

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**21-cr-78(EGS)**

**JOHN SULLIVAN**

**MOTION FOR RECONSIDERATION OF DECEMBER 6, 2021  
DENIAL OF MOTION TO RELEASE SEIZURE ORDER AND  
SUPPLEMENT TO MOTION TO RELEASE SEIZURE ORDER**

Defendant, John Sullivan, by and through undersigned counsel, does hereby respectfully seek reconsideration of the December 6, 2021 Order of this Court denying his Motion to Release Seizure Order. In support thereof, defendant submits the following information and supplements the original Motion as follows:

1. Attached hereto as Exhibit #1 is a declaration from defendant's father and employer John J. Sullivan . Mr. Sullivan reiterates that he is his son's employer and that his son is paid on a commission basis.

Unfortunately, due to COVID-19 and other factors Mr. Sullivan's business in 2021 has not been particularly lucrative. Accordingly, his son, defendant

John Sullivan, has only received commission in calendar year 2021 in the amount of \$6,700.00.

2. Attached hereto as Exhibit #2 is a Notice of Eviction for defendant at his apartment located at 567 Annaston Place, #2, Murray Utah. The eviction notice shows defendant was in arrears of his monthly rental obligation in the amount of \$495.23. The arrearage has been satisfied through funds borrowed from defendant's parents. The total monthly rent is \$1,944.32 and Exhibit #2 evidences that defendant is having difficulty paying his rent. Defendant had to sell some of his personal camera equipment to pay his rent. Defendant's parents give him \$1,000.00 a month to assist in rent payments. However, they cannot continue to provide this amount of rental assistance for much longer.

3. Attached hereto as Exhibit # 3 is a credit report from Experian. The report documents that on June 20, 2020 defendant had a credit score of 770. However, as of December 7, 2021, defendant's credit score has dropped to 559. The reason for the drop in defendant's credit score is primarily due to delinquent payments on his revolving credit card accounts. Defendant's credit score has gone from good to poor since June, 2020.

4. Attached hereto as Exhibit #4 are defendant's credit card statements for December, 2021. The statements reflect that defendant has

outstanding revolving credit card debt in the approximate amount of \$20,925.17.

5. Attached hereto as Exhibit #5 is a declaration from defendant that he has a -229.93 negative balance in his bank account with Chase Bank. Defendant has a checking account with American First Credit Union with a current balance of \$236.98 remaining. These are his only bank accounts. Defendant further declares that he has to borrow money from his parents in order to make his monthly living expenses. He has no other sources of income. The seized assets are needed for defendant to make his upcoming and on-going monthly expenses. (Defendant notes there are some minor differences between his initial financial declaration and the attached financial declaration. These minor differences are due to his changing financial obligations over the past six months).

6. With respect to his vehicles, defendant owns a 2007 motorcycle with an approximate value of \$3,000.00 and a 2014 Mercedes Benz CLA 250 with an approximate value of \$10,000.00. Defendant has not used his motorcycle since June, 2021 due to an inability to pay insurance costs. Defendant's insurance has not been paid on the car since October, 2021 and he expects that his insurance will soon be cancelled. In addition, defendant has not been able to pay registration fees on the vehicle.



7. Defendant formerly had health insurance through Blue Cross/Blue Shield. That insurance has been terminated. He cannot afford to purchase any other health insurance. Defendant has a pending application with Medicaid for health insurance submitted on December 5, 2021 and he applied for food stamps on December 5, 2021.

8. Defendant has had to borrow money from his parents to pay his electric bills, gas bills and water bills. Defendant takes prescription medications. He has to borrow funds from his parents to pay for these medications. Defendant's monthly telephone bill is approximately \$278.00. The telephone bill also has to be paid for with borrowed funds.

9. There has been a vast amount of discovery generated to date by the United States. It is anticipated that the United States will produce significant amounts of additional discovery. All of these materials must be reviewed, outlined and organized. In addition, defendant will be filing multiple additional pretrial motions that will require resolution by the Court. The United States House of Representatives is conducting an extensive inquiry into the facts surrounding the events that form the basis of the indictment. The inquiry may produce relevant and exculpatory evidence pertaining to the very significant charges in the indictment and may produce evidence relevant to affirmative defenses available to defendant.

