

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAWRENCE J. LAWSON, JR.,

Defendant.

Case No. 3:16-cr-00121-TMB-DMS

NOTICE OF FILING

On December 26, 2018, this Court issued an Order finding flagrant government misconduct related to discovery in this case resulting from repeated violations of Fed. R. Crim. P. 16 and the constitutional requirements of *Brady v. Maryland*, 373 U.S. 83 (1963) (Doc. 435). The Court directed the parties to provide additional briefing on the appropriate remedy or remedies for the misconduct, noting that a more detailed ruling by the Court would follow.

The Court's detailed Order Finding Governmental Misconduct is filed today under seal. The Court finds serious misconduct on the part of Internal Revenue Service Revenue Officer Group Manager John Williamson, and finds the investigation of Williamson's misconduct by Treasury Inspector General for Tax Administration (TIGTA) Special Agent Jacqueline Siegel was seriously flawed, making it difficult to fully assess the impact Williamson's misconduct had on the investigation and prosecution of defendant, Dr. Lawrence Lawson.

The Court also finds that prosecutors in the case failed to timely produce *Brady* material and failed to timely produce Rule 16 material numerous times, in violation of repeated Court orders. The Court finds that this conduct demonstrated reckless disregard of these discovery requirements by DOJ Trial Attorney Timothy Russo and Alaska Assistant U.S. Attorney Retta Randall, while concluding that Lead Prosecutor Lori Hendrickson acted intentionally and willfully. The Court also finds that Ms. Hendrickson was evasive, misleading, and untruthful in several statements she made to the Court and defense counsel about discovery matters. The Court also notes that Ms. Hendrickson and TIGTA Agent Siegel misrepresented the scope and purpose of 26 U.S.C. § 6103 to the Court.

The Court directs that the conduct of Agents Williamson and Siegel be referred to the Treasury Inspector General for Tax Administration and the Internal Revenue Service's Internal Affairs Division for review and appropriate disciplinary action.

The Court also directs that the conduct of Prosecutors Hendrickson, Russo, and Randall be referred to the Office of Professional Responsibility in the U.S. Department of Justice for review and appropriate disciplinary action. The Court requests that the findings of the Office of Professional Responsibility be filed under seal with this Court upon its completion.

Today's detailed Order is filed under seal because it includes information of a personal nature about individuals who are neither defendants nor government agents. In addition, the Order quotes extensively from TIGTA investigations, which contain personnel records protected from general disclosure to the public.

DATED this 15th day of May, 2019, at Anchorage, Alaska.

/s/ Deborah M. Smith
CHIEF U.S MAGISTRATE JUDGE