

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Criminal No. 13-1877 WJ
)	
JAMIE ESTRADA,)	
)	
Defendant.)	

UNITED STATES' SENTENCING MEMORANDUM

Over three years ago, Defendant Jamie Estrada took the first step in a series of events which eventually led to his indictment and appearance before this Court. For nearly a year during that period, Defendant Estrada enjoyed being able to surreptitiously monitor the emails of his former boss, Governor Susana Martinez, as well as those of her colleagues. Later, he presumably derived pleasure from knowing that the emails he stole had been used to try to cause discomfort to individuals who had drawn his ire. For these reasons, for the victims in this case, a meaningful prison sentence would undoubtedly be viewed as being commensurate with the negative experiences that Defendant Estrada sought to inflict upon them.

Under the terms of Defendant Estrada's Federal Rule of Criminal Procedure 11(c)(1)(C) plea agreement, this Court may impose a sentence of up to 12 months and 1 day in prison. Applying the sentencing factors of 18 U.S.C. § 3553, sentencing Defendant Estrada to the higher end of that range would best reflect the seriousness of his crimes, promote respect for the law, and be a fair and just punishment in this case.

Argument

1. The nature and circumstances of the offenses

The central theme of Defendant Estrada's sentencing memorandum is the oft-repeated assertion that he is a man "of loyalty, honor, integrity and trustworthiness." Doc. 93 at 2. But the defendant's carefully orchestrated actions in covertly diverting or stealing other peoples' emails for nearly a year, arranging for the release of the stolen emails to Governor Martinez's political opponents so that they could maximize any perceived damage to individuals he viewed as his adversaries, and then lying to the FBI about his involvement in stealing the emails, are not the actions of a man of loyalty, honor, integrity or trustworthiness.

Nor do the circumstances surrounding the crimes that Defendant Estrada committed support a narrative in which an otherwise upstanding individual just happened to have a bad day, experience a momentary lapse in judgment, or make a single mistake in the heat of moment. And certainly those individuals whose stolen emails were the subject of uninvited media attention over the course of many months would not likely view the very deliberate choices that Defendant Estrada made as having only a momentary or fleeting effect.

Defendant Estrada's decision to intercept the emails was planned. The specific idea of hijacking the email accounts apparently began after Defendant Estrada was astute enough to figure out when some of his former colleagues began to contact him in July 2011 that the susana2010.com domain had expired and they apparently hoped that he would provide them with the domain password to renew it. Doc. 79 at 5. Defendant Estrada's reaction to being contacted, however, was to take to his Facebook page and post: "Beware the snakes who stab you in the back, and then call you out of thin air, all because they apparently want something from you." Exhibit 1. Another former Susana Martinez campaign staffer responded to the Facebook post,

writing: “Lack of knowledge and disorganization on their part, does not constitute an emergency on your part.” *Id.*

After divining his former colleagues’ dilemma with respect to finding themselves unable to renew the domain without the password to the domain, Defendant Estrada was also astute enough to realize that he could turn their situation to his advantage. That is because he was aware that, as a matter of policy, GoDaddy, where the domain was registered, afforded the registrant of a domain a 42-day grace period after expiration within which to renew a domain, after which the domain name would be subject to an open sale to the public. Doc. 79 at 5. Defendant Estrada had access to the domain password by virtue of having been entrusted with it when he was part of the campaign team. By usurping the exclusive right to renew the domain that rightfully belonged to the campaign, however, Defendant Estrada plotted to place himself into a position where he could secretly monitor all incoming email messages intended for any recipient who had an email account on the domain, including any private correspondence intended only for the eyes of the sitting Governor. *Id.* at 5-6.

As Governor Martinez’s former campaign manager, Defendant Estrada also knew the type of email traffic he might expect to intercept. As Defendant Estrada was aware, the domain, and its corresponding email accounts, had been established to handle political communications – including emails about political strategy, campaign finances, campaign business, and correspondence with political donors and political constituents – both sent and received by Governor Martinez and her campaign staffers. In any organization today, one could also reasonably expect any number of personnel and staffers to receive a certain percentage of private correspondence on their e-mail accounts.

The idea that Defendant Estrada arranged to spy electronically upon his former boss and

colleagues belie any suggestion that he ever had benign or honorable intentions when he chose to take that step. Defendant Estrada knew at the time he intercepted the emails “that no parties to those communications, senders or recipients or otherwise, knew of or consented to [his] interception of those communications.” Doc. 79 at 6. One does not generally assume that an individual who illegally intercepts and snoops through somebody else’s mail has honorable intentions. Indeed, evidence that agents obtained during the investigation reveals that Defendant Estrada was spiteful and angry after he separated from the gubernatorial campaign in December 2009. For example, in an email Defendant Estrada wrote to Governor Martinez’s political advisor on December 23, 2009, Defendant Estrada threatened that Governor Martinez should expect some sort of payback for how Defendant Estrada perceived that he had been treated. Specifically, Defendant Estrada warned: “I can’t understand how she wouldn’t think there are political consequences for treating me poorly or unfairly.”¹ Exhibit 2.

Although Defendant Estrada had initially volunteered to work on candidate Martinez’s campaign, before he separated from the campaign, he wanted to be paid for work he had done. Sometime in June or July 2010, Defendant Estrada was given some money for his time on the campaign. In the meantime, by the Fall of 2010, Susana Martinez was successful in her bid to become Governor, while Defendant Estrada had lost his own race to serve on the New Mexico Public Regulation Commission. He had also failed to secure a job with Albuquerque Mayor Richard Berry’s administration. Defendant Estrada apparently felt that his failing to get a job

¹ Defendant Estrada continues to challenge the notion that he was fired or dismissed from his position as Governor Martinez’s campaign manager. Doc. 94 at 1. Yet email correspondence between campaign staffers and Governor Martinez very shortly before Defendant Estrada left the campaign – in which one staffer referred to the need to “shoot the puppy” – seems strongly corroborative of Governor Martinez’s position that then-candidate Martinez had come not to trust Defendant Estrada and that she had either already resolved, or was very near resolving, to dismiss him from his position on her campaign. Exhibit 3.

with the Berry administration was a “humiliating” experience.² Exhibit 4. It was against this backdrop of already feeling humiliated that Defendant Estrada applied for a cabinet position with Governor Martinez’s new administration.

In November 2010, however, Defendant Estrada learned that he would not be hired for a position in Governor Martinez’s administration. In response, Defendant Estrada shared with a friend his “feelings of utter humiliation, betrayal, disbelief, etc.” Exhibit 5. To Governor Martinez, however, he wrote an email on November 23, 2010, expressing his disappointment at not being considered for a role in her administration. Exhibit 6. He also assured Governor Martinez that despite their apparent differences, he genuinely wanted her to succeed, and he claimed that he would “continue to pray that God provides you and Chuck with all the strength and wisdom you need as you take on this tough job.” *Id.* Notably, Defendant Estrada’s November 23, 2010, email to Governor Martinez ended with a prominent warning that “The Unauthorized Disclosure or Interception of E-Mail is a Federal Crime.” *Id.*

Contrary to the conciliatory tone of his November 23, 2010, email to Governor Martinez, however, by December 9, 2010, Defendant Estrada was already complaining in an email to another acquaintance about how he had been put on a “blacklist” by the Governor’s political consultant. Exhibit 12. In that same email, Defendant Estrada also contended that he had decided that, for his own political future, he did not think it was “wise to be a serial political appointee.” *Id.*

It is also clear from Defendant Estrada’s July 11, 2011, Facebook posting described above, that several months after writing his November 2010 email to Governor Martinez, he still

² Defendant Estrada did not elaborate upon what made his failure to land this job “humiliating.” Perhaps he viewed himself as overqualified for the job to which he had applied. Indeed, Defendant Estrada may have been hinting at this idea when explained to a friend that he was having difficulties explaining the value of his professional background to “the non-Beltway crowd” in New Mexico. Exhibit 5.

harbored resentment against her when he was contacted in an effort to obtain his help to renew the susana2010.com domain. It was at that time that Defendant Estrada decided to hijack all the campaign email accounts.

Once he made the decision to hijack the email accounts, Defendant Estrada also took very deliberate steps calculated to try to assure that, in the event the illegal interception of the email accounts was ever discovered, it would not be traced back to him. For example, to renew the domain, he used a pre-paid, gift credit card that could not be traced to him. Separate and apart from merely renewing the domain, before intercepting the emails, Defendant Estrada also set up a gmail account under the fictitious name of "Sylvia Tacori" at a false address associated with a Chipotle restaurant in Denver, Colorado. Using this gmail address Defendant Estrada then changed the settings for the domain to direct all incoming email messages intended for recipients at susana2010.com to be diverted to the new "Sylvia Tacori" account.

After he successfully arranged to take control of the domain, Defendant Estrada clearly revealed in what he had accomplished. This was demonstrated by the fact that, immediately after he took over the domain, he sent an email addressed from "Susana Martinez" [at the domain] to a person to whom he had confided beforehand about his idea of taking over the domain, with a message which read only: "Bhahahahahahahahaha!!!!" Exhibit 7. This greeting was a common catch-phrase or inside joke between these two individuals, which made the e-mail Defendant Estrada sent readily identifiable to this person as being sent from him.

