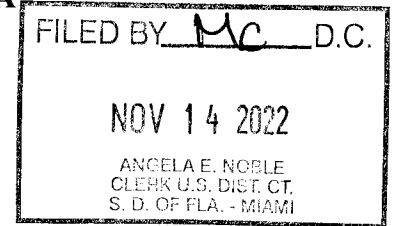


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**



UNITED STATES OF AMERICA,
Plaintiff

V.

PETER SOTIS,
Defendant

Docket No. 19 CR-20693

Honorable Patricia A. Seitz

Pro Se Motion for Bond and Memorandum in Support Thereof

Defendant, Peter Sotis, (hereinafter referred to as "Defendant" or "Mr. Sotis") respectfully requests bond pending appeal pursuant to 18 U.S.C. §3143(b), with appropriate conditions imposed by the Office of Probation. It is submitted that Mr. Sotis is not a flight risk or danger to the community, and he has presented substantial issues on appeal that he is likely to prevail, reverse his criminal conviction. Under these criteria, Mr. Sotis' release on bond is appropriate.

I. Standards

A defendant seeking release on bond during the pendency of appeal must show that:

1. He is not likely to flee if released
2. He is not likely to pose a danger to the community if released; and
3. His Appeal raises a substantial question of law or fact likely to result in reversal, order for new trial, or a reduction in sentence to a term of imprisonment less the total of the time served plus the expected duration of the appeal process.

SCANNED

18 U.S.C. Section 3143(b); see *United States v. Giancola*, 754 F.2d 898, 899-901 (11th Cir. 1985). "The burden of establishing that the defendant will not flee or pose a danger to any person or to the community rests with the defendant." Federal Rule of Criminal Procedure 46(c) "[A] Substantial question is one of more substance than would be necessary to a finding that it was not frivolous. It is a "close question" or one that very well could be decided the other way." *Giancola*, 754 F.2d at 901

II. Argument

a. Mr. Sotis is Not a Flight Risk or a Danger to the Community.

Mr. Sotis readily meets the first two criteria as exhibited by his pre-incarceration conduct. Mr. Sotis was indicted on Oct 24, 2019. (See DOC #3) Shortly, thereafter, with no objection by the government Mr. Sotis was granted Pre-Trial Release. He remained on Pretrial release for two and a half years without incident. In fact, in June 2002, he was granted permission by this court to travel internationally to Mexico to stay at his own residence. The government had no objection to his travel plans. He complied with the court's order granting him international travel and returned as required. Clearly, if there was ever a time to abscond, that would have been the time. Mr. Sotis never harbored any thought of not answering to the charges lodged. Most notably, after sentencing, Mr. Sotis self-surrendered to prison. Mr. Sotis was a model defendant on bond and the Government cannot reasonably argue that he is either a flight risk or danger to the community.

In the event the court grants this motion and he receives a bond, Mr. Sotis will be returning to South Florida, where he has significant ties to the community as established by his pre-trial release period. Mr. Sotis will reside in Boynton Beach, Florida with Harvey and Patricia Cohen at their home. Further, Mr. Sotis' wife, Claudia Sotis, is readily willing to provide surety for the bond in an amount of up to what Mr. Sotis provided for his pre-trial bond. The Cohens and Mrs. Sotis have prepared Affidavits in support of Mr. Sotis's bond. Attached as Exhibit A and B, respectively. Both have pledged to ensure Sotis timely reports anywhere he is required to be per the court, probation office, or any other U.S. agency. Mr. Sotis also has several friends who reside nearby and in the Middle District of Florida area that have similarly pledged to ensure Sotis obeys all parameters of his bond. They have also attached supporting affidavits here. Attached as "C" (group affidavit).

As to Mr. Sotis's danger to the community, he is not. This is supported by metrics of the federal government. The Bureau of Prisons has designated Mr. Sotis as a minimum recidivism risk. See Attached as "D" (Bureau of Prisons' PATTERN Score inmate risk assessment). And the court even acknowledged this lack of risk by noting that the alleged offense was a "one time" deal. Sent Tr. at 43//18.

