a judge would decide a
3 supervised released decision --

4 **THE COURT:** Well, what's your -- how would you like
5 him to phrase it, if it was proved that he was dealing drugs?

6 **MR. WISE:** I just think he's not competent to testify
7 what a judge would do if presented with certain facts. He's
8 not --

9 **THE COURT:** How would you like him to phrase it?

10 **MR. WISE:** I don't think he can ask what a judge would
11 do.

12 **THE COURT:** All right. Not what a -- if he is found
13 by a judge to have been dealing in drugs, would that violate
14 his supervised release?

15 How about that?

16 Not what the judge said; what the judge found.

17 **MR. WISE:** If you were dealing drugs, would that
18 violate your supervised release?

19 **MR. PURPURA:** Whether he agrees -- if a judge found
20 that he was dealing drugs, would that violate your supervised
21 release? Thank you.

22 **THE COURT:** Okay.)

23 (Bench conference concluded.)

24 **THE COURT:** You can just rephrase that, Mr. Purpura.

25 **MR. PURPURA:** Thank you.

~~HAMILTON~~ ~~CROSS~~

1 **BY MR. PURPURA:**

2 **Q.** Mr. Hamilton, I believe I left off, if a judge here in
3 this courthouse found that you were involved in drug
4 trafficking, in your opinion, would that violate your
5 supervised release?

6 **A.** Yes.

7 **Q.** And how much time could you receive for that violation
8 alone?

9 **A.** I don't know.

10 **Q.** But you know you're face -- you would be facing some time;
11 is that correct?

12 **A.** I don't know.

13 **Q.** All right. Fair enough.

14 Now, as to the incident on July 8th, 2016 -- let me first
15 ask you: How much money was in the heat-sealed bag?

16 **A.** 75,000.

17 **Q.** Are you sure that's not 70,000?

18 **A.** Correct.

19 **Q.** 75,000?

20 **A.** Yes.

21 **Q.** When you spoke to TFO John Sieracki -- do you recognize
22 him, the gentleman in the back with the bald (indicating) --

23 **A.** Yes.

24 **MR. PURPURA:** I can say "bald" because I'm bald.

25 **BY MR. PURPURA:**

~~HAMILTON~~ ~~CROSS~~

1 Q. So you recognize him. Do you remember talking to him?

2 A. Yes.

3 Q. You talked to him on December 7th, 2016?

4 A. Yes.

5 Q. And do you remember telling him it was \$70,000?

6 A. Yeah, I could have said seventy.

7 Q. Okay. That's all right. Fair enough.

8 A. I could have said 70-something.

9 Q. Now, you went to a -- when you were -- you were stopped in
10 Baltimore County; correct?

11 A. Correct.

12 Q. And then you were taken back to a police substation near
13 the Pimlico -- Pimlico racetrack; correct?

14 A. Yes.

15 Q. And you recognize -- and as you indicated before, that the
16 officers involved -- and you said there was three cars; right?

17 A. Yes, three or four cars.

18 Q. Three or four cars, six or eight officers involved, to the
19 best of your recollection; correct?

20 A. Six or seven, yes.

21 Q. Okay. And they all had plainclothes, but they had police
22 vests on; fair to say?

23 A. Yes.

24 Q. You recognize -- did anyone have uniforms on,
25 Baltimore City Police uniforms?

~~HAMILTON~~ ~~CROSS~~

1 A. No, sir.

2 Q. So in your recollection, it was a large group of tactical
3 squad officers that stopped you and your wife; correct?

4 A. Correct.

5 Q. And you were taken out of the car, and you know who took
6 you out of the car. That was Detective Rayam; correct?

7 A. Correct.

8 Q. And you were able to identify Detective Rayam by a
9 photograph; correct?

10 A. Correct.

11 Q. And you did that before the United States grand jury as
12 well; correct?

13 A. Correct.

14 Q. And you know it was Detective Rayam who went into your
15 pockets -- where was your money?

16 A. In my pocket.

17 Q. Okay. Front pockets? Back pockets?

18 A. Front.

19 Q. Front pocket?

20 A. Yes.

21 Q. And hundred dollar bills or?

22 A. Yes.

23 Q. And he grabbed that like a ball of money. And did he wave
24 it around say, "I got it, fellows. Everybody, I got the
25 money"? What did he do?

1 **A.** He stuck it in his vest (indicating).

2 **Q.** As quick as he could, right, boom, hid it right there,
3 kind of like mine; right (indicating)?

4 **A.** Say that again.

5 **Q.** He was like taking it, saying from you, it's coming to me;
6 it's mine now. Right?

7 **A.** Correct.

8 **Q.** Then you're taken back to the substation, and you
9 indicated you believe it looked like a police barracks rather
10 than --

11 **A.** Training facility.

12 **Q.** Training facility for Baltimore City Police or DEA or
13 federal?

14 **A.** Just for the police.

15 **Q.** For police generally. Fair enough.

16 But it had at least -- it wasn't like a random shack or a
17 warehouse. It was -- it had to do with some sort of police
18 work. That's where you're taken to; correct?

19 **A.** Yes.

20 **Q.** And you're put in a room; right?

21 **A.** Yes -- not a room. It was like a -- with a whole bunch of
22 desks, office-like tables.

23 **Q.** All right.

24 **A.** It wasn't like a small room. It was like a very large
25 room.

1 Q. Was it like a conference room?

2 A. Yeah, something similar to that.

3 Q. Conference room?

4 A. Something similar to that.

5 Q. And the primary officers that stayed with you during that
6 time would have been Rayam, Gondo, and Sergeant Jenkins; is
7 that correct?

8 A. And Hersl.

9 Q. And Hersl. Did he stay the whole time?

10 A. Yes.

11 Q. The whole time he was in there?

12 A. Yes.

13 Q. He didn't talk at all, did he?

14 A. Not really.

15 Q. Jenkins doing the talking?

16 A. Jenkins and "Raymans" and -- doing the talking, the
17 majority of the talking, and they huddled up.

18 Q. Jenkins and Rayam were doing most of the talking; is that
19 correct?

20 A. Yes. Right.

21 Q. And then you were taken -- at least you thought at that
22 point, you're going to be heading towards --

23 A. Downtown.

24 Q. Right here, U.S. courthouse; right? To be detained and
25 brought for initial appearance; right?

1 **A.** Correct.

2 **Q.** I'm sorry. Let me get this off the screen.

3 Okay. Good.

4 And you weren't -- they kept on taking you, and they
5 said -- they said they're going to take you to your home;
6 correct?

7 **A.** Did they say it?

8 **Q.** Yes.

9 **A.** Once we -- once I asked them -- when we turned on
10 Park Heights, we got near the Old Court.

11 **Q.** And who showed you this folder with the photographs of
12 your house and your cars, kind of surveillance pictures?

13 **A.** No, no pictures. Just -- just like a blue folder with my
14 wife, like -- now you right on the top of the photo, with
15 labels, like, my house, my car, and my wife's car.

16 **Q.** So you didn't see what was inside the folder, did you?

17 **A.** He said it was warrants. No, I didn't see, actually --

18 **Q.** But on the way there, they said they were going to search
19 your house. And they allowed someone to call in advance to
20 allow your children to get out of the house; correct?

21 **A.** Correct.

22 **Q.** So you knew they were going to search the house at that
23 point; correct?

24 **A.** No. They asked me -- I asked them, "Where we going at?"

25 They said, "To your house."

~~HAMILTON~~ ~~CROSS~~

1 And I said, "For what?"

2 Q. Okay. And then?

3 A. Then they just kept driving.

4 Q. And they let you get the kids out of the house because --

5 A. They didn't let -- they let my wife make a phone call once
6 we got in my driveway.

7 Q. And they said they were going to search the house?

8 A. They didn't say "search the house." They said they going
9 in the house. They said, We going -- they just -- they went to
10 the house. It wasn't like they said, Hey, we going to go do
11 this.

12 Q. You pull up to the house, and you're kept out by the car
13 at that point; correct?

14 A. Correct.

15 Q. And the person that's with you is at that point
16 Detective Hersl (indicating); is that correct?

17 A. He's not with me. He's outside the car.

18 Q. Outside the car?

19 A. Yes.

20 Q. You're inside the car?

21 A. I'm inside.

22 Q. Still handcuffed?

23 A. Still handcuffed.

24 Q. Hersl's outside the car, standing by you?

25 A. Yes.

~~HAMILTON~~ ~~CROSS~~

1 Q. As you indicated before, Jenkins and Rayam went in the
2 house; correct?

3 A. Yes.

4 Q. And as you indicated before, you thought that Hersl was
5 assigned to you because when they brought you in the house,
6 Hersl sat down with you and your wife Nancy in the living room;
7 correct?

