

December 28, 2022

Connie Davies
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Honorable P.K. Holmes
Judge of US District Courthouse
30 South Sixth Street
Fort Smith, Arkansas 72901

Dear Judge Holmes,

I respectfully write in regards to the sentencing of former FBI Agent Robert Cessario who will stand before your court on Thursday, January 5, 2023. After lying to the Court about his egregious actions as a law enforcement agent in the Jon Woods case, Cessario admitted to his crime in his plea agreement:

*“I erased the contents of the computer hard drive **knowing** that the Court had ordered that the computer be submitted for forensic examination. **I did so with the intention of making the contents of the computer’s hard drive unavailable for forensic examination.** At the time, **I knew that the contents of the hard drive were relevant to an official proceeding, that is, Cause No. 5:17-CR-50010, United States v. Woods, et al. I corruptly performed, and had performed, the erasures with intent to impair the integrity and availability of the computer hard drive and its contents for use in that official proceeding.”***

My understanding is that the penalties for such a crime could be up to 20-years imprisonment, a fine up to \$250,000, supervised release up to three years, a mandatory assessment of \$100.00, possible forfeiture of property, restitution to victims, and costs of incarceration and supervision.

It greatly disturbs me that after destroying an innocent man’s life and destroying the public’s trust in our judicial system and our law enforcement agencies, Robert Cessario submitted a sentencing memorandum to the court asking that his sentence be one year unsupervised probation. How outrageous! Even more outrageous is the fact that he justifies his request by asking the court to “avoid unwarranted sentence disparities among defendants (FBI agents) with similar records who have been found **guilty** of similar conduct.” He then lists two other FBI agents who recently received light sentences for their crimes.

I submit for your consideration, Your Honor, that FBI agents and public officials, who have sworn to uphold the rule of law and to defend the Constitution, should be held to a higher standard than any other American citizen. No man should be above the law in America, and a two-tiered justice system simply should not exist!

American citizens who have committed lesser crimes than that of Robert Cessario are suffering long prison sentences, because their due process rights have been violated as a result of evidence in their respective cases being destroyed. Former Arkansas Senator Jon Woods is not the only victim of such abuse, for which Robert Cessario admitted to his crime in this instance. Upon

personal research, a Mr. James Bolt is sitting in prison, and claims that his rights were violated by Robert Cessario's destruction of evidence in his case. It seems that Cessario is "immune" from punishment for his crimes, simply because he was a government law enforcement personnel serving in his official capacity.

If there is no "equal justice under the law" in America, we are doomed as a society. There is a saying that, "If the law breaks the law, there is no law!" Without the equal application of our laws in our courts to ensure that the innocent are protected and the criminals are punished, our existence as a free country is in peril.

Robert Cessario is guilty of destroying evidence in the case of Jon Woods that could have been used in Jon's defense. He is also in contempt of court as he defied the judge's order to have his government issued laptop submitted for forensic examination. He also perjured himself during pretrial hearings by lying about why he destroyed the hard drive of his laptop. What else did he do? What would happen to any common citizen who stood in contempt of court and perjured themselves on a witness stand after swearing to tell the truth?

We ask the court to reject the plea request and require Cessario to go to trial. We need to know the truth about Robert Cessario's crimes and his betrayal of the public trust as an FBI agent.

I am reminded of a scripture in Ecclesiastes 8:11:

"Because the sentence against an evil work is not executed speedily, the hearts of the sons of men are fully set to do evil."

Robert Cessario is guilty by his own admission. We, the citizens of America, demand justice!

Respectfully yours,

Connie Davies