For nearly a year, between July 29, 2011, when he first took over the domain, and June 15, 2012, Defendant Estrada intercepted hundreds of email messages intended for various recipients at the domain, including messages intended for Governor Susana Martinez. As charged in the indictment, the intercepted emails included personal bank statements that were

sent to a campaign staffer from the staffer's bank to her email account at susana2010.com, a private email to Governor Martinez from the Republican Governor's Association (that included a confidential fundraising, political and policy update), as well as emails relating to the Governor's underwear purchases. At no time during that nearly one-year period while he was intercepting others' emails did Defendant Estrada choose to stop his illegal conduct.

Rather, as acknowledged in his plea agreement, Defendant Estrada gave the emails he had illegally obtained to Governor Martinez's political opponents. Doc. 79 at 7. Defendant Estrada gave the stolen emails to Governor Martinez's political opponents knowing that they would be disseminated. *Id.* It is clear that Defendant Estrada's purpose in giving the illegally intercepted emails to others was so that they could be used to try to embarrass or damage Governor Martinez.

That effort took its first public turn on June 12, 2012, when Independent Source PAC ("ISPAC"), an anti-Martinez group, published one of the emails Defendant Estrada had stolen.³ Local newspapers soon began publishing stories about the stolen email. On June 29, 2012, Governor Martinez's office publicly announced that the FBI had been asked to investigate the hacking of her campaign email account.⁴ Notwithstanding Governor Martinez's announcement of an investigation, in July 2012, a second email that Defendant Estrada had illegally intercepted was reported about in the press after the stolen email was produced in connection with a State Personnel Board Meeting by a lawyer who is also a political opponent of Governor Martinez.⁵

³ The Director of ISPAC reportedly told the press that their source for the emails claimed to have purchased the domain susana2010.com in a legal auction when it expired. Justin Haworth, *UPDATED: PAC Says Leaked Martinez Emails Obtained Through Domain Auction*, Santa Fe New Mexican, September 17, 2012.

⁴ Barry Massey, *Gov. Martinez Alleges Hacking of Campaign Email*, Abqjournal.com, June 29, 2012.

⁵ Deborah Baker, *Lawyer: Gov. Involved in Dismissal*, Abqjournal.com, July 17, 2012. According to the article, the lawyer who produced the intercepted email "said that . . . the email . . . was sent to him . . . by someone he didn't know."

In the meantime, by the summer of 2012, Defendant Estrada had joined in the effort to try to defeat Amy Orlando, the Republican attorney who Governor Martinez had appointed to take the Governor's former seat as District Attorney in Dona Ana County, and who was running for election to the position. In fact, some of the emails that Defendant Estrada had illegally intercepted were from Orlando, including the email charged in Count 10 of the indictment. In that email, entitled "please help!!!!!!" Orlando requested her Facebook friends to encourage their friends to "like" her campaign site. Exhibit 13. In a series of texts on August 12, 2012, Defendant Estrada, and his confidant, who was also working with him on the campaign to defeat Orlando, made several references to material on Orlando's Facebook page. In their texts, they made fun of spelling errors on Orlando's Facebook page, talked about sending her a "flip off photo on election night" (and mused about sending a similar photo to the Governor), talked about posting an insulting comment about Orlando's spelling on Orlando's Facebook fan page (which Defendant Estrada apparently did), and Defendant Estrada ended the text exchange with the comment "OMG OMG OMG. SOMEONE OUT THERE HATES ME! Why?!? Get me more fans!!!!!!!!!!", Exhibit 14, – a clear reference to the email Defendant Estrada had illegally intercepted from Orlando.

While the text messages Defendant Estrada exchanged, and his apparent actions in posting on Orlando's Facebook page, were very childish, the texts also seem to suggest that the stolen emails apparently had been reviewed to see whether there might be anything of use to Defendant Estrada in his efforts to help try to unseat Orlando. However immature Defendant Estrada's actions may have been with respect to Facebook, one should not underestimate the power of social media in the modern era of politics.

A later exchange of texts on August 15, 2012, also revealed that Defendant Estrada

agreed with the idea that the person to whom Defendant Estrada had given the stolen emails should understand that they –meaning Defendant Estrada and his confidant-- still “call[ed] the shots” when it came to the press, as Defendant Estrada had apparently met with a member of the press without telling the person to whom he had given the emails about the meeting. Exhibit 15. This text exchange seems to undercut any suggestion by Defendant Estrada that he had settled into an entirely passive role with respect to the emails after arranging for them to be given to Governor Martinez’s political opponents.⁶ In any event, if Defendant Estrada’s text means that he had reserved the right to “call the shots” as to which emails to release publicly, then Defendant Estrada would have presumably had some say in deciding which emails that the Governor’s political opponents had released to that point, and continued to release afterwards.

Meanwhile, in an August 2012 text that Defendant Estrada wrote, he indicated “[g]etting intel here at GOP HQ about AO campaign. Got a copy of her door hanger.” Exhibit 8. In other words, Defendant Estrada’s professed integrity did not extend so far as to let the individuals from whom he was “getting intel” know that he was actually working to defeat Orlando.

In late August 2012, Defendant Estrada attended the Republican National Convention where Governor Martinez was a featured speaker. Defendant Estrada’s texts at the convention reveal that the anger he harbored toward Governor Martinez still ran high. For example, in one exchange Defendant Estrada received a text suggesting that he “should chant ‘Susana es una Tejana’ before her speech,” to which Defendant Estrada replied, “Bwhahahahahaha! I’d love to say it to her pendeja face!” Exhibit 9.

On September 19, 2012, agents from the FBI interviewed Defendant Estrada.

⁶ For example, in his sentencing memorandum, Defendant Estrada asserts that when he gave the emails to Governor Martinez’s political opponents, “he understood that the Governor’s political opponents would disseminate certain emails, though he never suspected that anyone would make all or even a large number of the emails available to the public.” Doc. 93 at 10. The text cited above seems to suggest that, at least for some period of time, Defendant Estrada did exercise some control over which stolen emails were to be released.

Presumably confident in the fact that none of his computers or electronic devices contained any evidence of what he had done, Defendant Estrada repeatedly lied to the agents and denied any involvement in intercepting the emails. The facts therefore belie any suggestion that learning about the existence of a federal investigation ever served as a catalyst for Defendant Estrada to re-think his actions and “own-up” to the authorities to what he had done.

Indeed, as this Court is well aware, even after he was indicted in May 2013, Defendant Estrada initially adopted a strongly defiant stance in his court filings, seeming to suggest that he had done nothing wrong and that he had no intention of ceasing to rely upon the emails he had stolen. For example, in one court filing, he insisted that his case was “really about the enormous political and personal consequences of the public exposure of certain emails for some of the most powerful and influential people in our state, including Governor Susana Martinez.” Doc. 36 at 1. He also asserted that he was being made a “scapegoat” by being prosecuted. *Id.* at 9.

Defendant Estrada states that he had mixed motives for doing what he did. Doc. 94 at 5. But from the time Defendant Estrada separated from the Martinez campaign, the evidence reveals what appears to be an undeniable undercurrent of fury that was directed at Governor Martinez, perhaps because Defendant Estrada perceived that he had been scorned or had not been appropriately recognized, or because she had not given him a job that he thought he deserved. Whatever the reason, it is clear that Defendant Estrada sought to try to hurt Governor Martinez in her role as Governor by releasing emails that he thought might “damage or even end Martinez’ political career.” Doc. 44 at 3.

Few among us would be willing to make our private correspondence an open book to the public. And merely because Defendant Estrada’s main target is a public figure did not mean that her email account somehow became “fair game” for Defendant Estrada to intercept. Nor did the

fact that Defendant Estrada sought to use the emails against Governor Martinez to try to damage or embarrass her politically in any way legitimize his illegal conduct. Not even in the dog-eat-dog world of politics do the ends always justify the means – and those who do choose to resort to illegal means must be prepared to suffer the consequences. Indeed, Governor Martinez was not the only person who was affected by Defendant Estrada’s actions. Others, including the individual whose bank statement was broadcast on the internet as a consequence of Defendant Estrada’s actions, were victimized by Defendant Estrada’s quest for retribution.

In sum, the nature and circumstances of the offenses weigh strongly in favor of imposing the prison sentence that the United States has requested be imposed.

2. The history and characteristics of the defendant

The Court has ample information about Defendant Estrada from which to assess this section 3553 sentencing factor. To his credit, Defendant Estrada has assembled a number of letters from friends and family to vouch for his character. Those letters include statements explaining how Defendant Estrada has been acting as a caregiver for his father and brother. The Probation Office has already addressed this aspect of Defendant Estrada’s filings in its response to Defendant Estrada’s objections to the presentence report.

Most human beings – and most defendants – have both good and bad character traits. As noted above, Defendant Estrada has friends who contend that he is a man of honor and integrity. For more than a year of Defendant Estrada’s life, however, to the extent those traits existed, they were clearly subordinated to other aspects of the defendant’s character that are far less flattering. As outlined above, during that period, Defendant Estrada was dishonest, devious, spiteful and conniving.