It is also now certain that the conduct was a singular event. The fallout from Mr. Sotis' prosecution has effectively cut him off from the entire diving industry and any international business dealings. See Attach. "B" at Para. (TBD - Claudia declaration). Mr. Sotis is, strictly commercially speaking, toothless.

In further support of Mr. Sotis not being any danger whatsoever to the community is his conduct post-incarceration. Mr. Sotis has not had one disciplinary incident since arriving to prison. He had immediately sought and began working in a prison job and has participated in programming---without prompting. Attach. "D" (BOP Program review sheet). He has also begun taking college courses and has a good rapport with all prison staff. He is, by any measurement, a model prisoner, comporting himself as well as he did while on bond.

b. Mr. Sotis Presented Substantial Questions on Appeal

As mentioned above, the 11th circuit has found that the phrase "substantial question" means the appeal issues are at least a "close question". *Giancola*, 754 F.2d at 901. Moreover, this "close question" need not have the balance tipped more in favor of the defendant; what is merely required is the court to find if the "substantial question" is determined favorably to the defendant on Appeal, that the decision is likely to result in reversal or an order for a new trial of all counts on which imprisonment has been imposed." *Id.*

Essentially, Mr. Sotis does not need to show he will prevail on Appeal, but rather he could prevail, and that should he do so the outcome would likely be a reversal, new trial or substantially reduced sentence. For bond pending appeal purposes 18 U.S.C. §3143(b) Mr. Sotis raised the following issues on appeal: (1) his counts of conviction are not supported by the evidence, (2) The Government elicited testimony from their witnesses that invaded the province of the jury, and, (3) that the sentencing court miscalculated the base guidelines by 12 levels.

1. Government Did Not Establish Elements of Offense at Trial.

With respect to the first issue, Mr. Sotis, through counsel argued that the Government simply failed to prove its case. For example, it did not establish that the specific Revo III rebreather equipment required a license to be exported to Libya, which is a pre-requisite for determining if an IEEPA violation occurred. To do so, the Government had to establish, that the Revo III has "dual use", an analysis, per its own witness testimony that includes determining whether the Revo III has military applications and the intentions of the end user (customer).

The Government provided no evidence in the trial record for analysis to take place. Indeed, the government only established that even its agents did not understand these criteria. See Tr. Vol 1 at 127. I. Regarding sufficiency of the evidence, the government charged but failed to prove that the rEVO III's were closed-circuit rebreathers, as charged in the indictment. Not all items on the Commerce Control List (CCL) and assigned an Export Control Classification Number (ECCN) require a license. Sotis was charged under CCL, category 8,

subsection 8A002 q.1, pertaining specifically to closed circuit rebreathers. 8A002 is controlled for NS (national security) and AT, (anti-terrorism), however, subsection 8A992 pertaining to marine equipment not controlled by 8A002 was not controlled for AT. According to the Country Chart, as of November, 2016, Libya was controlled only with regard to the NS classification, not the AT classification. The rEVO III was rejected for military use. The government argued nonetheless at sentencing that they could nonetheless be used in training. As such, the government never distinguished the rEvo III from an ordinary open-circuit rebreather not controlled for shipment to Libya.

This variance is fatal. Prejudicial evidence on closed-circuit rebreathers was not objected to at trial because the government had alleged illegal export of closed-circuit rebreathers. The government presented ample evidence at trial as to the dangers of closed-circuit rebreathers, describing them as “stealth” and explaining how they might be used to commit a terrorist attack. Yet, the rEVO III’s were rejected for military application and were incapable of performing in the “stealth” manner described to the jury. They were not closed-circuit rebreathers. Trial counsel did not object to testimony regarding closed-circuit rebreathers because it was an element of the indictment. It was the government’s burden to prove it.

Mr. Sotis and Ms. Voissem had a good faith basis for in their belief that the rEVO III was not “dual-use” since it had been rejected by the military. After Dianna and Muhammad Zaghab told Voissem they would handle the shipment because they shipped to Libya all the time and had extensive knowledge in the field, e mail discussions show that the details of whether an item is “dual-use” were flushed out in the process of reaching the conclusion by Diana that no license was required. The communications show that the parties were not trying to avoid the licensing requirements. Rather, they were trying in good faith to figure out what they needed to do.

