

Docket #: S20N-CR19-0147994-S

**MOTION TO DISMISS BASED ON THE FACT THAT WHAT WAS
HANDED OVER AS DISCOVERY FROM THE JUNE 2, 2021
MOTION FOR DISCOVERY - THE WESTPORT POLICE'S MARCH
4, 2020 SEIZED EMAILS FROM GOOGLE - VIOLATED THE
LEGAL WORDING OF THE FEB. 11, 2020 SEARCH AND
SEIZURE WARRANT.**

On July 28, 2021, Judge Bruce Huddoch heard my latest Motion to Dismiss based on Prosecution not handing over Discovery (the Westport Police's Feb. 11, 2020 seized Emails from Google) within the 45 day deadline (let alone 1.5 years). At this court date Prosecutor Larry Tamaccio said he was given an allegedly "sealed envelope" that the prosecution was now willing to hand over. Why D.A. Tamaccio did not hand me this envelope during court is a mystery. Judge Huddoch granted me the right to re-submit the Motion if the contents of the allegedly "sealed envelope" did not conform to my original Motion. I was told the clerk's office would hand me the "sealed envelope" on the same day.

When Norwalk clerk Charles Kim handed me the so named "sealed envelope" I noticed the envelope was in fact unsealed. When I opened the unsealed envelope what existed was only a copy of the Search and Seizure Warrant and NO EMAILS. I then proceeded to ask for 3 details about this envelope:

- 1: Which police officer sent the envelope?
- 2: What date was the envelope sent and/or where is the original envelope?
- 3: Which prosecutor received the envelope and when?

A clerk for the State's Attorney Office relayed my request to D.A. Larry Tamaccio and told me to come back at 3:30 for an answer. I came back to a very strange happening - oila I am NOW given an unsealed disk that I am told is the seized Emails requested. **What I received in the form of this unsealed disk is the subject of this Motion** – OVER 1000 EMAILS UNRELATED TO THE MYSELF AND COMPLAINANT LET ALONE CONTRARY TO THE LEGAL LANGUAGE OF THE SEARCH AND SEIZURE WARRANT. **This Motion is a continuation of the initial Motion to Dismiss regarding time limits.**

FACT: The Feb. 11, 2020 Search and Seizure Warrant for my Emails asked for my Email correspondence with Complainant Anna Campbell AND ONLY Complainant Anna Campbell between the time of July 2018 to October 2018, to which I gladly allowed for without any attempt to quash.

**THE FOLLOWING IS FROM THE SEARCH AND SEIZURE WARRANT
(attached to this Motion):**

Police Case number 2018-019908

TO: A Judge of the Superior Court or a Judge Trial Referee

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause to believe that certain property, to wit:

All data maintained by Google, Inc. pertaining to email communications between the GMAIL accounts identified as: [REDACTED] and jameslarenaissance@gmail.com, to include emails stored in the inbox, starred, important, sent, drafts, trash and notes folder, including photographic images/movies/video for the time period between 07/01/2018 and 10/01/2018.

FACT: What was handed over to me on July 28, 2021 was a disk with ALL of Complainant Anna Campbell's Emails with everyone she corresponded with between the time of July 2018 to October 2018 – OVER 1000 EMAILS. The Disk also contains ALL of my personal Emails I had with other assorted people again NOT RELATED TO THE CASE. Finding the requested Emails in a coherent manner is like searching for a needle in a haystack.

FACT: 95% of what was handed over to me are irrelevant to this case and alarmingly violate the wording of Search and Seizure Warrant.

QUESTION: WHY DID THIS HAPPEN?

Why did the Westport Police flood the prosecution with TOTALLY IRRELEVANT MATERIAL making the exonerating material and evidence of crimes like Tampering with Evidence and Perjury (to which I have been trying to get the prosecution to process for 2.5 years) harder to find and harder to learn about. The police had plenty of time to get the material in order with Google. The police's conduct is once again rightfully questioned for the material is obviously **not in order**.

FACT: If D.A. Larry Tamaccio (or D.A. Suzanne Vieux) cared to open at least his/her version of the "envelope" and view the contents under the 45-day deadline or during my last court date this Motion could have been avoided. He/they have a copy of the seized Emails and should have been proactive to hand over legible let alone legal material. The Prosecution's actions once again should alarm the court for such conduct causes confusion for Judges.

FACT: IT WILL NOW TAKE THE PROSECUTION FAR MORE TIME TO CLEAN UP THIS MESS THEN THE ALREADY VIOLATED DEADLINE TO TURN OVER THESE EMAILS IN PROPER LEGAL FORMAT. 45 DAYS HAS LONG PASSED (let alone nearly 3 years) and these latest very questionable actions by the Westport Police could never be respected by a reasonable jury.