This Court obviously must take into account both the good and bad aspects of the

defendant's history and characteristics. Of course, in doing so, this Court should also bear in mind that the favorable terms of Defendant Estrada's plea agreement – which have capped his sentencing exposure under the guidelines – have effectively already taken into account many aspects of the positive traits in Defendant Estrada's past.

3. The need for the sentence imposed to promote respect for the law, provide just punishment, adequate deterrence and to protect the public from further crimes of the defendant

In this case, the defendant hoped to create a media firestorm at the expense of those for whom he sought retribution, while he schemed to remain covert and free from any responsibility for his actions. Ironically, by having drawn such public attention to his own crimes, Defendant Estrada underscored the importance of assuring that any sentence imposed against him should promote respect for the law, provide just punishment, and deter others from committing similar crimes.

In this matter, Defendant Estrada arranged to provide political operatives with a trove of material that he had stolen hoping that it could be used to damage or end the careers of a duly elected Governor and those who supported her. Defendant Estrada thus sought to influence the democratic process by using illegal means to act outside of it. In the internet age, one's sensitive information is constantly at risk of being compromised. Those who may be contemplating stealing such information must understand that if they are caught, they should expect to go to prison. Likewise, anyone who chooses to steal or illegally break into a political opponent's files and communications should understand that they too are at risk of serving time in prison for doing so.

4. The need for to avoid unwarranted sentencing disparities between defendants who have committed similar crimes

The guidelines calculations in this case provide a baseline for assessing the expected

sentence for a defendant who may have committed crimes similar to the crimes that Defendant Estrada committed. By that measure, Defendant Estrada has no basis for complaining about a prison sentence at the high end of the negotiated sentencing range.

In addition, when deciding Defendant Estrada's sentence, this Court may also wish to consider the sentence of a former University of Tennessee student who hacked into former Alaska Governor Sarah Palin's email account during the 2008 presidential campaign. According to media reports, in that case, Defendant David Kernell was sentenced to one year and a day in custody.⁷ Defendant Kernell was a 22-year old economics major in college when he used publicly available information about Palin to gain access to her account and reset her password. Exhibit 10. The defendant reportedly hacked into her email account because he hoped to find information that would help derail her campaign and keep her from being elected. *Id.* At sentencing, Defendant Kernell's attorneys apparently claimed that Defendant Kernell had mental development problems. Exhibit 11. While Defendant Estrada's case certainly shares similarities with several aspects of the Kernell case that would be sufficient to justify the United States' recommended sentence in this case, Defendant Estrada's more advanced age, his education and professional experience, his prior position of trust in Governor Martinez's campaign, the manner in which he hijacked the email accounts, the length of time in which he maintained control of the email accounts, and the fact that he gave the stolen emails to political operatives to assure the emails would be released, all point to even more blameworthy conduct than that in which Defendant Kernell engaged.

⁷ Bill Poovey, *Palin e-mail hacker sentenced to 1 year, 1 day*, NBCnews.com, November 12, 2010; *Sarah Palin E-mail hacker Sentenced to 1 Year in Custody*, wired.com. Copies of these news articles are attached hereto as Exhibits 10 and 11.

Conclusion

For the reasons above, the United States respectfully requests this Court to impose a sentence upon Defendant Estrada in accord with the United States' recommendation.

Respectfully submitted,

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/s/ Filed Electronically
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Certificate of Service

I HEREBY CERTIFY that on September 26, 2014, I filed the foregoing electronically through the CM/ECF system, which system is designed automatically to serve all counsel of record in this case.

/s/ Filed Electronically
Fred J. Federici
Assistant U.S. Attorney

Subject: Fw: have you seen Jamie Estrada's facebook?

Date: Wednesday, July 20, 2011 5:04:21 PM MT

From: Jay McCleskey

To: Susana Martinez

From: [REDACTED]
To: [REDACTED]
Sent: Wed Jul 20 18:50:20 2011
Subject: Re: have you seen Jamie Estrada's facebook?

Jamie Estrada

Beware the snakes who stab you in the back, and then call you out of thin air, all because they apparently want something from you.

[REDACTED]

o [REDACTED] ?
[REDACTED] Hey! All I needed was a good restaurant recommendation in LC... And also....they'll tie a nice little noose for themselves,..you won't.

8 hours ago · LikeUnlike

o [REDACTED] ?
Jamie Estrada Dawn, LOL! CALL ME! :-)

8 hours ago · LikeUnlike

o [REDACTED] ?
[REDACTED] That's even Biblical. Beware of wolves in sheep's clothing.

7 hours ago · LikeUnlike · 1 personLoading...

o [REDACTED] ?
[REDACTED] WTF happened?

7 hours ago · LikeUnlike

o [REDACTED] ?
[REDACTED] Lack of knowledge and disorganization on their part, does not constitute an emergency on yours!

6 hours ago · LikeUnlike · 4 peopleLoading...

o [REDACTED] ?
[REDACTED] one of my favoite quotes. As an NCO in the AF I used that one ALOT....

4 hours ago · LikeUnlike

o [REDACTED] ?
[REDACTED] It's shocking sometimes, the nerve some people have after insulting, back stabbing and trying to destroy someone's reputation then when they need you they are all smiles.

3 hours ago · LikeUnlike · 3 peopleLoading...

o [REDACTED] ?
Jamie Estrada [REDACTED] You couldn't have said it better!

3 hours ago · LikeUnlike

o [REDACTED] ?
[REDACTED] I use it all the time too!! Love it!

3 hours ago · LikeUnlike

o [REDACTED] ?



Subject: Re: Current Period Expenses to Date
From: "Jamie Estrada" [REDACTED]
Date: 12/23/09 8:57 AM
To: "Jay McCleskey" [REDACTED]
Reply-to: [REDACTED]

I'm back in Cruces now. This issue needs to be resolved before it gets worse.

I have said this before, but she appears to want to deliberately keep her expenses low so she doesn't have to raise as much money. And now I feel like I'm the target of the cost cutting.

I explained to her last month (Nov 17th, specifically) that I literally couldn't afford to do this without getting paid...told her I'd agree to the delay to help her COH figure look good. She even mentioned how we'd be able to do a lot of things like expand the staff once the Chase \$50K check arrives.

Anyway, I do need your help on this. You are the only one she apparently listens to. I just can't understand how she can look herself in the face and use me after I've worked my ass off for her and have done things at my expense such as flying to NM from DC three times. And I can't understand how she wouldn't think there are political consequences for treating me poorly or unfairly.

I do want to transition things appropriately but at the same time, I can't just sit here and continue to be used. It doesn't have to go poorly...

I really cannot believe this is happening....it is very upsetting especially with all that is going on.

Sent from my Verizon Wireless BlackBerry

From: Jay McCleskey [REDACTED]
Date: Mon, 21 Dec 2009 11:12:41 -0700
To: [REDACTED] jamieestrada [REDACTED]
Subject: Re: Current Period Expenses to Date

I sent this before seeing all the cross-traffic....let's discuss

On 12/21/09 11:01 AM, "Jay McCleskey" [REDACTED] wrote:

What did you and Susana settle on for salary?

On 12/21/09 10:38 AM, "Jamie Estrada" [REDACTED] wrote:

No, we delayed that until after the period. Our outstanding amount is \$16,500. The other big check that needs to be paid is my salary for these last few months.

Sent from my Verizon Wireless BlackBerry

From: "Jay McCleskey" [REDACTED]
Date: Sun, 20 Dec 2009 21:00:16 -0700



jamie [REDACTED] 00085

From: Jay McCleskey [REDACTED]
To: Moon, Jeffrey P. Jr.
Sent: Tue May 20 11:22:53 2014
Subject: FW: Free Conference Call Detail Report

From: Susana Martinez <s.m@susana2010.com>
Date: Saturday, December 5, 2009 10:45 PM
To: Adam Deguire <[ad\[REDACTED\]](mailto:ad[REDACTED])>
[REDACTED]
Subject: Re: Free Conference Call Detail Report

I am worried he can see my emails. Why get notice of call after and not b/f?

From: ad [REDACTED]
To: Susana Martinez
Sent: Sat Dec 05 23:43:40 2009
Subject: Re: Free Conference Call Detail Report

It was sent after the completion of the call.

Sent via BlackBerry from T-Mobile

From: Susana Martinez <s.m@susana2010.com>
Date: Sat, 5 Dec 2009 23:42:40 -0500
To: 'ad' [REDACTED]
Subject: Re: Free Conference Call Detail Report

So why didn't he call in?

From: ad [REDACTED]
To: Susana Martinez
Sent: Sat Dec 05 23:40:17 2009
Subject: Re: Free Conference Call Detail Report

Apparently the conference call system we use sent him a report of the call...see the very bottom chain of the email.



FBI_06006

He has it set that way.

Sent via BlackBerry from T-Mobile

From: Susana Martinez <s.m@susana2010.com>
Date: Sat, 5 Dec 2009 23:00:16 -0500
To: 'ad [REDACTED]'
Subject: Re: Free Conference Call Detail Report

How did J even know about the call?