Mr. Sotis and MS. Voissem did not commit a conspiracy. The only understanding Mr. Sotis and Ms. Voissem had was that they were in over their head on the decision of whether a license as needed, so they made the decision not to ship. Mr. Sotis and Ms. Voissem sold the items to Ramas, in a domestic sale, and Ramas picked up the items from Add Helium. Sotis did not ship, and Voissem did not ship. They did not “transship” to another country to avoid a direct shipment to Libya. If anybody needed a license it was Ramas, shipping from the US to Libya. According to the BIS, a division of the US Department of Commerce, the primary responsibility to ensure the export complies with the Export Administration Regulations (EAR) is the exporter.

2. The Government Elicited Testimony that Invaded the Province of the Jury and Denied Mr. Sotis a Fair Trial.

Michael Tu testified that he decided a license was required based on information he received that the items were a closed-circuit rebreathers and micro circuit rebreathers, or closed-circuit rebreathers and semi-closed-circuit rebreathers. Mr. Tu did not go through the analysis,

or give the jury the facts upon which to make that determination themselves. Agent Wagner testified regarding willfulness on the part of the defendants, stating over objection, "I have never seen this much knowledge in a case like this." The ultimate issues--- whether a license was in fact required for the rEVO III's, proven not by someone's summary opinion, but by the evidence of the relevant factors, whether Sotis knew these factors required a license, and then willfully violated the law ---were not left up to the jury. The government elicited opinion testimony on those issues. The jury was told what to think. Sotis was denied a fair trial, requiring a reversal of all his convictions.

Issues regarding the governments burden of proof for a willful violation are substantial issues. Cf. *Ruan v. United States*, 142. S. Ct. 2370 (Jun. 27, 2022) (recent Supreme Court case discussing government's burden in proving an intent crime). The Government did not provide evidence for the elements of the offense, and this is a "close question."

Indeed, the district court post-trial record supports how close this question actually is. The government agreed to return the rebreathers at issue in this case to Ramas Group, LLC., the U.S. based company that had purchased the rebreathers from Sotis. See Doc. 210-1 at 3. Ramas was also the same entity that arranged the international shipping to Libya (see Gov. Exh. 7I and 7J (Bill of Lading)) and Sotis only sold the rebreathers to Ramas. See Gov. Exh 7E, 7F, 7G.

Finally, it should be noted that despite the rebreathers delivery to Libya being handled by international freight company Shipco, there has been no criminal charges or allegations brought for this company. Between Ramas, the Zaghabs, or Shipco not being prosecuted, Sotis's appeal raises serious policy questions regarding criminal liability of the IEEPA laws towards different parties.

Should Mr. Sotis prevail, the only remedy would be to remand for a new trial on all 3 counts. Bond appeal is therefore appropriate.

3. Term of Imprisonment Would be Complete after Appeal.

Mr. Sotis, or any human being, is not a submersible vessel. Nor is Mr. Sotis, or any human being, a submersible vessel when equipped with a rebreather. The district court's contrary determination was an error that resulted in Mr. Sotis' base level being 12 levels higher, at level 26.

Had Mr. Sotis began at the actual guidelines under U.S.S.G. § 2M5.1, and had he received even a modest departure in line with other and similar cases, his sentence would likely be 12-18 months. Given the presumed length of appeal process that will undoubtedly involve oral arguments due to the complexity of the IEEPA laws, and that Mr. Sotis has already completed 6 months of imprisonment, this length of time will exceed Mr. Sotis' effective term of imprisonment.

The Guidelines refers to three possible sections for these types of convictions, namely §§2M5.1, 2M5.2, and 2M5.3. The Court chose to apply 2M5.2 rather than 2M5.1, even though

semi-closed rebreathers are not specifically listed under the United States Munitions List. 22 C.F.R. Par 121.1. The rEVO III's are not on the munitions list, as conceded by the government (Tr.Sent. January 12, 2022, 33-39).