FACT: IT WAS THE WESTPORT POLICE'S JOB TO SUBMIT ONLY RELEVANT EMAILS TO THE CASE. The submission of this Discovery disk **violating the actual wording of the Search and Seizure Warrant** shows either Police never cared to review what they seized from Google, or INTENTIONALLY did not do the necessary work to conform to the legal wording of the Search and Seizure Warrant so to make future reading by the prosecution more difficult.

LAW/COMMON SENSE: MYSELF AND PROSECUTION SHOULD NOT HAVE TO BE WEEDING THROUGH A DISK OF OVER 1000 EMAILS WHERE 95% OF WHAT WAS HANDED OVER AS ALLEGED “DISCOVERY” ARE UNRELATED TO ME AND COMPLAINANT.

HISTORICAL FACTS: I was arrested on Feb. 6, 2019 for alleged Email Harassment. On June 2, 2021, I filed a Motion to compel Discovery. This asked for Discovery was the Westport Police’s Feb. 11, 2020 seizure of my Emails from Google – seized Emails that happened 16 months after the Arrest Warrant was submitted in October of 2018 when officer was supposed to have Probable Cause. This seizure of my Emails happened 1 full year after the Feb. 6, 2019 arrest. This seizure of my Emails happened 6 months after I showed D.A. Suzanne Vieux **in May 2019** that Complainant or arresting Officer Mark Grasso submitted a doctored Email as “Discovery” back in April 2019 that is undeniable FELONY Tampering with Evidence. The NECESSARY Discovery I asked for back in March/April of 2019 was compelled by then Judge Maureen Dennis so I could proceed with a Franks Hearing Request, a Franks Hearing Request that was obviously prejudiced because it was deprived of essential information. The evidence of foul play is undeniable now.

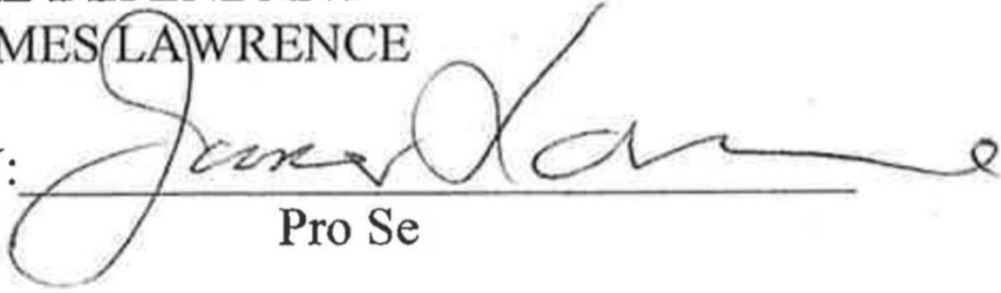
FACT: I have made 3 Motions for Speedy Trials within the past 3 years with all these Motions being stonewalled by the prosecution. This entire case is about one single Sept. 18, 2018 Email that reads – *“Anna advice: Do not cause my beloved 77 year old parents any more stress. Take this advice.”*

△ Conclusion: I have spent much time and money dealing with this obviously false arrest having made over 24 appearances to court. I do not live in this area since 2018 and travel is costly. When does the court finally process all the details of this 3-year-old case that OBVIOUSLY NEVER HAD PROBABLE CAUSE EVIDENCE!? **Why did I have to compel this seized Email Discovery 1.5 years after it was seized? When does the Prosecution properly investigate and act on who committed FELONY Tampering with Evidence let alone numerous forms of Perjury and False Statements which I showed them back in May of 2019?**

I ask that this case be DISMISSED based on the fact that the turned over **Discovery violates the legal wording of the Search and Seizure Warrant let alone time limits.** What was recently submitted as “Discovery” severely further delays any attempts to make sense of an already 3-year-old case. **Attempting to find and discuss the necessary chain and thread of Emails** (as the rules for submitting electronic evidence states in the precedent **Lorraine v. Merkle American Insurance Co.**) **amidst 1000 absolutely chaotic irrelevant Emails is another huge injustice that would only raise the eyebrows of jurors.**

THE DEFENDANT
JAMES LAWRENCE

BY:

A handwritten signature in cursive script, appearing to read "James Lawrence", written over a horizontal line.