7. Defendant emphasizes the factors detailed in Paragraph 9 as it is defendant's expectation that trial of this matter will not commence for a significant period of time and not before the House of Representatives completes its investigation. Accordingly, defendant will need a portion of his seized assets in order to pay ordinary and necessary household expenses for an extended period of time.

WHEREFORE, the foregoing considered, defendant prays this Honorable Court for reconsideration of his Motion to Release Seizure Order.

Respectfully submitted,

/s/

Steven R. Kiersh #323329  
5335 Wisconsin Avenue, N.W.  
Suite 440  
Washington, D.C. 20015  
(202) 347-0200

**CERTIFICATE OF SERVICE**



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EXHIBIT LIST

1. Affidavit of John J. Sullivan
2. Notice of eviction
3. Credit score reports
4. Credit card statement
5. Declaration of defendant

**UNITED STATES DISTRICT COURT  
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**JOHN E SULLIVAN**

**DECLARATION OF JOHN J SULLIVAN**

I, John J Sullivan, under the penalty of perjury, do hereby state and affirm as follows:

1. I am the father of John E Sullivan and I reside in Utah with my wife;
2. I am retired from the United States Military;
3. I am privately employed and employ my son John E on a commission basis. My business revenues have been slow in 2021 and I have only been able to pay John E Sullivan \$6,700 in commission fees during 2021;
4. My wife and I assist John E Sullivan with additional resources to help with his monthly living expenses. This includes money, food, house items, and other necessary items.
5. It is my understanding that John E has applied for Medicaid benefits and food stamp benefits.



6. My wife and I have limited resources and we can only continue to assist John E Sullivan with his monthly expenses for a short period of time, probably just a few more months at the most.



\_\_\_\_\_  
John J Sullivan

12/16/21  
Date

**THREE DAY NOTICE TO PAY OR VACATE**

**NOTICE IS HEREBY GIVEN OF DEFAULT OF PAYMENT**

TO: John Sullivan and all other occupants of UNIT: 657-2

OF THE FOLLOWING ADDRESS:

657 E Annaston Place #2

(STREET ADDRESS)

Murray, UT 84107

(CITY, STATE, ZIP)

**PURSUANT TO UTAH LAW YOU MUST DO ONE OF THE FOLLOWING:**

1. *Within three business days after service of this Notice, you are hereby required to pay by money order or cashier's check to the address listed below for the following:*

RENT DUE NOW: \$ 167.09

OTHER FEES & CHARGES NOW DUE: \$ 328.14

**TOTAL TO BE PAID \$ 495.23**

**OR**

2. **If payment as required is not made timely, all residents and occupants are required to vacate the above Premises within three business days.** Such Premises to be surrendered to the undersigned according to the terms of the Residential Rental Agreement and/or according to state law.

**In the event ALL Residents AND occupants fail to either vacate the Premises or pay the amounts stated above within three business days, each will be in violation of Utah Code Annotated 78B-6-801 through 816 and in unlawful detainer of the Premises.** Utah law provides for damages equal to three times the amount of rent and damages due for unlawful detainer. The undersigned will institute legal action to obtain restitution of the Premises and a judgment for all rent, damages, court costs, future rent, attorney fees, and such other sums as provided for in the rental agreement or by state law.

**This is a legal document. Please read and comply with the terms herein.**

Notices and Communications for the Owner to:

Name CVG Madrona Townhomes LLC Dated: 11/17/2021  
Address PO Box 540135, North Salt Lake, UT  
84054  
Telephone 801-251-6073  
Carrie Puzey  
Agent for «PropertyName»

**Legal Proceedings and eviction processes handled by The Law Offices of Kirk A. Cullimore**

**Return of Service**

On 11/17/2021 I swear and attest that I did serve this Notice in compliance with the provisions of Utah Code Annotated Section 78B-6-805 by:  
Delivering a copy to the tenant personally; OR

leaving a copy with a person of suitable age and discretion at tenant's place of business or residence and by mailing a second copy to Tenant at the above address; OR

affixing a copy in a conspicuous place on the above address after failing to find a person of suitable age and discretion there.