8 A. Correct.

9 Q. And I believe you didn't know Detective Hersl's name at
10 that time, did you?

11 A. No, sir.

12 Q. Okay. And I think you described him as the older white
13 guy; is that fair to say?

14 A. Yes.

15 Q. Then eventually Carroll County came; correct?

16 A. About an hour, hour and a half later.

17 Q. Okay. Carroll County had a K9 unit that came to the
18 house?

19 A. Correct.

20 Q. Carroll County did a search of the house as well; correct?

21 A. Correct.

22 Q. And you indicated that you were taken downstairs to the
23 basement; right?

24 A. Correct.

25 Q. And then you were taken downstairs to the basement, where

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1 was your wife?

2 A. Upstairs.

3 Q. And who took you downstairs to the basement?

4 A. First time was Gondo.

5 Q. And then the second time, was that Rayam?

6 A. Yes.

7 Q. Do you remember your wife going down the basement?

8 A. Yes.

9 Q. And she went down with Rayam at one time?

10 A. I -- I'm not a hundred percent sure who she went with.

11 Q. Okay. So you're taken down -- twice down to the basement.

12 And one time was Gondo and a second time was Rayam; correct?

13 A. Correct. Yes.

14 Q. And it wasn't Mr. Hersl; correct?

15 A. No, sir.

16 Q. Okay. Mr. Hersl was still seated at that point in the
17 living room where he was from the beginning to the end of the
18 entire, whatever amount of hours it was; correct?

19 A. I don't know what he done when I was in the basement,
20 but --

21 Q. Okay. When you weren't in the basement, that's where he
22 was?

23 A. Correct.

24 Q. Thank you.

25 All right. Just one more moment.

~~HAMILTON~~ ~~CROSS~~

1 A. Yes.

2 Q. Thank you.

3 Super Bowl Sunday's coming up. Are you going to the game?

4 Honest question.

5 A. You treatin'?

6 Q. No. I'm asking you.

7 A. No.

8 Q. All right. Last February, 2017, where were you? Did you
9 go to the game, Houston?

10 A. February? Yes.

11 Q. All right.

12 A. I didn't go to the game, but I went to the -- I went out
13 to Houston, me and my wife.

14 Q. And who's Margaret Cook Johnson?

15 A. My sister -- well, not blood sister. We just say we
16 sisters [sic].

17 Q. And --

18 A. That's where I stayed.

19 Q. Does she own homes in the Houston area in your name?

20 A. In my name? No.

21 Q. Strike that.

22 A. Oh.

23 Q. I'm wrong.

24 Do you own homes --

25 A. No.

~~HAMILTON~~ ~~CROSS~~

1 Q. -- in the Houston area in your sister's name?

2 A. No.

3 Q. How often do you go to Houston? Plane records -- strike
4 that.

5 When you go to Houston, do you use cash for tickets or do
6 you use credit card?

7 A. We pay cash.

8 Q. Does cash show record for travel?

9 A. No, but I had permission to go, if you want to know that.

10 Q. Is Houston -- based on your prior narcotic-distribution
11 days, is Houston --

12 A. No, sir.

13 Q. -- a source city for cocaine coming up from --

14 A. No, sir.

15 Q. Now, one last . . .

16 Now, did you tell your wife -- you actually -- you're
17 separated now from your wife; right?

18 A. Say that one more time.

19 Q. Are you separated now?

20 A. No.

21 Q. All right.

22 MR. WISE: Your Honor, may we approach?

23 THE COURT: Yes.

24 (Bench conference on the record:

25 MR. WISE: So the question I heard is: Did you tell

1 your wife . . .

2 He has a spousal privilege. The communications that
3 he and his wife had or have are privileged. There is -- just
4 by way of background, they are in a divorce proceeding. It's a
5 bitter divorce proceeding.

6 **MR. PURPURA:** He just said they're not in divorce --

7 **THE COURT:** Let him finish.

8 **MR. WISE:** There's custody issues. If -- they
9 apparently intend to call Mrs. Hamilton. So questions about
10 Mrs. Hamilton, again, with the -- keeping in mind there is a
11 privilege, should be directed to her and not to him.

12 He -- he can't be forced to testify about
13 communications he had with his wife.

14 **MR. PURPURA:** Right.

15 **THE COURT:** Okay.

16 **MR. PURPURA:** She has the privilege if she wanted to
17 invoke --

18 **MR. WISE:** They both do.

19 **MR. PURPURA:** Not -- not on -- no. Just she has the
20 privilege to invoke if she wanted to invoke. Quite frankly, I
21 think that privilege is waived when she's already talked to the
22 FBI about it because it's in the 302. So we can't discuss it
23 openly and then claim privilege after that.

24 **MR. WISE:** He can.

25 **MR. PURPURA:** He does not have that privilege.

1 **MR. WISE:** His communications with her --

2 **THE COURT:** Wait a second. Wait a second. Hold on.

3 **MR. PURPURA:** His communication to her would be a
4 statement against criminal interest because he admits he's
5 still trafficking drugs. He's one of the biggest traffickers
6 on the East Coast. That's what he tells her.

7 **THE COURT:** Let me see.

8 **MR. PURPURA:** (Hanging.)

9 I'm sure he'll deny it, but . . .

10 **THE COURT:** So you want to ask him whether he told her
11 that he was selling drugs.

12 **MR. PURPURA:** Yes.

13 **THE COURT:** How does he have a privilege --

14 **MR. WISE:** The basic spousal privilege is that you
15 can't call husbands and wives to testify against one another.
16 It's the bedrock of the spousal privilege. It's a bilateral
17 privilege that protects the marriage.

18 **THE COURT:** But this is -- he's not testifying against
19 her. I mean, this whole trial is not about --

20 **MR. WISE:** It's not about testifying -- you can't
21 ask -- you can't ask about their communications in an attempt
22 to, for instance, incriminate him. You can't say, "What did
23 you say to her? What did she say to you?" in an attempt to
24 incriminate him.

25 And it applies to all spousal communications. We

1 advise witnesses in the grand jury, if they're asked a question
2 that causes them to describe something they told to their
3 spouse or something their spouse has told them, they
4 shouldn't -- they have a privilege.

5 We have an obligation to do this, and we advise them
6 that they have a privilege and they not need waive it or answer
7 those questions. We do that all the time with husbands and
8 wives. It's the same privilege that applies in court.

9 **MR. PURPURA:** She could invoke the privilege, and I
10 suggest she no longer can invoke it because she's already
11 disclosed this information. You can't disclose it, then claim
12 privilege afterwards.

13 She would have that privilege, not him. His is an
14 admission against penal interest if he, in fact, said it.

15 **MR. WISE:** There's no case law that that -- an
16 admission against penal interest trumps the spousal privilege.
17 And he's asking him, "What did you say to your wife?"

18 He doesn't have to testify in court about what he said
19 to his wife.

20 **MR. NIETO:** And, Your Honor, just if I may chime in, I
21 do believe the Government's provided him immunity. So I don't
22 think these can be used against him.

23 So in the sense of, if we equate it to a
24 Fifth Amendment privilege in which the Government's provided
25 immunity, the Fifth Amendment issue is no longer one. So with

1 regard to spousal privilege, I don't know if that should factor
2 into Your Honor's calculation, but --

3 **MR. WISE:** Again, it doesn't change the fact that the
4 privilege exists.

5 **THE COURT:** Well, I don't know. This is obviously a
6 somewhat complex issue. I've never -- it would not have
7 occurred to me that you would even be raising this. I don't
8 know -- I mean, this is a fairly important question for you to
9 prevent the defense from asking this witness.

10 **MR. WISE:** They're calling her as a witness --

11 **MR. PURPURA:** Especially their own -- if I may, when
12 the Government sponsors him as a non-drug trafficker in this
13 case, as an innocent person, has these rental agreements and
14 all these other things -- and he's admitting what he is. So
15 that's huge. That's credibility.

16 **MR. WISE:** We don't -- we don't sponsor witnesses. We
17 called him because he was the person who was robbed. And all
18 the evidence that we have is that he's not a drug trafficker.

19 **THE COURT:** Except for this piece of evidence.

20 **MR. WISE:** This is someone else saying something he
21 said, that they can call. And they can -- they can say, "What
22 did he tell you?"