Section 2M5.2 pertains to "arms, munitions, or military equipment or services." A rebreather is none of those things. Yet because of how that section is set up, 26 is the default base level, narrowed only by the next section with pertains to small arms (rifles, handguns, or shotguns.) Clearly, that section pertained quite literally to "arms, munitions, or military equipment" of which rifles handguns or shotguns would be a narrower subset, not to any thing that could be used to train someone to do something. If that were the case, a toy gun would suffice. It is not the court's role to expand a criminal statute to favor the government. The rule of lenity applies if a statute is ambiguous. *United States v. Johnson*, 155 F.3d 682, 685 (11th Cir. 1998).

The commentary further expounds that the list includes "such things as military aircraft, helicopters, artillery, shells, missiles, rockets, bombs, vessels of war, explosives, military and space electronics, and certain firearms." The trial court conceded that rebreathers are not an actual vessel, "It's not a vessel. but it's submersible and it allows the individual to be sort of an individual submarine without a shell around them." (Tr. Sent. January 11, 2022, p. 18). Rebreathers do not fall within any of the other categories highlighted by the commentary. The court's decision to treat rebreathers as a de facto vessel for purposes of applying §2M5.2 is a misapplication of the guidelines that ignores the plain language of the Munitions List and Commentary and contradicts the Court's own findings that rebreathers are not in fact vessels. Basically, the court concluded in essence that a person is a vessel, which is contrary to its ordinary meaning and a bizarre interpretation of the Guidelines.

Under §2M5.1 a close read of base level 26 shows that it pertains to "national security controls." As discussed above, Libya was not controlled for national security as to the more generalized underwater gear listed under section 8A992. Since the government settled for the fact that the rEVO III's were only useful for training, they were indistinguishable from open-circuit rebreathers not controlled for shipment to Libya at all.

Base Level 26 also pertains to transaction with "countries." In this case, as pointed out above, Sotis had a domestic client, who picked up the items. He did not export, and he did not do trade with a foreign country.

Mr. Sotis requests de novo review of the trial court's decision to use §2M5.2 to calculate the Defendant's base level offense, which is "warranted in cases where we must determine whether the district court applied the correct sentencing guideline (or subsection of a sentencing guideline) for the defendant's underlying conduct. See, e.g., *United States v. De La Mata*, 266 F.3d 1275, 1302 (11th Cir. 2001). The Eleventh Circuit has previously held, "We have explained that "[a] guideline's meaning is derived first from its plain language and, absent ambiguity, no additional inquiry is necessary." *United States v. Mandhai*, 375 F.3d 1243, 1247 (11th Cir. 2004). The plain language of the two sections shows that §2M5.1 is the more applicable section to the allegations alleged against Sotis.

Furthermore, Sotis' sentence is disparate to others similarly situated. Compare with the following:

- *United States v. Banki*, 685 F. 3d 99 (2nd Cir 2011) IEEPA violation regarding transfer of money to and from Iran. Guideline range was 63-78 months and a 30-month sentence was imposed.
- *United States v. Francois*, 661 Fed.Appx. 587. (11th Cir. 2016) Firearms trafficking. The court imposed a 36-month sentence.
- *United States v. Reyes*, 270 F.3d. 1158, (7th Cir. 2001) Smuggling firearms outside the United States. The court imposed a 41-month sentence.
- *United States v. Vasquez*, 2018 WL 3814727 (11th Cir. 2018) Smuggling firearms outside the United States the court imposed a 46-month sentence.
- *United States v. Amirnazmi*, 645 F.3rd 564 (3rd Cir. 2011) Conspiring to

International Emergency Econ. Powers Act by selling industrial software to a state-owned Iranian company along with direct dealings with the President of Iran. The court imposed a 48-month sentence.

- *United States v. Piquet*, 372 Fed Appx. 42 (11th Cir. 2010) Violation of export control laws by exporting electronic warfare components to China. The court imposed a 60-month sentence.

Mr. Sotis' sentence is out of line. He is entitled to a sentence that is commensurate to others similarly situated.