From: a [REDACTED] <a [REDACTED]>
To: Jay McCleskey <jay [REDACTED]>; Adam [REDACTED];
Susana Martinez
Sent: Sat Dec 05 20:08:35 2009
Subject: Re: Free Conference Call Detail Report

Thanks.

Sent via BlackBerry from T-Mobile

From: Jay McCleskey [REDACTED]
Date: Sat, 05 Dec 2009 18:00:40 -0700
To: Adam D [REDACTED] Susana
Martinez<s.m@susana2010.com>
Subject: Re: Free Conference Call Detail Report

I just told him going over the donor powerpoint with susana.

On 12/5/09 5:57 PM, "Adam D [REDACTED]" wrote:

I was thinking more along the lines of the best method to shoot the puppy....

From: Adam [REDACTED]

Sent: Saturday, December 05, 2009 6:03 PM
To: Susana Martinez; Jay McClesky; Adam D [REDACTED]
Subject: Re: Fwd: Free Conference Call Detail Report

Doh!

Tell him we were discussing what to get him for christmas.

Sent via BlackBerry by AT&T

From: Susana Martinez <s.m@susana2010.com>

Date: Sat, 5 Dec 2009 19:46:50 -0500

To: 'Jay@ [REDACTED]'; 'adeguire [REDACTED]'; 'afeldmar [REDACTED]'

Subject: Re: Fwd: Free Conference Call Detail Report

Response?

From: jay [REDACTED]
To: Adam Deguire [REDACTED]
Cc: Susana Martinez
Sent: Sat Dec 05 19:40:59 2009
Subject: Fw: Fwd: Free Conference Call Detail Report
Sent from my Verizon Wireless BlackBerry

From: Jamie Estrada [REDACTED]

Date: Sat, 5 Dec 2009 19:27:14 -0500

To: Jay McClesky [REDACTED]

Subject: Fwd: Free Conference Call Detail Report

So...what was this about?

----- Forwarded message -----
From: <noreply@freeconferencecall.com>
Date: Sat, Dec 5, 2009 at 7:05 PM
Subject: Free Conference Call Detail Report
To: jamie@ [REDACTED]

Thank you for using our Free Conference Call service. Below you will find the details for your conference call. If you have any questions regarding this email, please call (877) 482-5838 or contact customer support at services@freeconferencecall.com <<mailto:services@freeconferencecall.com>>. Have a nice day!

Free Conference Call
PO Box 41069 Date: 12/05/2009
Long Beach, CA 90853-1069 Statement #: 27826960
Tel: 877-482-5838 Dial-in Number: (218) 862-1000
Fax: 562-437-1422 Access Code: 664078

Free Conference Call Detail Report:

Call Date	Calling Number	Start Time	End Time	Total Minutes
12/05/2009	505-897-0975	6:14:11 PM	6:59:28 PM	46
12/05/2009	505-850-6575	6:15:15 PM	6:59:28 PM	45
12/05/2009	602-570-7650	6:14:42 PM	6:59:32 PM	45
12/05/2009	575-496-0938	6:21:44 PM	6:59:34 PM	38

Total Minutes: 174
Number of Callers: 4

NOTE: All times in Eastern Standard Time

Quick Links: Conference Download

<[http://www.freeconferencecall.com/mediadownload.asp?accesscode=664078&phonenumber=\(218\)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com](http://www.freeconferencecall.com/mediadownload.asp?accesscode=664078&phonenumber=(218)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com)> | Refer a Friend <[http://www.freeconferencecall.com/referinfo.asp?accesscode=664078&phonenumber=\(218\)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com](http://www.freeconferencecall.com/referinfo.asp?accesscode=664078&phonenumber=(218)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com)> | Change Account <[http://www.freeconferencecall.com/editaccount.asp?accesscode=664078&phonenumber=\(218\)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com](http://www.freeconferencecall.com/editaccount.asp?accesscode=664078&phonenumber=(218)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com)> | Stop Statements <[http://www.freeconferencecall.com/suppressemail.asp?accesscode=664078&phonenumber=\(218\)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com](http://www.freeconferencecall.com/suppressemail.asp?accesscode=664078&phonenumber=(218)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com)> | Submit Trouble Ticket <[http://www.freeconferencecall.com/troubleticket.asp?accesscode=664078&phonenumber=\(218\)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com](http://www.freeconferencecall.com/troubleticket.asp?accesscode=664078&phonenumber=(218)+862-1000&passcode=249903&name=Jamie+Estrada&email=jamie@jamieestrada.com)>

Sunday, February 17, 2013 1:45 AM

Subject: FW: Transition advice

Date: Tuesday, November 9, 2010 10:19 AM

From: Susana Martinez [REDACTED]

To: Jay McCleskey [REDACTED]

Why did he think the experience with Mayor Berry was humiliating? Being disconnected should be more humiliating! Has he submitted his application via the website?

From: Jay McCleskey [mailto:[REDACTED]]

Sent: Sunday, November 07, 2010 12:45 PM

To: Susana Martinez

Subject: FW: Transition advice

----- Forwarded Message

From: Jamie Estrada [REDACTED]

Date: Sun, 7 Nov 2010 12:31:18 -0700

To: Jay McCleskey [REDACTED]

Subject: Transition advice

Hey...so, since I couldn't get you by phone, I thought I'd send a note.

I'd like to apply, but I don't want this to be a humiliating repeat of last year with Berry (I've had enough of that for one year). It would be helpful to know my chances for econ dev.

--JE

----- End of Forwarded Message



Page 1 of 1

JM_0016

Subject: Advice
From: Jamie Estrada
Date: 11/21/10 9:31 AM
To: [REDACTED]

Hi [REDACTED]

Well, it's been a VERY difficult week, to say the least, e.g, the feelings of utter humiliation, betrayal, disbelief, etc. I appreciate your honesty and I know you can't do anything to affect the situation between me and Martinez, but it is what it is. Now I just need to recalibrate and forge ahead.

I'm seeking some advice from you on how I might be able to approach [REDACTED] for some career counseling and résumé re-tooling. Given her corporate HR background, I think she may be the best person who can consult me.

Here's my problem statement: With over 15 years of experience (2/3 Intel, 1/4 government with a run for office thrown in the mix), I don't really feel my résumé tells a "story." Especially in this economy, it's been hard for me to sell myself back to the corporate world (e.g. why did you leave Intel for Commerce? How does Commerce experience help XYZ company? You have a top-tier MBA...so why did you go to work for the federal govt of all places?). These are difficult things to explain for the non-Beltway crowd. Those folks pretty much "get it," but outside of that bubble, translating this experience is very difficult.

Complicating this is my Commerce experience -- a dept. that many folks find obscure. I have found that it just isn't focused enough for some folks. Energy companies, for example, might value DOE experience and have trouble understanding how Commerce adds value or is helpful.

Normally, I'd approach [REDACTED] outright, but given her role on the transition team and that folks on her committee have promoted my name, I'm really concerned about how to explain myself. I don't know exactly what she knows about my situation with Martinez.

So, I'd really appreciate your thoughts on how to best go about this.

Thanks in advance,
--JE

Jamie Estrada
[REDACTED]
[REDACTED]



Subject:

From: Jamie Estrada

Date: 11/23/10 5:14 PM

Dear Susana,

I was disappointed to learn last week that you will not consider me for a role in your administration. While I cannot affect how you feel about me, I am sad and surprised that you see me in such a negative light.

I really hoped that our conflict last year was behind us. I understand that isn't necessarily the case, at least from your perspective. I also have heard that my recent business dealings with one of your primary election rivals might be perceived as being disloyal to you. If that's the perception, I must say that it isn't reality.

If there is something that I have said or done, I'd like the opportunity to either apologize or set the record straight. I am not seeking anything other than full reconciliation, if that's possible.

Please know that despite all of this, as New Mexican I genuinely want you to succeed. As I have in the past, I will continue to pray that God provides you and Chuck with all the strength and wisdom you need as you take on this tough job.

Best regards,
--Jamie

Jamie Estrada
[REDACTED]

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jamie@jamieestrada.com_00161

Subject: What up?
From: Susana Martinez
Date: 7/29/11 2:51 PM
To: [REDACTED]

Bhahahahahahahahaha!!!!



[REDACTED] 0010

What up?

Subject: What up?