23 **MR. PURPURA:** There is more, which I attempted to get
24 into, but he denied those factors. There's another cooperating
25 witness who's given information to the Drug Enforcement Agency.

1 What the Government gave us is -- there's a 302 on
2 that, actually, a DEA-6 on that, which is very detailed about
3 multiple trips to Houston, contacts in Houston, houses owned by
4 his sister in her name for him in Houston, so --

5 **THE COURT:** I have another concern that this raises,
6 though. Does he know that she said this?

7 **MR. PURPURA:** Yeah, to the best of my knowledge.

8 **MR. WISE:** No, he doesn't.

9 **MS. WICKS:** May I ask Mr. Purpura a question that
10 may --

11 **THE COURT:** Yes.

12 (Counsel conferred.)

13 **THE COURT:** Okay. If the Government is insisting on
14 this, we're going to take the possibility of calling him back
15 to ask that. I don't -- I'm not prepared to rule on whether
16 there is a spousal privilege.

17 **MR. WISE:** Well, let him ask it. But there are -- I
18 mean --

19 **MR. PURPURA:** Thank you.

20 **THE COURT:** I think there may be --

21 **MR. WISE:** I would also proffer --

22 **THE COURT:** I would prefer that you not use this. I
23 mean, were you planning to? Or is your question simply --

24 **MR. PURPURA:** I won't use that as like a --

25 **THE COURT:** Right.

1 **MR. PURPURA:** I won't say it's a 302 or a DEA-6. I
2 mean, I'll say specifically: Did you tell your wife whatever
3 it says there?

4 **THE COURT:** Can you do it without looking like you're
5 reading from some piece of paper which is her statement?

6 **MR. PURPURA:** I'll do my best. I will.)

7 (Bench conference concluded.)

8 **BY MR. PURPURA:**

9 **Q.** Mr. Hamilton, recently did you tell your wife that you
10 were still dealing drugs?

11 **A.** No, I didn't.

12 **Q.** Did your wife follow you and catch you in a drug
13 transaction?

14 **A.** No, she didn't.

15 **Q.** Did you brag to your wife that you are the man in Maryland
16 and that you move drugs from Virginia to New York?

17 **A.** No, I didn't.

18 **Q.** Did you brag to your wife that you also deal with people
19 from other countries?

20 **A.** No, I didn't.

21 **MR. PURPURA:** I have no further questions. Thank you.

22 **THE WITNESS:** Thank you.

23 **THE COURT:** Mr. Nieto.
24
25

CROSS-EXAMINATION

BY MR. NIETO:

Q. Now, Mr. Hamilton --

THE CLERK: Mr. Nieto, is the microphone on?

MR. NIETO: I'll get it right.

BY MR. NIETO:

Q. All right. Mr. Hamilton, on July 8th, 2016, that's when you had this encounter with the Baltimore City Police Department; correct?

A. Correct.

Q. Okay. And at no point in time on that date had you seen or interacted with Detective Taylor, who is seated at the end of the table (indicating)?

A. Who, him (indicating)? Oh, no, sir.

Q. Right. Okay. Now, I just want to go back a little bit, if I may. I'm not going to repeat the same questions that Mr. Purpura made, but I had some questions of my own; okay?

So in November of 2000, you were convicted in Federal Court for conspiracy to possess with intent to distribute cocaine.

Do you remember that?

A. Yes.

Q. Okay. And that in that particular case, there was a package that was sent from Southern California to Maryland addressed to Betty Wilson.

1 Do you remember that?

2 **A.** Yes.

3 **Q.** Okay. And DEA agents who were investigating followed that
4 package to the address. And in their presence, the residents
5 called for someone to come pick up that package. And do you
6 know who that individual was?

7 **A.** No, sir.

8 **Q.** That was you; right?

9 **A.** No, sir.

10 **Q.** That wasn't you?

11 **A.** No, sir.

12 **Q.** So you did not come to pick up the package and were then
13 arrested by federal agents?

14 **A.** I didn't come to pick up no package.

15 **Q.** All right. But you were -- you pled and were convicted
16 for 135 months?

17 **A.** No, sir.

18 **Q.** That's not true?

19 **A.** No, sir.

20 **Q.** Well, what happened in that federal case?

21 Let me take a step back. Did you go to trial?

22 **A.** No, sir.

23 **Q.** Were the charges dismissed?

24 **A.** No, sir.

25 **Q.** Did you go to federal prison for that incident?

1 A. Yes, sir.

2 Q. Okay. And you were originally sentenced to 135 months,
3 which was later reduced; right?

4 A. Yes, sir.

5 Q. And that was reduced to 108?

6 A. Yes, sir.

7 Q. But you're now saying that you did not commit that
8 offense?

9 A. I didn't say -- I said I didn't go pick up no package.
10 That's what I said.

11 Q. I'm sorry. Did you say you didn't open up the package?

12 A. I didn't go pick up no package.

13 Q. Oh, well, how were you arrested in that case, then?

14 A. I went to someone house.

15 MR. WISE: Your Honor, can we approach?

16 THE WITNESS: That's what I did.

17 THE COURT: Okay.

18 (Bench conference on the record:

19 MR. WISE: Mr. Nieto is misreading the statement of
20 facts. It doesn't say that he picked up the package. It said
21 someone else picked up the package. I think that's why he's
22 fighting the issue. And it's confusing. "White males" --

23 MR. NIETO: That's the 2009 incident. I'm referencing
24 the 2000 incident. And the basis for my knowledge of that case
25 is a --

1 **THE COURT:** What is --

2 **MR. NIETO:** -- 404(b) motion that was filed -- I think
3 it was by Sujit Raman, in which he details out what happened in
4 2000, what happened -- for this particular case, the incidents
5 that have preceded it that they were intending to use against
6 Mr. Hamilton.

7 So the 2000 case, we are unable to pull up that
8 conviction. I do know, reading the docket sheet, that there
9 was a plea. Looks like on the day of trial he pled. But I can
10 only divine from what Mr. -- Assistant U.S. Attorney Raman
11 filed in the 2009 case. That is the basis for my inquiry.

12 **MR. WISE:** Under 609, he can get into the conviction.
13 But to re-litigate the facts of the underlying case, whether
14 the DEA called someone -- I mean, all of these questions are --
15 half of them are not within his personal knowledge anyway.

16 And it's just to make him look like he's fighting over
17 his conviction. Some of them he's just -- he's not going to be
18 able to answer. And he shouldn't have to answer. And he's
19 admitted the conviction. Mr. Purpura has already crossed him
20 on it.

21 I'm not even sure -- I mean, first thing Mr. Nieto
22 says is, "I'm not going to ask the same questions." And then
23 he immediately begins asking the same questions.

24 **MR. NIETO:** I'm sorry if I -- once again, the
25 Government is mystified by my cross-examination. The reason

1 why I'm doing what I'm doing is because in this particular
2 instance, the 2000 case, it is shipments of drugs coming from
3 interstate.

4 In 2009, it is 15 kilos of cocaine coming interstate.
5 Those are expensive, large-scale drug distributions, the likes
6 of which would result in heat-sealed packaging of fifty to
7 seventy-five thousand dollars in his house. It is laying a
8 foundation.

9 I'll be candid with you. I didn't think he was going
10 to fight me on this because I'm just reading what the facts are
11 as I understand it.

12 And if he wants to fight me on it, then I can back off
13 on it, but I think it's slightly disingenuous for the
14 Government to suggest in 2009 that that is their understanding
15 and now today it is something different.

16 **THE COURT:** You can go back and try to clear it up.
17 That's fine.

18 **MR. NIETO:** I'll try. Thank you, Your Honor.)
19 (Bench conference concluded.)

20 **THE COURT:** If you want to rephrase that, Mr. Nieto.

21 **MR. NIETO:** Yes, Your Honor.

22 **BY MR. NIETO:**

23 **Q.** So, Mr. Hamilton, the case in 2000, the one in which you
24 received initially over 11 years, involved the shipment of
25 2 kilograms of cocaine from California to Maryland; is that

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1 correct?

2 **A.** Yes.

3 **Q.** Okay. And additionally, you had been convicted in
4 Baltimore City with Marvin Leach.

5 Do you know Marvin Leach?

6 **A.** Correct.

7 **Q.** Okay. Was -- is he a friend of yours?

8 **A.** Yes.

9 **Q.** All right. Was he involved in the 2009 federal case as
10 well?

11 **A.** Yes.

12 **Q.** Okay. And in that case you had been coming from
13 New York City, and you had crack on you; is that correct?