Notably, Section 3143(b) does not use the term "sentence," it uses the phrase "term of imprisonment." This phrase means Mr. Sotis's sentence minus good conduct time and earned time credits from the First Step Act. The latter could reduce Sotis's imprisonment by up to a year (see 18 U.S.C. §3623) and he would be released before the appeal process was completed.

As Mr. Sotis's term of imprisonment would likely be less than the time required by 18 U.S.C. Section 3143(b)(1)(B)(iv), bond is appropriate.

III. Conclusion

Mr. Sotis readily fits all the criteria necessary to grant him bond pending appeal. He is not a flight risk, danger to the community, and his issues on appeal are---at a minimum---close questions that could go either way. Mr. Sotis respectfully requests this court grant him bonding pending appeal, and if necessary, up to and including a petition for certiorari.

Respectfully submitted by Peter N. Sotis on November 12, 2022



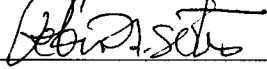
Peter N. Sotis
Reg No. 13640-018 Unit C-1
Federal Correctional Complex
PO Box 1031 (Low Custody)
Coleman, Florida 33521-1031

CERTIFICATE OF SERVICE

This document was delivered in a properly addressed envelope, in which the postage is prepaid to the US mail authorities on the same day as signed.

The original was sent to the United States District Court, Office of the Clerk at 400 N. Miami Ave, Room 8, Miami, Florida 33128

A copy of this document was sent to the United States via its attorney of record at 99 N. E. 4th Street, Miami, Florida 33132

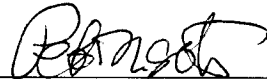


Peter N. Sotis

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 12, 2022



Peter N. Sotis

SWORN AFFIDAVIT

Before me, the undersigned authority, on this day personally approved Claudia Sotis, who upon being duly sworn, deposes and says:

My name is Claudia Sotis, and I am addressing the court on behalf of Peter Sotis.

I met my husband Peter over 12 years ago and have been married to him for over 7 years. The last 5 years or so have been quite challenging to our marriage but I stand by him because I know him to be an honorable man and a good person who is innocent. He does not deserve to be in prison especially while he is awaiting the outcome of the appeal.

Peter was out on bond from October 2019 until he voluntarily surrendered on May 13, 2022. During the 2.5 years, he conducted himself exemplarily. He met all the requirements and was even allowed to leave the country for a visit to Mexico. Upon his agreed return, he promptly surrendered his passport again. Peter did everything by the book. Even while in prison, he follows the rules and does his best to be a model citizen while incarcerated. Peter is not a flight risk, nor would he be at risk for being a "repeat offender". Peter is not a violent person and there has not been one incidence of violence reported ever since I have known him. Thus, I implore the court to allow Peter to remain on bond outside the prison until the appeal process is over and a final decision as to his fate is reached.

If the court grants this request, I will prefer that he is allowed to stay at our new home in Orlando, Florida rather than having to return to the Southern district. I relocated to be closer to him and live in a safe neighborhood in the Lake Nona region. I cannot relocate back to the Southern district, and I hope to have my husband with me rather the circumstances keeping us apart.

I am an upstanding citizen and although Peter will not need any help to abide by any requirements as stipulated by the court, I will assist if necessary.

I am a Board-certified anesthesiologist for 19 years. For the past 7+ years, I have been serving our veterans at the West Palm Beach VA Medical Center. In June 2022, I transferred to the Orlando VA Medical Center and continue to serve our veterans. I too, am a veteran having served in the United States Army.

I was deployed to Iraq during Operation Iraqi Freedom and was honorably discharged holding the rank of Major. As a military officer, I have sworn an oath to protect this country against all enemies, foreign or domestic. I am still bound by this oath and am honoring it. I do not believe that Peter would ever aid or be involved in any nefarious affairs that are against the interests of this great country. I have known Peter to respect the law and those who enforce it. Although he never served, he has been supportive to our veterans.