Carrie Puzey  
Agent for «PropertyName»

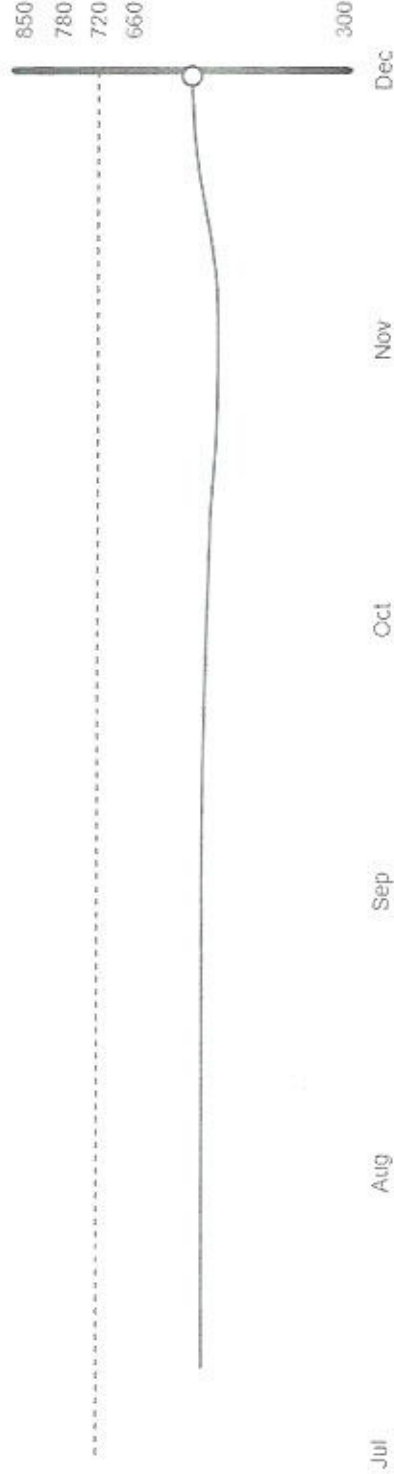
**Unsworn Declaration**

Pursuant to Utah Code 78B-18a-106, I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed on 11/17/2021

Current Score:  
No score change since

--- Over 720 is good



Prior score history

Date	Change	Score
December 7, 2021	+9	559
November 28, 2021	+34	550
November 14, 2021	—	516
October 29, 2021	-11	516
October 18, 2021	—	527
October 17, 2021	—	527
October 17, 2021	-12	527
September 19, 2021	—	539
August 30, 2021	—	539
August 22, 2021	—	539
August 16, 2021	—	539
August 3, 2021	—	539
July 29, 2021	—	539
July 25, 2021	—	539
July 22, 2021	—	539
July 17, 2021	-1	539
June 29, 2021	-1	540
June 27, 2021	—	541
June 26, 2021	—	541
June 25, 2021	-79	541
May 30, 2021	-3	620
May 21, 2021	-3	623
May 2, 2021	+3	626
April 29, 2021	+57	623
April 23, 2021	-4	566
April 1, 2021	-48	570
March 25, 2021	+1	618
March 15, 2021	+5	617