14 **A.** No, sir, that's not correct.

15 **Q.** But in 2009, you were arrested at BWI Airport.

16 Do you remember that?

17 **A.** Yes.

18 **Q.** And at that particular occasion, you had a Maryland
19 driver's license with the name of Marvin Keith Newton Leach on
20 you --

21 **A.** Yes.

22 **Q.** -- right?

23 That's not your ID?

24 **A.** No.

25 **Q.** But that's what you had on you --

1 **A.** Yes.

2 **Q.** -- right?

3 And the screener recognized that it was fraudulent,
4 communicated that to you; you snatched the ID and ran out,
5 trying to get into a taxi but were apprehended.

6 Is that correct?

7 **A.** No, I didn't run out.

8 **Q.** You didn't run out?

9 **A.** No, sir.

10 **Q.** All right. And when interviewed by law enforcement, you
11 said you had purchased it online with the permission of
12 Mr. Leach; right?

13 **A.** Correct.

14 **Q.** Okay. And so then in 2009, I guess that would be in May
15 of 2009, maybe 18 days after the BWI incident, the DEA in
16 Los Angeles intercepts a package that's got 16 kilograms of
17 cocaine; correct?

18 **A.** Correct.

19 **Q.** And they were being shipped to a North Fulton address, to
20 the address of Michael Turner.

21 Do you remember that?

22 **A.** Correct.

23 **Q.** Right. And that was relevant because the DEA waited to
24 see who was going to pick up that package, and you were
25 arrested in connection with that; correct?

1 A. Correct.

2 Q. And that was with Marvin Leach, your friend from earlier;
3 right?

4 A. Correct.

5 Q. And that was with Edward Bryant and Keenan Hughes?

6 A. Correct.

7 Q. And you guys were driving in two different cars at the
8 post office?

9 A. No.

10 Q. That's not true?

11 A. Unh-unh.

12 Q. All right. So there wasn't a silver and a blue Honda
13 driving through Coastal Air Freight's parking lot on a number
14 of occasions doing countersurveillance?

15 A. No, that wasn't.

16 Q. That wasn't what was going on?

17 A. Unh-unh.

18 Q. All right. And that apparently Mr. Leach, Mr. Bryant,
19 Mr. Hughes, and you had enlisted the services of two other
20 gentlemen to go in to pick up the package while you waited in
21 the parking lot; right?

22 A. Wrong.

23 Q. Wrong. All right.

24 But you were arrested in connection with that case and
25 received a sentence; right?

1 A. Correct.

2 Q. And so -- and I'm sorry. My apologies. The 2000 case,
3 the one that I referenced initially with the drugs coming from
4 California, you received 135 months, and you were released in
5 2008?

6 A. Correct.

7 Q. All right. And then subsequent to that, what looks to be
8 less than a year later, you are arrested and then convicted
9 again for the shipment of drugs from out of state --

10 A. Correct.

11 Q. -- right?

12 And so 16 kilograms of cocaine were at issue in 2009;
13 right?

14 A. Say that again.

15 Q. In 2009, 16 kilograms of drugs -- that was what was at
16 issue in that case; correct?

17 A. Correct.

18 Q. And you were involved in that importation and
19 distribution?

20 A. I wasn't involved in the importation.

21 Q. You weren't involved in it?

22 A. I got convicted of the crime, yes, that's -- yes.

23 Q. So you got convicted of a crime --

24 A. Yes.

25 Q. -- but you weren't actually involved in it; right?

1 A. Yes.

2 Q. Okay. And so -- and that's right, and you also violated
3 for your supervised release from the 2000 case. But
4 Judge Bennett ran that concurrent; is that right?

5 A. No.

6 Q. You don't remember getting 18 months to run concurrent for
7 that violation?

8 A. No, can't remember.

9 Q. Were you on supervised release when you got the 16 kilos
10 of coke?

11 A. No.

12 Q. You were; right?

13 A. Yes.

14 Q. What happened with that supervised release, then?

15 A. What you mean what happened with it?

16 Q. Were you violated?

17 A. No. I -- they just ran -- I just went for a violation.
18 They just dropped it and put me with -- and made one case. I
19 got one sentence. That's all I got. I didn't get no separate
20 sentence. I got one sentence.

21 Q. That's not true. You actually got two sentences. They
22 were just running at the same time; right?

23 MR. WISE: Your Honor, may we approach?

24 THE COURT: Does it really matter? It's one
25 sentence -- two sentences running at the same time.

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1 **MR. NIETO:** I just didn't know if he understood,
2 Your Honor. That's all.

3 **BY MR. NIETO:**

4 **Q.** All right. If I may, then, when did you say you purchased
5 this house in Westminster?

6 **A.** May of 2016.

7 **Q.** All right. Are you sure it wasn't June 22nd, 2016?

8 **A.** No. It was in May, I think.

9 **Q.** It was in May?

10 **A.** Yes.

11 **Q.** Okay. And could you tell the ladies and gentlemen of the
12 jury for how much that house was purchased?

13 **A.** Five hundred, like five fifteen, five twenty, something
14 like that?

15 **Q.** \$535,800; right?

16 **A.** Could be. I don't -- yes, yes.

17 **Q.** Well, it's a half-a-million-dollar house that you
18 purchased. I'm assuming you remember the details; right?

19 **A.** Yes.

20 **Q.** And that was less than two years after you've been out of
21 federal prison?

22 **A.** Yes.

23 **Q.** And you've been filing tax returns throughout that time;
24 right?

25 **A.** Yes.

~~HAMILTON~~ ~~CROSS~~

1 Q. In which you tell the federal government that your
2 collective gross income between you and your wife is
3 approximately \$130,000 for the two of you --

4 A. Yes.

5 Q. -- right?

6 For both 2015 and 2016?

7 A. I think it was just '16. 7 -- '15.

8 Q. All right.

9 A. Okay.

10 Q. And so that, of course, includes all your car sales;
11 right?

12 A. It was some of it, the car sales. Yes, it include the car
13 sales.

14 Q. It would have to; right? Because it's income. So you
15 reported you making money from selling the cars, and you
16 reported the income from your rental properties?

17 A. And from DCF Staffing.

18 Q. I'm sorry?

19 A. And the construction job, yes.

20 Q. And your construction job; right?

21 A. Yes.

22 Q. And that was through a staffing company; right?

23 A. Yes.

24 Q. So that wasn't 40 hours a week, was it?

25 A. Yes, it was. It was more than 40 hours. I was --

1 Q. It was more than 40 hours?

2 A. Yes.

3 Q. How many hours were you working, sir?

4 A. It was a contract job. I was making -- I was working
5 almost a hundred-and-something hours every two weeks. Every
6 two weeks -- I was working over a hundred-and-something hours
7 every two weeks. I was working seven days a week.

8 Q. And yet you still had time to go to car auctions?

9 A. I wasn't selling cars then.

10 Q. You weren't selling cars. All right. But you were
11 managing the properties, right --

12 A. Yes.

13 Q. -- over in West Baltimore?

14 A. Yes.

15 Q. And they're all pretty much on the same block?

16 A. Correct.

17 Q. Okay. And you had time, of course, to go and make sure --

18 A. Yes.

19 Q. -- that they were running appropriately; right?

20 A. Yes.

21 Q. If I may -- and if I could have it for Defense 2.

22 And, of course, sir, with the 50 hours that you were
23 working a week through the staffing construction job and the
24 sale of the property -- or the rental and all that stuff that
25 you were making, including your wife's income, we're still

1 talking about 130 grand a year, right, for the two of you?

2 **A.** Uh-huh.

3 **Q.** Is that correct?

4 **A.** Yes.

5 **Q.** All right. All right. So I'd like to show you what's
6 going to be marked as Defense Taylor Exhibit 6A.

7 Do you recognize this picture, sir?

8 **A.** Yes.

9 **MR. NIETO:** Court's indulgence 'cause I'm -- you can
10 see it up there (indicating).

11 **BY MR. NIETO:**

12 **Q.** Do you see that picture, sir?

13 **A.** Yes.

14 **Q.** All right. That's your house, isn't it?

15 **A.** Yes.

16 **Q.** Okay. And that's the condition of the house when you --

17 **A.** Yes.

18 **Q.** -- purchased it?

19 **A.** No.

20 **Q.** No?

21 **A.** No.

22 **Q.** It didn't look like that?

23 **A.** No.

24 **MR. WISE:** Your Honor, objection; asked and answered.

25 It's the same questions that were asked by Mr. Purpura.

1 **THE COURT:** Overruled.