From: Susana Martinez <susana.m@susana2010.com>

Date: 7/29/11 2:51 PM

To: [REDACTED]

Delivered-To: [REDACTED]

Received: by 10.231.167.194 with SMTP id r2cs183202iby; Fri, 29 Jul 2011 13:51:26 -0700 (PDT)

Received: by 10.224.190.4 with SMTP id dg4mr1564305qab.150.1311972685995; Fri, 29 Jul 2011 13:51:25 -0700 (PDT)

Return-Path: <susana.m@susana2010.com>

Received: from mail-qy0-f182.google.com (mail-qy0-f182.google.com [209.85.216.182]) by mx.google.com with ESMTPS id dm6si1213575qab.25.2011.07.29.13.51.24 (version=TLSv1/SSLv3 cipher=OTHER); Fri, 29 Jul 2011 13:51:24 -0700 (PDT)

Received-SPF: softfail (google.com: domain of transitioning susana.m@susana2010.com does not designate 209.85.216.182 as permitted sender) client-ip=209.85.216.182;

Authentication-Results: mx.google.com; spf=softfail (google.com: domain of transitioning susana.m@susana2010.com does not designate 209.85.216.182 as permitted sender) smtp.mail=susana.m@susana2010.com

Received: by mail-qy0-f182.google.com with SMTP id 38so2954235qyk.6 for [REDACTED]; Fri, 29 Jul 2011 13:51:24 -0700 (PDT)

MIME-Version: 1.0

Received: by 10.229.31.202 with SMTP id z10mr1344051qcc.260.1311972684473; Fri, 29 Jul 2011 13:51:24 -0700 (PDT)

Received: by 10.229.230.212 with HTTP; Fri, 29 Jul 2011 13:51:24 -0700 (PDT)

X-Originating-IP: [216.31.88.67]

Received: by 10.229.230.212 with HTTP; Fri, 29 Jul 2011 13:51:24 -0700 (PDT)

Message-ID: <CAPdhU8BDNW=G5e1Gjw48DW_odh9N_ooVwbxX5ZukQdAQjjq_zQ@mail.gmail.com>

Content-Type: multipart/alternative; boundary=0016368322a4d0268704a93b7109

Bhahahahahahahahaha!!!!

[REDACTED]

DEFENDANT EIRLANDA

iPhone Extraction Utility F1

[REDACTED]	08/21/2012	[REDACTED]	DEO	Sent
[REDACTED]	22:24:51	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	11:35:35	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	11:45:40	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	12:01:44	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	12:05:50	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	12:05:52	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	12:18:31	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	12:18:40	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	12:20:48	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	12:20:52	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	12:24:02	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	12:25:04	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	12:27:00	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	12:27:24	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	12:28:15	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	12:29:20	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	14:18:52	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	19:25:50	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	19:27:28	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	19:31:44	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	19:53:13	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Sent
[REDACTED]	19:55:12	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	19:55:12	MDT		
[REDACTED]	08/22/2012	[REDACTED]	DEO	Recv
[REDACTED]	19:55:44	MDT		

Yeah I'll need it

Getting intel here at COP HQ about AO campaign. Got a copy of her door hanger.

H-O-R-R-I-E-L-EBLIIIH IT'S total sheet

So victory is starting phone banking. They are asking candidates to come in and own a night. Other candidates are doing it but Amy is just barely starting. The victory guy told me that her crew is "a little green...they don't have 'hair' act together yet". Maybe [REDACTED] coming on board is perfect timing.

But he was like "she's such a great candidate. blah blah blah"



Top

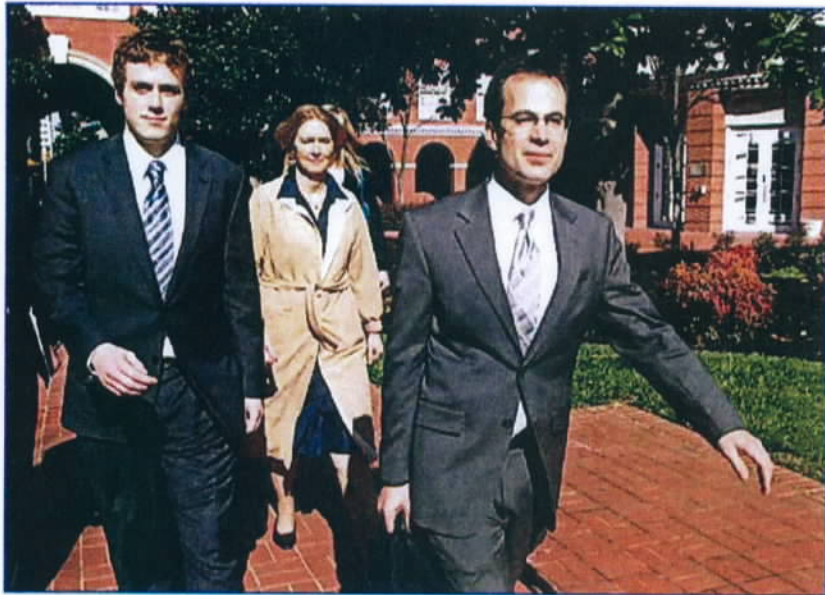
DEFENDANT ESTRADA

[REDACTED]

Address	Date	Received Text	Sent Text	Replace	Sent / Recv	Service Center	Contact
[REDACTED]	08/28/2012 14:00:18 MDT		Got the lowdown from my friend [REDACTED] who is working with SM on her speech. A little nervous and she said it seemed like "Jay and those around her" we're making here more nervous. But she does expect her to do really well. :-/ They are using those "frames" behind the podium to display pics that are a part of her life story Apparently pic Baby Brianna is going to appear! Ugh.	0E0	Sent		
[REDACTED]	08/28/2012 14:01:04 MDT	she needs to find a new angle....that one is getting worn out		0E0	Recv		
[REDACTED]	08/28/2012 14:03:12 MDT	Not to the country. They r gonna exploit that story and it will make her look like a rock star. Ugh. She's gonna cry. I'm calling it now		0E0	Recv		
[REDACTED]	08/28/2012 14:03:12 MDT	And doesn't surprise me about those around her making her nervous.		0E0	Recv		
[REDACTED]	08/28/2012 14:03:32 MDT		Yep all predictable.	0E0	Sent		
[REDACTED]	08/28/2012 14:52:16 MDT		You should chant "Susana es una Tejana" before her speech ??	0E0	Recv		
[REDACTED]	08/28/2012 14:52:16 MDT	??		0E0	Recv		
[REDACTED]	08/28/2012 14:53:46 MDT		Bwhahahahaha! I'd love to say it to her pendeja face!	0E0	Sent		
[REDACTED]	08/28/2012 14:56:32 MDT	I'm in!!		0E0	Recv		
	08/28/2012	[REDACTED]					



0
Tweet (0)
8+1 2



David Kernell, the former Tennessee student convicted of hacking into Sarah Palin's personal e-mail account, was sentenced on Friday to one year in custody.

Kernell, 22, was convicted earlier this year of misdemeanor computer intrusion and a felony count of obstruction of justice. The jury found him not guilty of a wire-fraud charge and hung on a fourth charge for identity theft, after four days of deliberating.

The convictions carried a maximum sentence of 20 years in custody and a possible fine of up to \$250,000. Federal sentencing guidelines recommend a sentence of between 15 and 21 months in prison. The government was seeking 18 months, but Kernell's attorney asked the court to forgo a prison sentence and give his client probation instead.

Kernell was sentenced to one year and one day in custody and three years of probation. Federal Judge Thomas W. Phillips recommended that his sentence be served in a halfway house in Tennessee, although his destination will be determined by the federal Bureau of Prisons. The judge also recommended that Kernell get mental health treatment. According to court filings, Kernell had suffered from depression since the age of 11.

Kernell smiled when he heard the announcement, according to the Associated Press. Before the judge announced his sentence, Kernell apologized to Sarah Palin and said he was aware that his action would affect him for the rest of his life.

Kernell, son of Democratic Tennessee state representative Mike Kernell and Army Lt. Col. Lillian Landrigan, was found to have deleted evidence from his hard drive to thwart investigators, which was the most serious charge.

Threat Level [broke the story in September 2008](#) that someone using the name "Rubico" had obtained access to Palin's personal Yahoo e-mail account. Palin was then running for vice president on the Republican ticket. Kernell got into the account by [using publicly available information](#) — such as Palin's birthdate and postal ZIP code — to reset the password to "popcorn" and gain control of her account.

Photos taken from the account — including two pictures of Palin's children — and five screen shots of e-mail messages were then posted on 4Chan and Imageshack. Bloggers quickly traced "Rubico" to Kernell.

Kernell, a University of Tennessee economics student at the time, had targeted Palin, he wrote in comments online, because he'd hoped to find information that would help derail her campaign and prevent her from being elected.

Although Kernell never found information in the account that was damaging to her campaign, the hack did show that Palin used her personal e-mail account to conduct official Alaska state business. Critics had accused the Alaska governor and her staff of using personal e-mail accounts to avoid public oversight.

Palin called the hacking of her Yahoo e-mail account "[the most disruptive and discouraging](#)" incident in that year's presidential campaign. She and her daughter Bristol testified at Kernell's trial that the hacking had caused the family emotional distress.

Kernell's attorney, in seeking probation for his client, argued that although Kernell might have deleted evidence, he didn't destroy the computer entirely or get rid of it.

"The proof showed that Mr. Kernell very quickly took actions that resulted in the evidence being preserved," defense attorney Wade Davies wrote. He also said that his client's behavior was an "aberration" from his normal conduct and that the "public humiliation, trial and felony conviction" his client had endured were enough to deter him from future crimes.

"General deterrence has been achieved in this case by educating the public that accessing another's e-mail account is conduct that violates federal law," Davies wrote.