Pro Se

**AFFIDAVIT AND APPLICATION
SEARCH AND SEIZURE WARRANT**

JD-CR-61 Rev. 3-10
C.G.S. §§ 54-33a, 54-33c, 54-33j

**STATE OF CONNECTICUT
SUPERIOR COURT**

www.jud.ct.gov



Form JD-CR-52 must also be completed

Instructions To Applicant

File the application for the warrant and all affidavits upon which the warrant is based with the clerk of the court for the geographical area within which any person who may be arrested in connection with or subsequent to the execution of the search warrant would be presented, together with the return of the warrant.

Instructions To G.A. Clerk

Upon execution and return of the warrant, affidavits which are the subject of an order dispensing with the requirement of giving a copy to the owner, occupant or person within forty-eight hours shall remain in the custody of the clerk's office in a secure location apart from the remainder of the court file.

Police Case number 2018-019908

TO: A Judge of the Superior Court or a Judge Trial Referee

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause to believe that certain property, to wit:

All data maintained by Google, Inc. pertaining to email communications between the GMAIL accounts identified as: [REDACTED] and jameslarenaissance@gmail.com, to include emails stored in the inbox, starred, important, sent, drafts, trash and notes folder, including photographic images/movies/video for the time period between 07/01/2018 and 10/01/2018.

- ☐ is possessed, controlled, designed or intended for use or which is or has been or may be used as the means of committing the criminal offense of: _____
- ☐ was stolen or embezzled from: _____
- ☒ constitutes evidence of the following offense or that a particular person participated in the commission of the offense of:

CGS 53a-183 - Harrasment in the Second Degree

- ☐ is in the possession, custody or control of a journalist or news organization, to wit: _____
- ☐ and such person or organization has committed or is committing the following offense which is related to such property: _____
- ☐ and such property constitutes contraband or an instrumentality of the criminal offense of: _____

And is within or upon a certain person, place, or thing, to wit:

Google Legal Investigations Support
Re: Gmail
1600 Amphitheatre Parkway
Mountain View, CA 94043

Located in the City of Mountain View, County of Santa Clara, and State of California.

(This is page 1 of a 10 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Norman	02/11/2020	P.O. [Signature]
Norman	2/11/2020	[Signature]
Jurat	Subscribed and sworn to before me on (Date) 2/11/20	Signed (Judge/Judge Trial Referee) [Signature]

The undersigned ("X" one) ☒ has not presented this application in any other court or to any other judge or judge trial referee.
☐ has presented this application in another court or to another judge or judge trial referee (specify):

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person or to enter into or upon said place or thing, search the same, and take into custody all such property.

☐ And to submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

(This is page 7 of a 10 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Norwalk	02/11/2020	P.O. [Signature]
Norwalk	02/11/2020	[Signature]
Jurat	Subscribed and sworn to before me on (Date) 2/11/20	Signed (Judge/Judge Trial Referee) [Signature]

**AFFIDAVIT REQUESTING DISPENSATION WITH
REQUIREMENT OF DELIVERY**
pursuant to § 54-33c, Connecticut General Statutes

TO: A Judge of the Superior Court or a Judge Trial Referee

For the reasons set forth below, the undersigned, being duly sworn, requests that the judge / judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the application for the warrant and a copy of any affidavit(s) in support of the warrant be given to the owner, occupant or person named therein with forty-eight hours of the search:

- ☐ The personal safety of a confidential informant would be jeopardized by the giving of a copy of the affidavits at such time;
- ☐ The search is part of a continuing investigation which would be adversely affected by the giving of a copy of the affidavits at such time;
- ☐ The giving of such affidavits at such time would require disclosure of information or material prohibited from being disclosed by chapter 959a of the general statutes;

- ☐ In addition, it is requested that the requirement of advance service of this warrant upon the customer whose financial records are being sought, be waived pursuant to C.G.S. § 36a-43 (a);

and the specific details with regard to such reasons are as follows:

The undersigned further requests that this affidavit also be included in such nondelivery.

(This is page 8 of a 10 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Norwalk	02/11/2020	P.O. M. D. [Signature]
Norwalk	02/11/2020	[Signature]
Jurat	Subscribed and sworn to before me on (Date) 2/11/20	Signed (Judge/Judge Trial Referee) [Signature]

SEARCH AND SEIZURE WARRANT

STATE OF CONNECTICUT
SUPERIOR COURT

SEARCH AND SEIZURE WARRANT

The foregoing Affidavit and Application for Search and Seizure Warrant having been presented to and been considered by the undersigned, a Judge of the Superior Court or a Judge Trial Referee, and the foregoing Affidavit having been subscribed and sworn to by the affiant(s) before me at the time it was presented, the undersigned (a) is satisfied therefrom that grounds exist for said application, and (b) finds that said affidavit established grounds and probable cause for the undersigned to issue this Search and Seizure Warrant, such probable cause being the following: From said affidavit, the undersigned finds that there is probable cause for the undersigned to believe that the property described in the foregoing affidavit and application is within or upon the person, if any, named or described in the foregoing affidavit and application, or the place or thing, if any, described in the foregoing affidavit and application, under the conditions and circumstances set forth in the foregoing affidavit and application, and that, therefore, a Search and Seizure warrant should issue for said property.