2 **BY MR. NIETO:**

3 **Q.** Okay. So this was not the condition in which you
4 purchased the house?

5 **A.** No.

6 **Q.** Okay. Have you subsequently posted this house for sale
7 online?

8 **A.** No.

9 **Q.** No? Okay.

10 So if I were to go online -- and you posted the sale of
11 your cars online; right? So you understand how the Internet
12 works; right?

13 **A.** Yes.

14 **Q.** Okay. So if I were to go online to Zillow or Zestimate
15 and I saw pictures of this house that indicated to me that this
16 was sold in 2016, you're saying those pictures were put in
17 after?

18 **A.** Say that one more time.

19 **Q.** Fair enough.

20 You're saying that these pictures were not the pictures
21 that you or your wife saw when you went to purchase the house
22 for a half a million dollars?

23 **A.** What pictures you talking about? Like --

24 **Q.** The picture that you see right in front of you.

25 **A.** The house wasn't -- the outside wasn't like that.

1 Q. All right.

2 A. The inside was white.

3 Q. Inside was white?

4 A. Yeah, I re -- I did a lot of work inside my house.

5 Q. All right. Well, how about this kitchen? That's the way
6 the kitchen looked; right?

7 A. That's how it used to look.

8 Q. That's how it used to look --

9 A. Yes.

10 Q. -- before you fixed it?

11 A. Yes.

12 Q. That's beautiful. I don't see any water damage. Was
13 there water damage in there?

14 A. Yeah, it was water -- it was in the basement. The house
15 sat on the market for like four years.

16 Q. Right. We'll get back to the house being on the market
17 for the four years, because I think you might be a little bit
18 off on that.

19 But with regards to this house --

20 **MR. WISE:** Objection, Your Honor.

21 **BY MR. NIETO:**

22 Q. -- this is the way your kitchen looked when you purchased
23 it for a half-million dollars, isn't it?

24 A. No. It had a white refrigerator in there at first.

25 Q. Okay. But other than that, those beautiful wood floors,

~~HAMILTON~~ ~~CROSS~~

1 that's the way it looked; right?

2 **A.** Yes.

3 **Q.** That island in the kitchen, that was there?

4 **A.** Yes.

5 **Q.** All right. If we can go to the next picture.

6 Here we go, this is the bathroom?

7 **A.** Uh-huh.

8 **Q.** And there would be no water damage up here because it was
9 all in the basement; right?

10 **A.** Right.

11 **Q.** This is the way the bathroom looked when you purchased it;
12 correct?

13 **A.** Yep.

14 **MR. NIETO:** All right. Next one.

15 **BY MR. NIETO:**

16 **Q.** Here we go. What's this a picture of, sir?

17 **A.** The --

18 **Q.** Is that the basement?

19 **A.** Uh-huh.

20 **Q.** Okay. Is that after you fixed it or before?

21 **A.** I didn't fix the basement. If -- the house had water
22 damage. This ceiling right here, it's another ceiling over top
23 of that. It was water damage in the house. That's why the
24 house sat so long.

25 **Q.** I'm asking you, sir, based on this picture of the

1 basement, do you see water damage?

2 **A.** No, not from the picture, no, you don't.

3 **Q.** But there was water damage down there?

4 **A.** Yes.

5 **Q.** And that's reflected in the carpet?

6 **A.** That's reflected under the carpet.

7 **Q.** Under the carpet. All right.

8 Is that a fireplace over there as well?

9 **A.** Yes.

10 **MR. NIETO:** All right. Next picture.

11 **BY MR. NIETO:**

12 **Q.** All right. And this is a picture of what, the main
13 hallway in the house?

14 **A.** Yes.

15 **Q.** And is that a fair and accurate representation of the way
16 that house looked when you purchased it for a half-million
17 dollars?

18 **A.** Yes.

19 **Q.** Okay. So these pictures, some of these pictures are
20 accurate representations of the way the house looked.

21 **A.** Yes.

22 **Q.** The other ones, we don't know when they were taken; is
23 that your testimony?

24 **A.** I -- I redone my whole house over. That's what I said.

25 **Q.** Right. But you didn't post any pictures online of your

~~HAMILTON~~ ~~CROSS~~

1 house --

2 **A.** No.

3 **Q.** -- after you had done it over, had you?

4 **A.** No.

5 **Q.** No. Okay.

6 (Counsel conferred.)

7 **MR. NIETO:** Your Honor, may we approach?

8 **THE COURT:** Sure.

9 (Bench conference on the record:

10 **MR. NIETO:** Good afternoon, Your Honor. I was going
11 to show this, and I was going to put it up on the ELMO. This
12 is the SDAT real property data search that you can do online
13 for individual addresses and information about it through the
14 state of Maryland.

15 I'll be candid. I was surprised with some of his
16 testimony on direct as to the date and the condition of the
17 house. And so I wanted to show this to him to see if it
18 changed his recollection, because as Your Honor can see, the
19 house had been purchased in 2015 for three hundred twenty-five
20 and then sold a year, 13 months later, for \$200,000 more, which
21 would be approximately when the Hamiltons purchased it, which
22 is consistent with the name of the owners, as well as
23 everything with regards to the property.

24 So when he says that there had been four years of the
25 house on the market, I don't think that's necessarily accurate.

1 And in addition, it also -- it also supports the idea
2 that the house had been rehabbed to some extent by the previous
3 owners prior to his purchase, because as I can tell the Court,
4 I can proffer the photos that I've gotten are, in fact, from
5 Zillow online. It says the property's not for sale, but that
6 was the advertisement that was posted when the house was
7 initially for sale. They are not pictures that Mr. Hamilton
8 posted.

9 So with regards to his credibility, I would like to
10 delve into this. But I understand the Government's going to be
11 objecting.

12 **THE COURT:** Okay. And would you object to using this
13 to see if that refreshes his recollection?

14 **MR. WISE:** If he says he doesn't remember. I don't
15 know that he said he doesn't remember. I just think this whole
16 line of -- Your Honor, I thought -- I mean, he said Taylor
17 wasn't even there. I thought the practice was one of the
18 defense counsel acts as the lead cross, and then the second
19 asks questions that are specific to their client or to
20 particular issues to the client.

21 This witness said he doesn't even know Taylor, and now
22 we're cross-examining him about the -- whether there's water
23 damage on the ceiling. I mean, the whole line of questioning
24 is, frankly, irrelevant.

25 Hersl isn't even denying that they took money from the

1 man, so what difference does it make whether his ceiling had
2 water damage or not?

3 I just think we're so far afield of any relevant issue
4 in this case. We could go on like this, frankly, forever.
5 That last set of cross with the pictures, I have no idea what
6 was going on.

7 **THE COURT:** Well, again, to the extent that
8 credibility is an issue in this case, those pictures, the
9 cross-examination that Mr. Nieto is going through at the moment
10 could make a person doubt the credibility of Mr. Hamilton's
11 explanation of his money. Whether that ultimately makes a
12 difference is another question.

13 **MR. WISE:** I was going to say, it doesn't --

14 **THE COURT:** He is entitled to attack Mr. Hamilton's
15 credibility.

16 **MR. WISE:** Mr. Purpura has already gone down this
17 road, and now we're just reploting it.

18 **THE COURT:** Well, we are -- if he were simply
19 re-asking the same things that Mr. Purpura did, I would agree
20 with you. But I don't recall Mr. Purpura going through this
21 series of questions about the house. So --

22 **MR. NIETO:** And in complete candor, Your Honor, we
23 could not have anticipated he would have said what he has said
24 because that was not in 302s and obviously strange credulity,
25 respectfully, about what he said is the truth. So insofar as

1 his credibility is at issue, specifically for the conspiracy
2 count, we would very much like to delve into this line.

3 **MR. WISE:** This is also not appropriate with this
4 witness because his -- so he says he thought it sat on the
5 market for four years. If it sold --

6 **MR. NIETO:** He said "sat on the market," not that he
7 thought it sat on the market.

8 **MR. WISE:** If it's sold between brokers or dealers
9 while it's sitting there with the "for sale" sign on it, he's
10 not going to know that. So you can't cross him with an SDAT
11 property printout and say, Well, if this said -- you can't use
12 the document to cross-examine him.

13 They can't say, Well, this says it was actually sold,
14 and you said it sat on the market for four years.

15 He's -- he can't be crossed with a piece of paper. I
16 mean, if it's his own statement, he can be crossed with it.
17 But, I mean, real estate records, he may or may not know about
18 it.