David Kernell, left, leaves the Federal Courthouse with his mother, Lt. Col. Lillian Landrigan, center, and attorney Wade Davies, right Friday, Nov. 12, 2010 in Knoxville, Tenn. (AP Photo/Wade Payne)

See Also:



Palin e-mail hacker sentenced to 1 year, 1 day

Palin hacker sentenced to year in custody

Recommended 0

Tweet 1

8+1 0

Judge recommends he serve time in a halfway house, not prison

By **BILL POOVEY**

Associated Press

updated 11/12/2010 7:39:19 PM ET

KNOXVILLE, Tenn. — A former University of Tennessee student who hacked into Sarah Palin's e-mail account during the 2008 presidential campaign was sentenced Friday to a year and a day in custody, with the judge recommending a halfway house instead of prison.

The sentence by U.S. District Judge Thomas W. Phillips fell short of the 18 months in prison sought by federal prosecutors to send a message to would-be hackers during political campaigns. But it went beyond the probation recommended by defense attorneys for 22-year-old David Kernell. The additional day of his sentence will make him eligible for a reduced sentence for good behavior.

Phillips said Kernell should get mental health treatment, based on Friday comments from his defense that he has had conditions including depression since he was 11.

Kernell hugged family members and friends after hearing the sentence but declined comment as they left the courthouse with his attorney. Kernell apologized during the hearing.

"I am not going to make any kind of excuses," he said. "I'd like to apologize to the Palin family."

"For the rest of my life I am going to be ashamed, feel guilty for what I have done," he said.

Palin, who did not attend the sentencing, previously declined comment about Kernell's punishment and said it should be up to the judge. Her attorney did not answer an e-mail Friday seeking comment.

A jury in late April convicted Kernell of unauthorized access to a protected computer and destroying records to impede a federal investigation. Jurors acquitted him of wire fraud and deadlocked on an identity theft charge. He was an economics major when he deduced the answers to security questions and intruded into Palin's private e-mail account weeks before the 2008 election.

The former Alaska governor and her daughter Bristol testified at the trial that the hacking, followed by Kernell's online bragging and providing a password and Palin family telephone numbers to others, caused them emotional hardship.

Palin and her daughter submitted victim impact statements. The chief of the U.S. Probation Office in Knoxville declined a request from The Associated Press to view the document.

Prosecutors in a pre-sentence filing said Kernell, a Democratic legislator's son, had posted online that he found "nothing that would derail her campaign as I had hoped, all I saw was personal stuff, some clerical stuff from when she was governor ... And pictures of her family ... I read everything, every little Blackberry confirmation ... all the pictures, and there was nothing..."

Assistant U.S. Attorney Mark Krotoski told the judge the case is unique, with no theft of identity or stealing property but rather an attempt to "influence the democratic process."

"He wanted to derail a national campaign," Krotoski said. "The only reason he failed was because he found nothing incriminating in the account."

Krotoski said the punishment sentence should deter anyone else who might attempt such hacking in the 2012 elections.

"The message should be clear. You should be subjected to prison time," he said.



David Kernell, right front, walks to the Federal Courthouse with his mother, Lt. Col. Lillian Landrig on Friday.

Top politics news

Animated Boehner: "There's nothing complex about the Keystone Pipeline!"

House Speaker John Boehner became animated Tuesday over the proposed Keystone Pipeline, castigating the Obama administration for not having approved the project yet.

Budget deficits shrinking but set to grow after 2015

Senate readies another volley on unemployment aid

Obama faces Syria standstill

Fluke files to run in California

Christie acknowledges federal subpoena

Obama says Fox News's O'Reilly 'absolutely' unfair in extended interview

Christie security officer hit with shoplifting charges

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Davies, in asking for probation, told the judge there was no criminal intent or planning and the hacking was "just something that happened on the spur of the moment."

The judge said in announcing his decision that a "firm, but not reactionary, sentence is required in this case."

A statement on Palin's Facebook page after the trial compared the case to the 1972 Watergate break-in at Democratic headquarters that eventually led to President Richard Nixon's resignation.

"As Watergate taught us, we rightfully reject illegally breaking into candidates' private communications for political intrigue in an attempt to derail an election," the Facebook post said.

Defense attorneys said Kernell had mental health conditions, which were not brought up at his late-April trial.

"Mr. Kernell's development doesn't necessarily correspond with other people who were born the same year he was," defense attorney Wade Davies said during the sentencing hearing. Davies said an evaluation has shown that Kernell was "trying to make adult decisions from a child's perspective."

Kernell will be allowed to report for the sentence when the Bureau of Prisons decides whether to accept the judge's recommendation that he be sent to the Midway Rehabilitation Center.

"They usually take the recommendation but they are not required to," the judge said.

The judge said the maximum possible penalty for destroying or concealing records to impede an investigation is 20 years, and that applying the guidelines to Kernell, the penalty range was between 15 months and 21 months.

Phillips said during the hearing that the sentence was not based on any victim's notoriety.

"The importance of privacy, regardless of the individual, needs to be protected," he said.

Kernell's father, state Rep. Mike Kernell of Memphis, did not attend the sentencing but afterward told The Associated Press in Nashville that he has "serious respect for the judge's decision and the time he took to make it."

The chief prosecutor in the case, Assistant U.S. Attorney Greg Weddle, said after the hearing that he was satisfied with the sentence.

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g+ 0

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Best 5 Credit Cards with No Interest to Help You Get out of Debt (NextAdvisor Daily)

10 of The Most Evil Women In History (RankLifeStyle)

More from NBCNews.com

Grand Jury probes police shooting of unarmed black man at Wal-mart (TheGrio)

Mama June and Sugar Bear of 'Honey Boo Boo' have called it quits (TODAY)

Joan Lunden appears on People magazine cover bald and beautiful (TODAY)

Sheriff: Deputies visited victim before 4 slain (NBC News)

Why Your Workplace Wellness Program Is Unhealthy (NBC News)

Prosecutor: 3 babies' bodies found in filthy house (NBC News)

[?]

Subject: Re: our new address

From: Jamie Estrada

Date: 12/9/10 12:22 PM

To: [REDACTED]

Thanks!

Well, I have a story or two for you. I'm not going to work for or help Susana. Found out that one of her political consultants who she is overly reliant on has put me on a "blacklist" because I am working on some business projects with one of Susana's primary rivals. Why this is an issue is beyond me, since her rival wasn't even a threat to her. Nonetheless, this petty behavior is scary....and it tells me everything I need to know about where things are going.

Besides, for my own political future, I don't think it's wise to be a serial political appointee. I'd rather spend my time trying to make money that isn't tied to government work.

So, I'm revving up the consulting plan for 2011. One of the things I really want to work on is grassroots advocacy for the FTAs if they come before Congress next year. I think there's a lot me and my business partners can do in the Western U.S. So, if you have ideas on how I can go about this, I'm all ears (I've already reached out to the Chamber, NAM, etc).

How are things for you guys?

--JE

Jamie Estrada
[REDACTED]
[REDACTED]

On Thu, Dec 9, 2010 at 12:07 PM, [REDACTED] wrote:

[REDACTED]
[REDACTED]

hope all is absolutely fabulous! how is the Governor's transition proceeding?

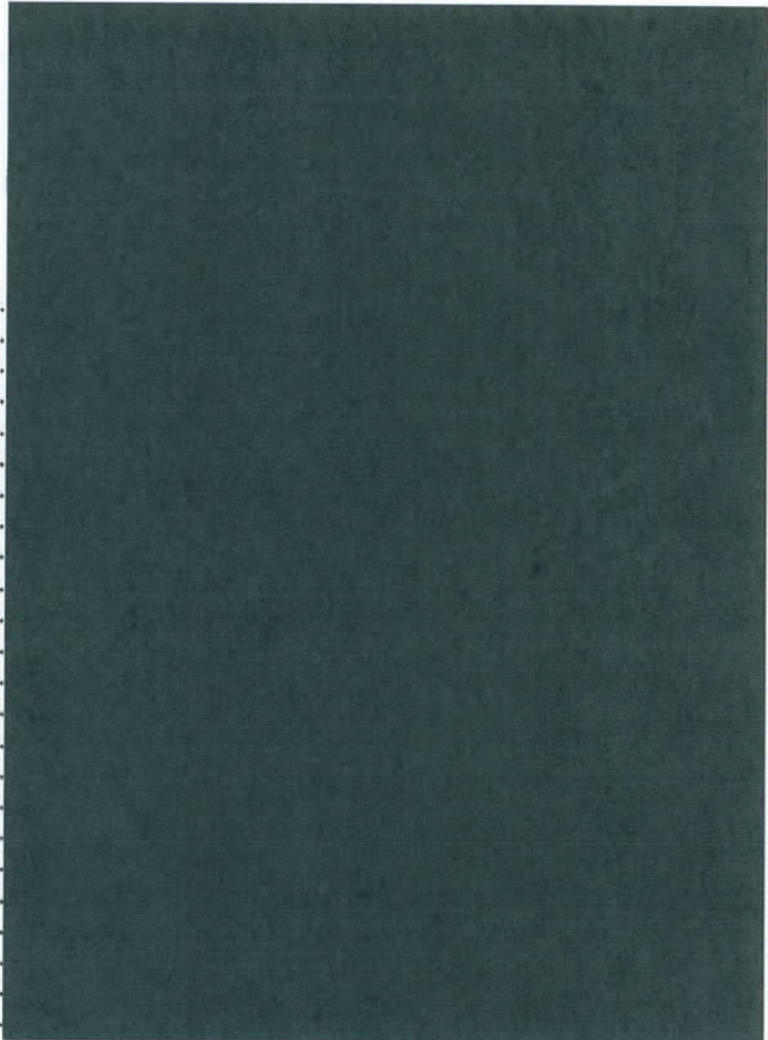


please help!!!!!!