August 30, 2021	-	539
August 22, 2021	-	539
August 16, 2021	-	539
August 3, 2021	-	539
July 29, 2021	-	539
July 25, 2021	-	539
July 22, 2021	-	539
July 17, 2021	-1	539
June 29, 2021	-1	540
June 27, 2021	-	541
June 26, 2021	-	541
June 25, 2021	-79	541
May 30, 2021	-3	621
May 21, 2021	-3	621
May 2, 2021	+3	621
April 29, 2021	+57	621
April 23, 2021	-4	561
April 1, 2021	-48	571
March 25, 2021	+1	618
March 15, 2021	+5	611
February 26, 2021	-	611
February 25, 2021	-73	611
February 25, 2021	+5	685
February 18, 2021	+4	681
January 27, 2021	-4	676
January 17, 2021	+2	681
January 14, 2021	-	678
December 29, 2020	-13	678
December 19, 2020	-	691
December 18, 2020	-4	691
December 10, 2020	-6	695
November 22, 2020	-52	701
November 19, 2020	+2	753
October 22, 2020	-	751
September 25, 2020	+12	751
September 16, 2020	-7	739
September 3, 2020	-14	746
August 27, 2020	-6	760
August 1, 2020	+3	766
July 30, 2020	-6	763
July 9, 2020	-1	769
June 29, 2020	-	770



CREDIT CARD (...1372) >

**\$469.90**

Current balance

Details v

Dec 22, 2021

Next payment due

**\$35.00**

Minimum payment due

**\$469.90**

Last statement balance

**\$30.10**

Available credit

Pay card

More v



CREDIT CARD (...5495) >

**\$6,906.99**

Current balance

Details v

Dec 20, 2021

Next payment due

**\$178.00**

Minimum payment due

**\$6,830.24**

Remaining statement balance

**\$0.00**

Available credit

Pay card

More v



5% cash back (Oct-Dec) | Activate >

CREDIT CARD (...8724) >

**\$13,548.28**

Current balance

Details v

Dec 16, 2021

Next payment due

**\$313.00**

Minimum payment due

**\$13,372.49**

Last statement balance

**\$39.37**

Available credit

Pay card

More v





Open an account

Accounts Pay & transfer Investments Security & privacy

Overview

-\$229.93

Assets

\$20,925.17

Liabilities

-\$21,155.11

Estimated net worth

Assets

—

-\$229.93

Bank accounts

100.00%

-\$229.93

Investment accounts

0.00%

\$0.00

Liabilities

\$20,925.17

Credit accounts

\$20,925.17

View details

View balance sheet

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**v. 21-cr-78(EGS)**

**JOHN SULLIVAN**

**DECLARATION OF JOHN SULLIVAN**

I, John Sullivan, under the penalty of perjury, do hereby state and affirm as follows:

1. I have only received \$6,700.00 in commission fees from my father's business in 2021;
2. I currently have no other sources of income;
3. My monthly rent is \$1,944.32 I have to rely on my parents to pay my monthly rent;
4. I have had to sell some of my personal effects including camera equipment to pay expenses in 2021;
5. I have not used my motorcycle since June 2021;
6. I cannot pay the insurance on my automobile and I expect that my insurance will be canceled in the coming weeks;

6. I have a negative account balance of \$229.93 in my Chase Bank account. I have a \$236.98 balance in my First Credit Union Account. I have no other bank accounts;

7. My health insurance with BlueCross/BlueShield was canceled and I have a pending application for health insurance with Medicaid. I also have a pending application for food stamps.

8. My credit card debt is approximately \$20,925.17 and my credit rating has dropped into the poor rating of 559.

9. My monthly expenses are as follows:

a. Housing: \$1,944.32

b. Telephone: \$251.97

c. Prescription medications: \$236.58

d. Legal Fees (Pending case in Salt Lake City, Utah): \$1,000

e. Electric, Water, Gas: \$247.28

f. Food: \$400.00

g. Gas: \$260.00

h. Minimum Credit Card Payments: \$1,028.65

i. Car Insurance: \$121.34

j. Renters Insurance: \$28.30

k. Education: \$ 250.00

l. Clothing: \$100.00

m. Subscriptions: \$250.00

**TOTAL MONTHLY EXPENSES: \$6,018.44**



10: I am not able to pay my monthly expenses without funds from my parents.

A handwritten signature in black ink, appearing to read "John Sullivan", written over a light blue horizontal line.

John Sullivan

12 - 14 - 2021  
Date