19 Houses, when they sit, can be sold from broker to
20 broker or owner to owner. And there's still a "for sale" sign;
21 the place is still empty; and nobody even knows it.

22 **MR. NIETO:** And I'll be candid, Your Honor. I think
23 he was released from jail in 2014. To suggest that the house
24 had been on the market for four years, I'm not quite sure of
25 the basis of knowledge for that.

1 **MR. WISE:** Then ask him that.

2 **MR. NIETO:** And I will. But I think that's what more
3 relevant is the fact that both the Government and the defense
4 know that he is either mistaken or lying about this.

5 **MR. WISE:** I don't know that.

6 **MR. NIETO:** The records speak for themselves.

7 **MR. WISE:** It's his state of mind. If he thought it
8 was on the market for four years, that's his state of mind.

9 **THE COURT:** Well, I agree with the Government to the
10 extent that I don't think this is admissible to prove what, in
11 fact, did or did not happen. I was looking to see, well,
12 where's the rest of it going back four years? And you don't
13 have that, and I don't know who these entities are. You just
14 can't tell from that.

15 The subject matter generally of -- and now why he
16 thought it sat on the market for four years, you can't ask him.
17 I'm actually not sure you can use this to prove that it, in
18 fact --

19 **MR. NIETO:** Your Honor, so if that's the Court's
20 decision, that's fine. It's the real property data search
21 through the State of Maryland that you can do online to plug in
22 particular addresses to find relevant information.

23 Like I said, I was confused by his testimony. So we
24 sort of did this last minute to try to get a better sense of
25 it.

1 Your Honor says this is inadmissible. Just for
2 authentication --

3 **THE COURT:** There may be another way to get it into
4 evidence.

5 **MR. NIETO:** Yeah.

6 **THE COURT:** I don't think you can now.

7 **MR. NIETO:** But I'll talk him through it. And, of
8 course, when his wife or estranged wife comes to testify, we
9 can ask her about that specifically as well.

10 Insofar as I will not put it on the ELMO, but I will
11 talk him through that if that satisfies the Government's
12 concerns --

13 **THE COURT:** Well, he's probably never seen it before.
14 It's not something that can refresh his recollection.

15 **MR. NIETO:** Can anything refresh his recollection if
16 he doesn't remember?

17 **THE COURT:** I don't know. I mean, he doesn't --

18 **MR. WISE:** He also hasn't said he doesn't remember.

19 **THE COURT:** You can ask him what the basis is for his
20 knowing that it sat for four years. Then, I mean, if he says,
21 "Well, I went and checked the records," that's a fair response.

22 If he said, "That's what my broker told me," or
23 something, then this isn't really fair cross. So I guess I'm
24 partially sustaining. You can -- I'm not stopping you from
25 this line of questioning.

1 But I think if you want to ultimately prove and, as
2 you said, maybe you'll be able to through his estranged wife,
3 but that he's not right about the four years, I think you have
4 to do that some other way. Okay?)

5 (Bench conference concluded.)

6 **MR. NIETO:** Can we just approach, Your Honor.

7 **THE CLERK:** (Handing.)

8 **THE COURT:** Oh, yes. Thank you.

9 (Bench conference on the record:

10 **THE COURT:** Okay. So this is not a question. This is
11 a note. Someone is saying -- Ms. Moyé, who is this from?

12 Okay. It is from a juror. But it says [reading]:
13 Man on sixth row, blue shirt, blue jeans, has been using what
14 looks like a cell phone on his lap.

15 Ms. Moyé, I would assume that we might get a CSO to
16 take a walk up that way and see if that's what's going on.

17 **MR. NIETO:** Did Your Honor just want to take a few
18 minutes to excuse the jury and do this or -- however you want
19 to do it.

20 **THE COURT:** You know, I think we can just try and ask
21 him questions.

22 **MR. NIETO:** So to continue, Your Honor?

23 **THE COURT:** Yes.)

24 (Bench conference concluded.)

25 **BY MR. NIETO:**

~~HAMILTON~~ ~~CROSS~~

1 Q. Mr. Hamilton, so prior to your purchase of this
2 half-a-million-dollar property in Westminster, did you and your
3 wife do any investigation to the property beforehand?

4 A. Yes.

5 Q. I mean, that's a pretty significant investment in a
6 property; right?

7 A. Yes.

8 Q. I mean, respectfully, you're two years out --

9 A. We went there a year before then.

10 Q. I'm sorry?

11 A. We went there a year before we purchased the house.

12 Q. Okay. So that would be early summer of 2015, you had
13 gone --

14 A. That's fair to say, yes.

15 Q. You saw it for sale; right?

16 Okay. And so did you know who the -- when the previous
17 owners had purchased the property?

18 A. No.

19 Q. Okay. I know you had looked at sort of comps in the area
20 to see whether or not you were getting a good deal on the
21 house?

22 A. I was not really looking at the comps. I just wanted to
23 know why the house sat for so long.

24 Q. Okay. And so as far as your understanding, the house had
25 not been sold in May 14th of 2015 for \$325,000?

~~HAMILTON~~ ~~CROSS~~

1 A. Say that one more time.

2 Q. As far as you knew, through your investigation, prior to
3 the purchase of this property, it's not -- so this is just a
4 question: This is not what happened. The house did not sell
5 on May 14th, 2015, for \$325,000?

6 A. Not that I know of.

7 Q. Not that you know of.

8 A. Unh-unh. That's --

9 Q. You were operating under the belief that this house had
10 been on the market for years.

11 A. Correct.

12 Q. Right. Four years, I think, is what you had said; right?

13 A. Yes.

14 Q. Okay. Now, the Government's Exhibit RH-3, which were the
15 receipts for the rental properties over in West Baltimore;
16 right?

17 A. Yes.

18 Q. You had provided those to Carroll County in attempts to
19 get back your money; right?

20 A. Yes.

21 Q. All right. And you had reviewed those with the federal
22 prosecutors and the agents prior to coming here today; right?

23 A. Prior, yes.

24 Q. Right? Okay.

25 But the receipts -- you're not receiving all that money,

~~HAMILTON~~ ~~CROSS~~

1 are you?

2 **A.** My wife handles that.

3 **Q.** I'm sorry?

4 **A.** My wife handles that.

5 **Q.** All right. Let me take a step back.

6 On cross by Mr. Purpura, as the manager but not the owner
7 of the properties, you receive about 10 percent of the rental
8 fees; right?

9 **A.** Yes.

10 **Q.** So on -- when they showed one page that had four separate
11 receipts at an average of about a thousand dollars, you're not
12 getting \$4,000, are you?

13 **A.** From -- only one I'm not getting the whole is '17.

14 **Q.** 710 is the only property --

15 **A.** 2717 is the one I don't get a full pay from.

16 **Q.** But you get the full pay on all of 'em?

17 **A.** Correct.

18 **Q.** Even though you're not the owner?

19 **A.** Correct.

20 **Q.** How does that work?

21 **A.** They are my family properties. One is -- that's -- the
22 house is my house, 50 -- 51 is my house, it's in my
23 grandmother's name. Queenie Wheeler.

24 **Q.** All right. But, sir, that's not your house. That's your
25 family's house.

~~HAMILTON~~ ~~CROSS~~

1 **A.** It is my house.

2 **Q.** But it's not in your name?

3 **A.** No, it's not.

4 **Q.** Okay.

5 **A.** I didn't get a title over to me yet. My grandmother
6 deceased now. I just haven't getting my house turned over to
7 me yet.

8 **Q.** But it's not getting turned over to your brothers?

9 **A.** No. It's getting over to me.

10 **Q.** And why to you and not your brother?

11 **A.** Doesn't make a difference. It's getting -- it's still be
12 in the family. That's what it matters. It's in the family.

13 **Q.** Well no, no, no. Respectfully, sir, it does matter;
14 right? Because according to your testimony in the grand jury,
15 you're making the most -- the most of your income's coming
16 through your success in gambling; right?

17 **A.** No. No. I'm making most is in -- from the cars, the
18 house, and the assisted living. That's what I'm making the
19 most from. I gamble a lot. Yes, I do.

20 **Q.** Right. And you told them that --

21 **MR. NIETO:** Court's indulgence.

22 **BY MR. NIETO:**

23 **Q.** And you make a significant income from legal gambling.
24 That's what you said?

25 **A.** Yes.

~~HAMILTON~~ ~~CROSS~~

1 Q. Okay. So significant income is from the gambling?

2 A. I make money from gambling; yes, I does.

3 Q. Right. Despite the fact it looks like you lose more than
4 your entire family earns a year, you're saying you make money
5 from gambling?