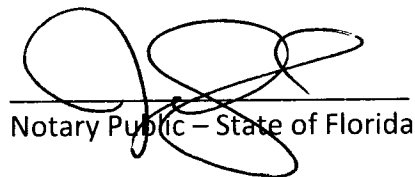
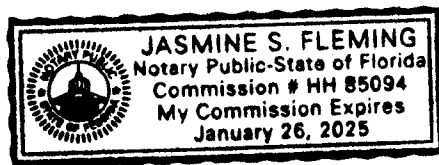
I understand that I am swearing or affirming und oath to the truthfulness of the claims made in this affidavit and the punishment for knowingly making a false statement includes fines and/or imprisonment.



Claudia Sotis MD
9920 Hartford Maroon Road
Orlando, FL 32827
540-514-2546

State of Florida
Orange County

Sworn to (or affirmed) and unsubscribed before me by physical presence on this 8 day of November, 2022.



Notary Public – State of Florida

_____ Personally know or ☒ Produced identification

Identification produced Florida Drivers License

SWORN AFFIDAVIT

Before me, the undersigned authority, on this day personally approved Mark Flory, who upon being duly sworn, deposes and says:

My name is Mark Flory and I am addressing the court on behalf Peter Sotis.

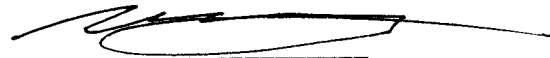
I was a small business owner for over 24 years. I also sit on the diving control board for Task Force Dagger Special Forces Foundation as a volunteer. I've been married to my wife Rebecca for over 32 years, we have three children and six grandchildren.

I met Peter 11 years ago as my closed-circuit rebreather instructor. During the CCR course I told Peter that my main dive buddy was my 15-year-old son Gage, I asked Peter if Gage could come along to sit in on the class with me and dive regular scuba with us during my open water portion of the course, Peter told me that would be no problem at all. After about a week of the CCR class and getting to know Peter better, he told me he thought my son was such a good kid he would teach him how to dive a rebreather just like mine for free so my son and I could continue to dive together. This was a very big deal for our middle-class family because the cost of this course was \$2000.00. This also was a huge confidence builder for my very quiet and shy son. One day during Gage's course we all went on a lunch break where Peter told my son Gage how nice it was to see him doing things like diving with his dad. Peter went on to say when he was young he started hanging out with the wrong crowd and made some really bad life choices with people he thought were his friends and ended up in very serious trouble. Peter was adamant to stress to Gage how important it is to choose wisely who he was friends with and who he got in a car with. Peter told Gage if he wanted to pay him back for the free CCR class he could do it by making good choices and becoming successful in life. I was really impressed that Peter would take the time to tell that story to my son and to warn him about how important it is who he hangs out with and who he calls his friends. As a parent I know how kids hear this stuff from their moms and dads often but when someone on the outside of the family like Peter had the courage and was man enough to admit his embarrassing mistakes to people he just met, it showed me he cared more about helping my son than he did his reputation. Peter earned a great deal of respect from me that day. I believe Peter's story had a very positive impact on Gage and really made him think. I talked about this story with my other kids over the years and feel it had a positive impact on all my children. Gage is now a grown man, he was medically retired as an E5 in the US Air Force and is now a Firefighter EMT in Palm Harbor Florida, he is married to a great girl and they have four kids together. My oldest daughter Christen is a Nurse, she is married to a Firefighter Paramedic and they have two children. My youngest daughter Coral is currently an Air Traffic Controller in the US Navy.

I would also like to let the court know that over the years I would on occasion receive a box of assorted dive gear for a 501C3 I volunteer with. Peter would send dive masks, dive lights etc. from his dive business to give out to any Veterans or First Responders that were in need. He would never take a letter of donation so he could write it off on his taxes, he just told me "Don't worry about, just give it to the guys". As a member of the diving control board of Task Force Dagger Special Forces Foundation, if I ever needed advice or help with planning a deep dive Peter always made himself available to us and even gave three of our members a free lecture on decompression theory.