From: AMY ORLANDO <amyorlando@msn.com>

Sent: 4/26/2012 6:15:08 PM +00:00

To: 1.
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Subject: please help!!!!!!



I need your help!! Mark D'antonio now has a campaign facebook. the message below is on his normal face book posted by his sister!!!! I cant let him beat me in friends on the campaign site. Can one of you please go on my FB and post a similar looking message leading people to my campaign face book site?

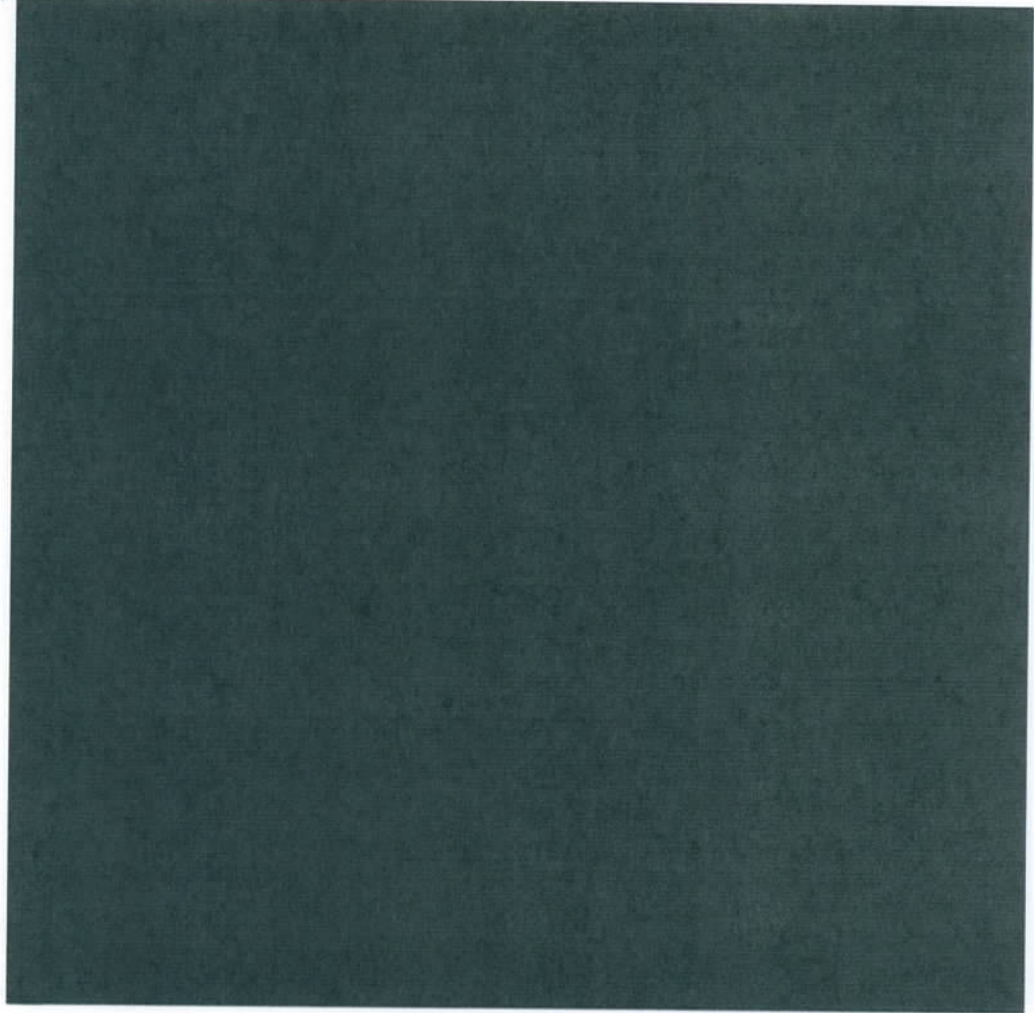
I also need you to post on your face books asking your friends to "like" my campaign face book.

my campaing face book is Elect Amy Orlando.

Please Help!!!!!!!!!!!!!!!

Hola FB Friends and family!! Thank you to those of you who went to Mark D'Antonio's FB for his run for D.A. in DA county page and hit LIKE....it is much needed and appreciated!!! To those of you who haven't had a chance yet, pls go to the site and hit like ...perhaps leave a post. If you have ANY friends in Dona Ana county county, PLEASE forward them the page. We can't do it w/o y'all!!!! Thank you so very much!

Message Headers:



08/12/2012 16:51:44 MDT So exciting!!!

08/12/2012 20:31:35 MDT

08/12/2012 20:33:36 MDT LMFAD!!!

08/12/2012 20:33:52 MDT

08/12/2012 20:35:44 MDT OMC!!! What a stupid bitch!! Can we please do a mailer just on that!??

08/12/2012 20:35:44 MDT

08/12/2012 20:35:44 MDT Lmaol

08/12/2012 20:37:00 MDT

08/12/2012 20:37:52 MDT

08/12/2012 20:37:52 MDT ROTFLMFAD!!!!

08/12/2012 20:37:52 MDT Hahaahh!! Totally!

08/12/2012 20:38:15 MDT

08/12/2012 20:39:41 MDT

08/12/2012 20:40:00 MDT Me toooooo!!! And SM's too!!!

08/12/2012 20:40:00 MDT Well we will have to! Hahah

08/12/2012 20:41:36 MDT

08/12/2012 20:42:08 MDT

08/12/2012 20:42:48 MDT

08/12/2012 20:46:24 MDT

08/12/2012 20:49:02 MDT

08/12/2012 20:55:06 MDT

08/12/2012 20:56:07 MDT

08/12/2012 20:59:12 MDT Yeah I was just Looking at that

08/12/2012 21:09:52 MDT

AO unfriended me, Hahabahaha

But her fucking wall is open! Go look what she posted about the sun news "endorsement" (her spelling)

We should comb through the entire page and find all her stupid posts!

The aug 4 one about he bring at the downtown mall every saturday. I ought to make it a point to show up one day!

I cannot wait till we rub her ugly slut face in her own shit!!!

I swear...it would be nice for you me and [redacted] to send her a flip off photo on election night!

[redacted]

[redacted]

Go look at her fan page and the comments about the sun news. Clearly the oped got under her skin!

She got a positive comment on her treasury post from Cervantes's wife [redacted]

It was the child support press release. Of course it came from SM and quotes AO and Chandler!



MDT	Text	MDT	Text
08/12/2012 21:11:34 MDT	[REDACTED]	08/12/2012 21:11:34 MDT	[REDACTED]
08/12/2012 21:12:00 MDT	[REDACTED]	08/12/2012 21:12:00 MDT	[REDACTED]
08/12/2012 21:14:18 MDT	[REDACTED]	08/12/2012 21:14:18 MDT	[REDACTED]
08/12/2012 21:15:37 MDT	[REDACTED]	08/12/2012 21:15:37 MDT	[REDACTED]
08/12/2012 21:16:02 MDT	[REDACTED]	08/12/2012 21:16:02 MDT	[REDACTED]
08/12/2012 21:16:16 MDT	[REDACTED]	08/12/2012 21:16:16 MDT	[REDACTED]
08/12/2012 21:16:16 MDT	I wanted to comment on AO's page when she asked for tips. I wanted To say, learn how to spell!	08/12/2012 21:16:16 MDT	[REDACTED]
08/12/2012 21:16:16 MDT	[REDACTED]	08/12/2012 21:16:16 MDT	[REDACTED]
08/12/2012 21:16:24 MDT	[REDACTED]	08/12/2012 21:16:24 MDT	[REDACTED]
08/12/2012 21:17:35 MDT	[REDACTED]	08/12/2012 21:17:35 MDT	[REDACTED]
08/12/2012 21:18:24 MDT	[REDACTED]	08/12/2012 21:18:24 MDT	[REDACTED]
08/12/2012 21:19:43 MDT	[REDACTED]	08/12/2012 21:19:43 MDT	[REDACTED]
08/12/2012 21:20:03 MDT	[REDACTED]	08/12/2012 21:20:03 MDT	[REDACTED]
08/12/2012 21:20:32 MDT	Bhahahahahahahaha!!!	08/12/2012 21:20:32 MDT	[REDACTED]
08/12/2012 21:20:32 MDT	[REDACTED]	08/12/2012 21:20:32 MDT	[REDACTED]
08/12/2012 21:20:32 MDT	[REDACTED]	08/12/2012 21:20:32 MDT	[REDACTED]
08/12/2012 21:26:23 MDT	[REDACTED]	08/12/2012 21:26:23 MDT	[REDACTED]
08/12/2012 21:26:56 MDT	Lol Yupi	08/12/2012 21:26:56 MDT	[REDACTED]
08/12/2012 21:29:06 MDT	[REDACTED]	08/12/2012 21:29:06 MDT	[REDACTED]
08/12/2012 21:30:26 MDT	[REDACTED]	08/12/2012 21:30:26 MDT	[REDACTED]
08/12/2012 21:31:12 MDT	[REDACTED] is password. U want to get on? Hahaha	08/12/2012 21:31:12 MDT	[REDACTED]
08/12/2012 21:31:28 MDT	[REDACTED]	08/12/2012 21:31:28 MDT	[REDACTED]

HAHAHAHAHA That's what I was thinking too!!!