6 A. Yes, I do.

7 Q. Okay. Enough where, for example, you can have \$50,000 in
8 cash --

9 A. Yes, I do.

10 Q. -- or \$70,000 in cash --

11 A. Yes.

12 Q. -- in your half-million-dollar house --

13 A. Yes.

14 Q. -- that sits on two acres in Carroll County --

15 A. Yes.

16 Q. -- right?

17 Based on temp construction work and your wife's income --

18 A. It wasn't a temp construction work. It was a scale job.

19 It was a -- it was under a temp agency. The job lasted two and
20 a half years.

21 Q. That's fair.

22 A. It was on the highway. It was a highway job that lasted
23 two and a half -- you want to know it; right? It lasted two
24 and a half years on -- on 95. That's where I was working at.

25 Q. Right. And so your combined income --

~~HAMILTON~~ ~~CROSS~~

1 A. Correct.

2 Q. -- 130 grand a year?

3 A. Correct.

4 Q. Yet you two buy a \$500,000 house?

5 A. Correct. I paid -- I paid \$17,000 down on the house.

6 That's what you want to know? I put \$17,000 down on the house.

7 Q. On the Carroll County house?

8 A. Yes, I did.

9 Q. Well, what are your mortgage --

10 A. Check the record.

11 Q. What are your mortgage payments?

12 A. Does that makes a difference? What's -- this right here
13 destroyed my whole fuckin' family.

14 Sorry. Sorry, Your Honor.

15 **THE COURT:** It's all right.

16 **THE WITNESS:** This destroyed my whole family. I am in
17 a divorce process right now because of this bullshit. This
18 destroyed my whole fuckin' family, man.

19 You sit here asking me questions about a fuckin'
20 house. My fuckin' wife stays in the fuckin' Walmart every
21 fuckin' night until I come home.

22 If you want to know that, worry about that. That's
23 what the fuck's the matter in here, man. Everybody's life is
24 destroyed, man.

25 My house don't have nothing to do with this. The

~~HAMILTON~~ ~~CROSS~~

1 problem is my wife is taking medication 'cause of this.

2 **THE COURT:** Sir, sir --

3 **THE WITNESS:** Man -- I'm sorry, Your Honor. I'm sorry
4 to the courts. But the fact of the matter is, man, my house
5 don't have nothing to do with this.

6 The fact of the matter is, came in my house, destroyed
7 my family. I'm in a divorce process because of this. Because
8 of this.

9 This has put so much financial pressure on my family.
10 Kids, man, are scared to go in the house because of this.

11 **BY MR. NIETO:**

12 **Q.** And --

13 **A.** That's what you want to know. That's what you going to
14 hear, the facts, the truth. Same way with all them lies and
15 said I was driving -- I was going to 7-Eleven getting gas, but
16 they going to say something else.

17 They put addresses in there. I was going to Royal Farm,
18 getting gas. I was going to the auction every day. They
19 didn't say the auction.

20 That's what you want to hear is the facts. Worry about
21 the facts. Worry about the facts, sir.

22 **THE COURT:** Mr. Hamilton, Mr. Hamilton, I'm sorry. I
23 really need to ask you to stop.

24 **THE WITNESS:** I'm sorry, ma'am. He was getting me
25 so --

1 **THE COURT:** Can we come up to the bench, please.

2 (Bench conference on the record:

3 **THE COURT:** We need a little cooldown here. And do
4 you have anything new to ask? Anything else additional?

5 **MR. NIETO:** Well, yeah. I might rethink about it
6 strategically based on the outburst. If we want to take a
7 quick, little break, that's all.

8 But I know it is getting late in the day. I don't
9 imagine I'm going to go -- it's 4:40 right now. I would be
10 done before 5:00. I think I'd be done in another five minutes
11 or so.

12 **MR. WISE:** I think we should finish so that he can go
13 home and not have to come back tomorrow.

14 **THE COURT:** Oh, I definitely don't want him to have to
15 come back tomorrow. And, yeah, I felt when you started to get
16 into his brothers versus his deceased grandmother, I just --
17 you've made a lot of points. We're getting there. I think
18 you're going a little overboard. And so I -- yes, if you want
19 to redirect a bit.

20 **MR. NIETO:** I'm sorry, Your Honor. I have a map, but
21 sometimes we go off depending on what the answers are. And so
22 I'm trying to clarify this whole manager versus seller because
23 that was --

24 **THE COURT:** The point has been fairly clearly made.
25 Defense counsel believes that is improbable that he could

1 purchase this house and have this money shortly after he got
2 out of prison, as we have heard now multiple times.

3 I just -- I need something -- the assurance that this
4 is going to be something new.

5 **MR. NIETO:** Yes.

6 **THE COURT:** New cross-examination.

7 **MR. NIETO:** What I'll do is this, Your Honor: Is if I
8 start and, for whatever reason, Your Honor doesn't think it's
9 new, just call me back up and you can --

10 **THE COURT:** Okay. Thank you.)

11 (Bench conference concluded.)

12 **THE COURT:** Okay. We're all going to take a deep
13 breath and start over again. We are getting close.

14 Mr. Nieto.

15 **MR. NIETO:** Thank you, Your Honor.

16 **BY MR. NIETO:**

17 **Q.** All right. So, Mr. Hamilton, it's been your testimony
18 that you're not and you were not dealing drugs at the time of
19 this interaction with the police; right?

20 **A.** I'm not dealing no drugs. Yes.

21 **Q.** Okay. And that you were not stashing drugs at the fourth
22 house from the corner of 2723 West Fairmount Ave.?

23 **A.** I don't deal in drugs at all, sir.

24 **Q.** So that's -- that's a "no," then? You were not --

25 **A.** That's false, yes.

~~HAMILTON~~ ~~CROSS~~

1 Q. Okay. And that in your trip to Houston, Texas, last
2 February, that trip was not drug-related in any way; correct?

3 A. Correct.

4 Q. All right. And that -- this is a fair question: Do you
5 own houses in Houston that are in Margaret Johnson Cook's name?

6 MR. WISE: Asked and answered, Your Honor.

7 THE WITNESS: No, I don't.

8 THE COURT: Sustained. Sustained.

9 BY MR. NIETO:

10 Q. Okay. Are you opening a restaurant together in Houston?

11 A. No.

12 Q. All right. All right. And your brother owns
13 Cooper Tag and Title; is that correct?

14 A. No. His wife, his -- yes.

15 Q. Right. And they have large metal machinery in that
16 garage?

17 A. What garage?

18 Q. Is there a garage?

19 A. No, sir.

20 Q. Okay. So with all these cars that you purchase that you
21 sell, where do you store them?

22 A. It's a lot next to my -- next to 27 -- 2821 Kinsey Avenue.
23 It's a lot right there.

24 Q. There's a lot that you use; right?

25 A. Yes.

~~HAMILTON~~ ~~CROSS~~

1 Q. And you use Pro Plus as your business for those
2 transactions; right?

3 A. Correct.

4 Q. All right. Now, the address for Pro Plus is at a location
5 in Alabama.

6 A. Correct.

7 Q. What is that address?

8 A. What -- the address? Family Street.

9 Q. I'm sorry, sir?

10 A. It's in Family Street in Alabama.

11 Q. Right. But what is that address? Where do you get that
12 address from?

13 A. That's where the car dealership is at. I'm just saying I
14 represent the license -- I got a representative of the
15 dealership.

16 Q. So you've never been to that Alabama address?

17 A. No.

18 Q. You're just selling under the umbrella of another company?

19 A. Yes, sir.

20 Q. Okay. Okay. In the winter of 2015, do you remember
21 taking a trip to Brooklyn, New York?

22 A. In -- no, sir.

23 Q. Do you remember meeting with a Jamaican male at a hotel?

24 A. A what?

25 Q. A gentleman, a Jamaican gentleman at a hotel in Brooklyn,

~~HAMILTON~~ ~~CROSS~~

1 do you remember that, sir?

2 **A.** No, sir.

3 **Q.** Okay. Had you met with a Jamaican male at
4 Maryland Live! Casino over in Hanover?

5 **A.** No, sir.

6 **MR. NIETO:** Okay. All right. Nothing further,
7 Your Honor.

8 **THE COURT:** Okay. Any redirect?

9 **MR. WISE:** No redirect, Your Honor. No. Thank you.

10 **THE COURT:** Okay. Thank you, Mr. Hamilton. You are
11 excused.