I have faith in our legal system and know how serious this case is. I would like the court to know that I sincerely believe Peter is a good American who loves his country and would never do anything on purpose to hurt our country and would never ever do anything that would put one of our soldiers in harm's way. Peter has been a good friend to me and has been a very positive influence on my family. I strongly request that the court to grant him a release on bond pending his appeal, he has shown in the past during his pre-incarceration bond that he will follow the requirements the court asks of him. I realize this is a big ask of the court and a great privilege. I ask the court to show mercy and grace to Peter as he has watched this process devastate his family. He has lost his business, has been crushed financially and his whole family has suffered. With consideration of Peter's age I feel that bond during this process would be a better choice than incarceration, giving Peter a better chance at getting his family's life back on track.

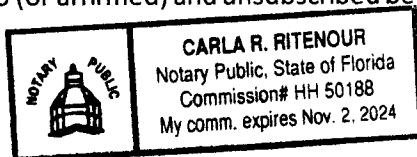
I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and the punishment for knowingly making a false statement includes fines and/or imprisonment.



Mark Alan Flory
572 Pinecrest Drive, Largo FL, 33770
727-420-6575

State of Florida
Pinellas County

Sworn to (or affirmed) and unsubscribed before me by physical presence on this 8th day of November, 2022.


Notary Public – State of Florida

 Personally know or LP Produced identification

Identification produced FIDL

SWORN AFFIDAVIT

Before me, the undersigned authority, on this day personally approved Harvey Cohen, who upon being duly sworn, deposes and says:

My name is Harvey Cohen and I am addressing the court on behalf of Peter Sotis.

I spent most of my life raising my family and running my small business in New York,. Finally, I managed to retire in 2018 and my wife and I decided to move to Boynton Beach, FL. Our daughter followed us and lives nearby. My son stayed in New York pursuing his career.

I take my dog daily to the local dog park and =this is where I met Peter Sotis and his wife Claudia. We became instant friends, as did our dogs. This led to many enjoyable times together sharing meals at our homes or at local restaurants, for almost 3 years.

My wife, Patti Cohen, and I were saddened to learn about Peter's legal problems. He told us about this situation very early on and we watched Peter and his wife, go through the entire legal ordeal that eventually led to his incarceration,. Our support for he and Claudia is without bounds and we anxiously hope for his release. It has been an inspiration to witness the devotion that Peter and his wife have committed to each other and we share in that same devotion with them.

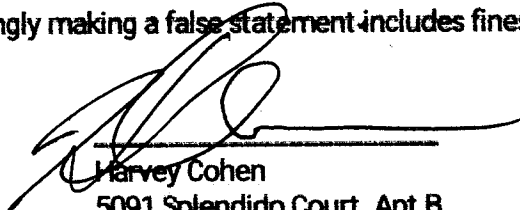
We support Peter in prison by sending him books, talking by phone and we have visited with him in prison. Peter's wife Claudia has moved to Orlando to be closer to Peter during his incarceration so we stay overnight at their home in Orlando when we visit Peter. Claudia even watches our dog while we make the visit. In short, we have become family and assist each other in every way.

With that in mind, we understand Peter is asking the court to grant him release on bond, pending his appeal. We hope the court will allow him this privilege and we have no doubt he will follow any requirements the court ask of him during his release. We know this to be true based on knowing him personally and by watching him conduct himself during the 2.5 years he was on pre-incarceration bond.

To that end, we offer out home to Peter in the event the court grants his release and prefers him to be released in his district of origin (Southern District), versus where his home is now (Middle District). We have a comfortable condominium with a spare guest suite for Peter. Our home is his home for as long as he needs it

My wife and I would like to add how much we support and believe in Peter. Over the years he has demonstrated to us sound character, even during these most difficult times, of late. We offer our home and our pledge to ensure that Peter will meet all requirements the court would require in the event of his release.

I understand that I am swearing or affirming und oath to the truthfulness of the claims made in this affidavit and the punishment for knowingly making a false statement includes fines and/or imprisonment.



Harvey Cohen
5091 Splendido Court, Apt B
Boynton Beach, FL 33437
908-216-7362

State of Florida
County of Palm Beach

Sworn to (or affirmed) and unsubscribed before me by physical presence on this 8th day of November, 2022.


Notary Public – State of Florida

☒ Personally know or ☐ Produced identification

Identification produced _____

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