NOW THEREFORE, by Authority of the State of Connecticut, I hereby command any Police Officer of a regularly organized police department, any State Police Officer, any inspector in the Division of Criminal Justice, or any conservation officer, special conservation officer or patrol officer acting pursuant to C.G.S. § 26-6 to whom these presents shall come within ten days after the date of this warrant to enter into or upon and search the place or thing described in the foregoing affidavit and application, or search the person described in the foregoing affidavit and application or both, to wit:

Google Legal Investigations Support

Re: Gmail

**1600 Amphitheatre Parkway
Mountain View, CA 94043**

Located in the City of Mountain View, County of Santa Clara, and State of California.

for the property described in the foregoing affidavit and application, to wit:

All data maintained by Google, Inc. pertaining to email communications between the GMAIL accounts identified as: [REDACTED] and jameslarenaissance@gmail.com, to include emails stored in the inbox, starred, important, sent, drafts, trash and notes folder, including photographic images/movies/video for the time period between 07/01/2018 and 10/01/2018.

☐ submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

and upon finding said property to seize the same, take and keep it in custody until the further order of the court, and with reasonable promptness make due return of this warrant accompanied by a written inventory of all property seized.

☐ The foregoing request that the judge or judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the warrant application and affidavit(s) in support of the warrant be given to the owner, occupant or person named therein and that the affidavit in support of such request also be included in such nondelivery is hereby:

☐ GRANTED for a period of

NOT TO EXCEED 2 WEEKS BEYOND DATE WARRANT IS EXECUTED

This order, or any extension thereof, dispensing with said requirement shall not limit disclosure of such application and affidavits to the attorney for a person arrested in connection with or subsequent to the execution of the search warrant unless, upon motion of the prosecuting authority within two weeks of such arraignment the court finds that the state's interest in continuing nondisclosure substantially outweighs the defendant's right to disclosure.

☐ DENIED.

☐ Service of this Search Warrant upon the customer whose financial records are being sought is hereby waived, pursuant to C.G.S. § 36a-43 (a).

(NOTE: AFFIANT'S OATH MUST BE TAKEN PRIOR TO JUDGE / JUDGE TRIAL REFEREE SIGNING BELOW)

(This is page 9 of a 10 page Affidavit and Application.)

Signed at NORwalk , Connecticut, on: 2/11/20	Date 2/11/20	At (Time) 2:03 ☒ a.m. ☒ p.m.
Signed (Judge/Judge Trial Referee) <i>[Signature]</i>	Print name of Judicial Official New zel	

RETURN FOR AND INVENTORY
PROPERTY SEIZED ON SEARCH AND SEIZURE WARRANT

Inventory control number			
Judicial District of NORWALK	G.A. 20	At (Address of Court) 17 BELDEN AVENUE, NORWALK, CT	Date of seizure 03/04/2020
Docket number CR-	Uniform arrest number	Police case number 2018-019908	Companion case number

Then and there by virtue of and pursuant to the authority of the foregoing warrant, I searched the person, place or thing named therein, to wit:

Google Legal Investigations Support
Re: Gmail
1600 Amphitheatre Parkway
Mountain View, CA 94043

Located in the City of Mountain View, County of Santa Clara, and State of California.

and found thereon or therein, seized, and now hold in custody, the following property:

☐ Total Cash Seized: **\$0.00**, consisting of

All data maintained by Google, Inc. pertaining to email communications between the GMAIL accounts identified as: [REDACTED] and jameslarenaissance@gmail.com, to include emails stored in the inbox, starred, important, sent, drafts, trash and notes folder, including photographic images/movies/video for the time period between 07/01/2018 and 10/01/2018.

and I gave a copy of such warrant to _____, the owner or occupant of the dwelling, structure, motor vehicle or place designated therein, or to **Google Legal Investigations Support**, the person named therein, on (Date) **02/11/2020**.

(This is page **10** of a **10** page Affidavit and Application.)

Date **3/4/20** Signed (Officer's signature and department) **Westport**

NOTE: Form JD-CR-61, pages 1 - must be supplemented by Form JD-CR-52.