I wanted to post, well if you talk like you spell then you're already fucked!

Himmmmm. I might just do this!

Himmm. Maybe this is a job for Alicia Brennan

Do It!

Yes I'll do it. What's the login?

DEFENDANT ESTIMATA

Phone Extraction Utility F: 1

[REDACTED]	08/12/2012 21:32:08 MDT	Got it. Hahahahaha.	OED	Sent
[REDACTED]	08/12/2012 21:32:22 MDT	I'll do it before I get to bed.	OED	Sent
[REDACTED]	08/12/2012 21:32:51 MDT	We will see how long it takes for her [REDACTED] delete it!	OED	Sent
[REDACTED]	08/12/2012 21:33:20 MDT	Have fun!	OED	Recv
[REDACTED]	08/12/2012 21:33:20 MDT	Hahahaha!	OED	Recv
[REDACTED]	08/12/2012 21:33:20 MDT	Aliciabrennanm@gmail	OED	Recv
[REDACTED]	08/12/2012 21:33:14 MDT	I may say "screwed" vs "fucked". And with a smily. That way it won't look too obvious. Hahaha	OED	Sent
[REDACTED]	08/12/2012 21:33:08 MDT	Yeah def	OED	Sent
[REDACTED]	08/12/2012 21:33:30 MDT	Excac ly! She may think its coming from her other enemies	OED	Sent
[REDACTED]	08/12/2012 21:33:38 MDT	Of which there are many	OED	Sent
[REDACTED]	08/12/2012 21:33:44 MDT	Yes, just be careful starting off. I think the spelling comment is sufficient for now	OED	Recv
[REDACTED]	08/12/2012 21:33:44 MDT	Don't want to throw up red flags too quick	OED	Recv
[REDACTED]	08/12/2012 21:33:44 MDT	Exactly!	OED	Recv
[REDACTED]	08/12/2012 22:04:37 MDT	Done	OED	Sent
[REDACTED]	08/12/2012 22:05:20 MDT	Bhahahahahahaha!!	OED	Recv
[REDACTED]	08/12/2012 22:06:54 MDT	Fan	OED	Sent
[REDACTED]	08/12/2012 22:07:28 MDT	Looking now! Did U do fan page or her page?	OED	Recv
[REDACTED]	08/12/2012 22:08:39 MDT	Bhahahahaha!!	OED	Sent
[REDACTED]	08/12/2012 22:08:36 MDT	ROTFLEMAO!!!! Seriously can't stop laughing!!!!	OED	Recv
[REDACTED]	08/12/2012 22:10:00 MDT	Me ether!!!!	OED	Sent
[REDACTED]	08/12/2012 22:11:28 MDT	OMG OMG OMG. SOMEONE OUT THERE HATES ME!! Why?? Cut me more fans!!!!!!	OED	Sent
[REDACTED]	08/12/2012 22:11:44 MDT	Talk about taking the wind out of her sail! Hahaha	OED	Recv
[REDACTED]	08/12/2012 22:11:44 MDT	Bhahahahahahaha	OED	Recv
[REDACTED]	08/12/2012 22:13:13 MDT	Let's see what happens in the morning! We need to listen to that radio interview!	OED	Sent

iPhone Extraction Utility F:

DEFENDANT EIRADA

08/14/2012 17:25:52 Ok. Cool
MDT

08/14/2012 18:59:44 Yes. Maybe around 8:30. We r eating late b/c B has football tonight.
MDT

08/14/2012 18:59:58
MDT

08/14/2012 19:01:12
MDT

08/14/2012 19:01:43
MDT

08/14/2012 19:02:22
MDT

08/14/2012 19:04:00 How did u find out?
MDT

08/14/2012 19:06:02
MDT

08/14/2012 19:06:08 U think it pissed her off? Since it was conflicting with NM stuff? She's not Hispanic is she? She sounded pissy
MDT

08/14/2012 19:08:32
MDT

08/14/2012 19:10:54
MDT

08/14/2012 19:12:32 Hemmm. Full time? I would have to think about that, but will consider.
MDT

08/14/2012 19:12:32 But I will help no doubt
MDT

08/14/2012 19:13:25
MDT

08/14/2012 19:14:10
MDT

08/14/2012 19:14:40 Sweet! Thanks for hooking me up! :D
MDT

08/14/2012 19:15:01
MDT

08/14/2012 20:17:32
MDT

08/14/2012 20:27:12 Give me 10 min
MDT

08/15/2012 04:57:31 This is great!!!!
MDT

08/15/2012 07:20:00
MDT

08/15/2012 07:22:08 Legislators that don't get money from her PAC r going to be pissed when she is throwing this kind of money into a DA's race.
MDT

08/15/2012 07:35:52
MDT

08/15/2012 09:25:58
MDT

08/14/2012 17:25:52 Recv

08/14/2012 18:59:44 Recv

08/14/2012 18:59:58 Sent

08/14/2012 19:01:12 Sent

08/14/2012 19:01:43 Sent

08/14/2012 19:02:22 Sent

08/14/2012 19:04:00 Recv

08/14/2012 19:06:02 Sent

08/14/2012 19:06:08 Recv

08/14/2012 19:08:32 Sent

08/14/2012 19:10:54 Recv

08/14/2012 19:12:32 Recv

08/14/2012 19:12:32 Recv

08/14/2012 19:13:25 Sent

08/14/2012 19:14:10 Sent

08/14/2012 19:14:40 Recv

08/14/2012 19:15:01 Sent

08/14/2012 20:17:32 Sent

08/14/2012 20:27:12 Recv

08/15/2012 04:57:31 Sent

08/15/2012 07:20:00 Recv

08/15/2012 07:22:08 Recv

08/15/2012 07:35:52 Sent

08/15/2012 09:25:58 Sent

Goona take the dogs for a walk. Should we talk with [redacted] around 8 or so?

OK that's better.

How it WAS [redacted] forwarding an email I just got.

See email.

Yeah it I think it may have had she was unaware. I think she is part Hispanic.

But if she got the same email, then why was mine the one that was forwarded to Jay? Hinnmm

From [redacted] U think [redacted] take over finance after [redacted] goes back to school? Or be a part of it..?

Yeah I think he needs you! I told him to make you an offer.

Between you and [redacted] working part time each I think it could get done.

Absolutely! \$\$\$

So is 8:30 good? Should I call [redacted] and let him know?

READ MONTANA!!!! [redacted] This is actually awesome for us.

Let's push this shit

[redacted] doesn't know we met with [redacted] right?



08/11-521_0045

DEFENDERS FOR

iPhone Extraction Utility v1

MDT
08/15/2012 09:30:08 Yes, He does I told him, I want him to know that I'm capable of doing this without him, so we don't get out in a box
MDT
08/15/2012 09:31:10 I want him to know WE call the shots
MDT
08/15/2012 11:29:36 Who is saying she is well positioned?
MDT
08/15/2012 11:30:56 That's what I would like to find out. If its Dimes I want to know who.
MDT
08/15/2012 11:31:44 Exactly. C. [redacted] fucking cunt hole who doesn't know his ass from a hole in the wall.
MDT
08/15/2012 11:33:02 Yeah exactly, I will show this to [redacted] this afternoon.
MDT
08/15/2012 11:33:52 If that's the case then we need to tell [redacted] to shut his hole! Yes, show [redacted] I'll be out of pocket. U 1 or so. Call u after
MDT
08/15/2012 11:33:52 Sounds good. I have to submit the RFP today, so busy getting that done too
MDT
08/15/2012 11:34:22 Ok I'll be in migs. ill about 3:30. Long day today. Will let you know if I break free.
MDT
08/15/2012 11:36:25 Good luck! Catch up later.
MDT
08/15/2012 16:27:45 Hey your friend [redacted] hasn't gotten back to me about the BR curriculum. Can u ping her?
MDT
08/15/2012 16:28:15 [redacted]
MDT
08/15/2012 16:39:13 Cool thanks!
MDT
08/15/2012 18:09:06 Pulling. We are same trend line. 38.8 Mark and 41.7 AD with 19.5 undecided.
MDT
08/15/2012 18:10:40 Awesome!
MDT
08/15/2012 18:18:14 Yes, I know she was crazy busy today and yesterday with kids and them she has a presentation to the district she is doing tomorrow. I'll shoot her a text tho
MDT
08/15/2012 18:29:52 Wow!!! That's freaking awesome!
MDT
08/15/2012 19:16:48 For some reason I have no bars on my phone. It's pissing me off. I'll call u back in a bit
MDT
08/15/2012 19:16:48 Oh and [redacted] pissed me. She is going to send u something tonight.
MDT
08/15/2012 20:01:03 Ok great
MDT
08/15/2012 20:52:48 Did u get [redacted] email?
MDT