12 **THE WITNESS:** Thank you.

13 (Witness excused.)

14 **THE COURT:** I'll see counsel at the bench on the
15 schedule.

16 (Bench conference on the record:

17 **THE COURT:** Got any short, noncontroversial witnesses?
18 Or shall we move on?

19 **MR. WISE:** Only long and controversial ones.

20 **THE COURT:** Okay. All right. Then we might as well
21 stop a little bit early this afternoon. And you can all stick
22 around for a minute, and I'll send the jury out.)

23 (Bench conference concluded.)

24 **THE COURT:** All right, ladies and gentlemen, this
25 appears to be a good time to break for today. So we will do

1 that. Thank you for your continuing attention and patience and
2 for not talking about the case and all the other rules.

3 We'll be resuming tomorrow morning at 10:00. As you
4 know, you will not be sitting here on Friday. But you are here
5 for tomorrow, Thursday, and we'll see you at 10 o'clock.

6 Thank you very much.

7 (Jury excused at 4:44 p.m.)

8 **THE COURT:** Okay. You can be seated. Just usual
9 questions. Who do you anticipate for tomorrow, Mr. Wise?

10 **MR. WISE:** Your Honor, we had a number of witnesses
11 waiting for a good part of the day. So I'm not -- that we had
12 previously indicated we anticipated calling: Stepp, Santiful,
13 Anderson, Swinton, Griffin, Irby, Harcum.

14 So I think those will either shift into tomorrow; or
15 if people have work conflicts or childcare conflicts, we'll try
16 to sub people in and we'll let the defense know.

17 But, yeah, we had anticipated there would be a number
18 more.

19 **THE COURT:** More witnesses today?

20 **MR. WISE:** Yeah.

21 **THE COURT:** Right. Okay. Well, then, just as usual,
22 then, if you would let the defense know by e-mail when you've
23 been able to straighten out what the schedule is.

24 Anything that we should anticipate for tomorrow?

25 **MR. PURPURA:** Judge, just one second. I think -- and

1 I'm trying to remember what it was. It might have been in.

2 If I come up with it, I'll let you know early
3 tomorrow.

4 **THE COURT:** Okay. Thank you, all. See you --

5 **MR. WISE:** Thank you, Your Honor.

6 **THE COURT:** -- tomorrow.

7 (Court adjourned at 4:46 p.m.)

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9 GOVERNMENT'S EVIDENCE

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11 RONALD HAMILTON	3	43, 84	--	--

12
13 I, Douglas J. Zweizig, RDR, CRR, do hereby certify that
14 the foregoing is a correct transcript from the stenographic
15 record of proceedings in the above-entitled matter.

16
17 _____
/s/

18 Douglas J. Zweizig, RDR, CRR
19 Registered Diplomat Reporter
20 Certified Realtime Reporter
21 Federal Official Court Reporter
22 DATE: February 4, 2018
23
24
25

<p>\$</p> <p>\$1,025 [1] 35/17</p> <p>\$1,044,525 [1] 57/13</p> <p>\$10,000 [2] 40/22 40/23</p> <p>\$115 [1] 37/20</p> <p>\$13,400 [1] 58/5</p> <p>\$130,000 [1] 95/3</p> <p>\$137,978 [1] 53/17</p> <p>\$151,000 [1] 57/16</p> <p>\$17,000 [2] 114/5 114/6</p> <p>\$170 [1] 38/13</p> <p>\$200 [2] 40/22 40/23</p> <p>\$200,000 [2] 56/19 102/20</p> <p>\$29,550 [1] 57/23</p> <p>\$325,000 [2] 109/25 110/5</p> <p>\$4,000 [1] 111/12</p> <p>\$400 [1] 58/9</p> <p>\$496,675 [1] 61/5</p> <p>\$5,200 [1] 58/13</p> <p>\$50,000 [5] 30/2 31/3 52/4 54/21 113/7</p> <p>\$500,000 [1] 114/4</p> <p>\$535,800 [1] 94/15</p> <p>\$550 [1] 58/1</p> <p>\$70,000 [3] 56/7 68/5 113/10</p> <p>\$700 [2] 38/6 58/6</p> <p>\$742,888 [1] 52/23</p> <p>\$75,000 [5] 26/3 29/15 34/16 37/4 56/23</p> <p>\$751,900 [1] 55/14</p> <p>\$78,400 [1] 30/12</p> <p>\$865 [1] 37/24</p> <p>\$892 [1] 57/14</p> <p>\$892,995 [1] 57/14</p>	<p>1100 [2] 36/5 51/9</p> <p>12th [1] 58/19</p> <p>13 [1] 102/20</p> <p>13,530 [2] 58/19 58/20</p> <p>130 [2] 97/1 114/2</p> <p>135 [6] 6/5 60/6 60/23 85/16 86/2 92/4</p> <p>137 [1] 56/18</p> <p>137,000 [2] 40/6 56/15</p> <p>14,100 [1] 58/5</p> <p>1498-M Reisterstown Road [1] 55/6</p> <p>14th [2] 109/25 110/5</p> <p>15 kilos [1] 88/4</p> <p>150 [1] 51/10</p> <p>150,000 [1] 40/2</p> <p>1500 [4] 5/10 38/4 38/12 58/12</p> <p>16 kilograms [3] 90/16 92/12 92/15</p> <p>16 kilos [1] 93/9</p> <p>1670 [1] 38/13</p> <p>16th [2] 58/16 60/3</p> <p>18 [3] 19/18 90/15 93/6</p> <p>1800 [1] 42/15</p> <p>18th [3] 54/23 56/6 57/21</p> <p>1900 Ships Quarters Court [1] 4/3</p> <p>19th [4] 9/14 57/12 57/13 57/16</p> <p>1A [1] 1/9</p> <p>1st [1] 37/3</p>	<p>111/15</p> <p>2721 [2] 49/18 49/16</p> <p>2723 [2] 47/11 117/22</p> <p>2750 [1] 36/1</p> <p>2821 [1] 118/22</p> <p>2:09 p.m [1] 3/8</p> <p>2nd [1] 35/15</p> <p>3</p> <p>3,000 [4] 5/10 40/10 46/19 53/20</p> <p>30,100 [1] 57/25</p> <p>3015 [1] 52/8</p> <p>302 [3] 78/22 82/1 83/1</p> <p>302s [1] 104/24</p> <p>30th [1] 58/3</p> <p>31 [1] 1/9</p> <p>3400 [3] 13/19 30/14 31/22</p> <p>3500 [1] 38/19</p> <p>3514 Stoney Creek [1] 4/11</p> <p>3:17 p.m [1] 59/9</p> <p>3:36 p.m [1] 59/16</p> <p>3rd [1] 62/13</p> <p>4</p> <p>4,000 [1] 40/12</p> <p>40 [3] 95/24 95/25 96/1</p> <p>40 minutes [1] 25/22</p> <p>40-something [1] 31/8</p> <p>404 [1] 87/2</p> <p>43 [1] 122/11</p> <p>4:40 [1] 116/9</p> <p>4:44 p.m [1] 121/7</p> <p>4:46 [1] 122/7</p> <p>4th [1] 1/24</p> <p>5</p> <p>5 kilograms [2] 62/14 62/17</p> <p>5,000 [1] 48/24</p> <p>50 [2] 96/22 111/22</p> <p>50,000 [11] 29/14 30/19 31/16 31/17 31/20 31/25 32/2 32/6 32/23 33/20 35/4</p> <p>500 [1] 60/8</p> <p>51 [1] 111/22</p> <p>54 [2] 63/3 63/6</p> <p>5500 [1] 58/8</p> <p>5900 [1] 58/9</p> <p>5:00 [1] 116/10</p> <p>5th [2] 57/22 57/23</p> <p>6</p> <p>604,910 [1] 53/15</p> <p>609 [1] 87/12</p> <p>6700 [1] 58/12</p> <p>681,240 [1] 56/6</p> <p>6A [1] 97/6</p> <p>7</p> <p>7-Eleven [1] 115/15</p> <p>70,000 [2] 56/18 67/17</p> <p>70-something [1] 68/8</p> <p>700 [1] 37/22</p> <p>710 [1] 111/14</p> <p>72 [1] 6/15</p> <p>726 [1] 38/1</p> <p>742,000 [1] 40/5</p> <p>75,000 [9] 30/6 30/10 32/7 32/20 32/25 33/18 34/7 67/16 67/19</p> <p>750 [3] 37/17 37/22 38/6</p> <p>751,900 [1] 56/5</p>
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