

**IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT  
IN AND FOR ORANGE COUNTY, FLORIDA**

STATE OF FLORIDA,

COURT CASE NO.: 2010-CF-7690

Plaintiff,

OSP No.: 2010-0091-TPA

v.

JAMES A. GREER,

Defendant.  
\_\_\_\_\_ /

**STATE'S DISCOVERY EXHIBIT**  
**AND DEMAND FOR DEFENDANT'S DISCOVERY EXHIBIT**

The State of Florida, through its undersigned Assistant Statewide Prosecutor and pursuant to Fla.R.Crim.P. 3.220(b)(1) and (4), submits this Response to Defendant's Notice of Discovery. The State says:

(A). The names and addresses of all persons known to the prosecutor to have information which may be relevant to the offense(s) charged, and to any defense with respect thereto, or to any similar fact evidence to be presented at trial under section 90.404(2), Florida Statute, are hereby separately designated as follows:

(i). Category A witnesses include: *See attached witness list.*

(ii). Category B witnesses include: *See attached witness list.*

(iii). Category C witnesses include: *See attached witness list.*

(B). Written or recorded statements or reports by any person whose name is furnished in the preceding subdivision:

Discovery documents and reports are provided on CD-R titled "Discovery Documents Bates # JG000001- JG000241". Discovery documents obtained from Gray

Robinson are provided on CD-R titled "Gray Robinson Documents Bates # JG000242". E-mails are provided on DVD titled "Chairman Emails Bates # JG000243". Recorded calls are provided on CD-R titled "Recorded Call March 25, 2010 Bates # JG000244". Jail calls are provided on CD-R titled "Inmate Greer 06/02/10 10 calls Bates # JG000245". RPOF documents are provided on DVD titled "2010 RPOF Annual Meeting Bates # JG000246".

(C). Written, recorded, or oral statements made by the defendant:

1. The substance of any recorded or unrecorded oral statements known by the State to have been made by Defendant together with the name of each witness to the statement is as follows (Refer to subdivision (A) for witnesses and addresses):

See Bates stamped pages 0000001 – 000241 and any materials referenced therein; see also CDs and DVDs bates stamped 000242 – 000246 containing documents obtained from Gray Robinson, defendant's emails, defendant's recorded phone conversation with Delmar Johnson on March 24, 2010, audio recording of jail calls made by defendant and video recording of the 2010 RPOF annual meeting.

A second CD containing a recorded conversation between the defendant and Delmar Johnson on March 29, 2010 is secured by the Florida Department of Law Enforcement (FDLE), along with FDLE's associated Investigative Report (IR) #5. The State will provide this CD and report to the defendant and his counsel upon the Court's future authorization.

Any unrecorded oral statements which are summarized in any writing can be found in the disclosed FDLE Investigative Reports along with the names of the persons to whom the statements were made.

2. Written statements made by the defendant including any statements contained in police reports or report summaries together with the name of each witness to the statement is as follows (Refer to subdivision (A) for witnesses and addresses):

Victory Strategies organizational documents adopted by the Defendant and presented to attorneys and staff for Gray Robinson and Delmar Johnson.

Contract between Victory Strategies and RPOF signed by Delmar Johnson and the defendant.

Affidavit presented to Mr. Miller and Mr Pate prepared by Lela Whitfield.

Defendant wrote numerous e-mails as provided in Discovery.

(D). Written, recorded, or oral statements made by a co-defendant being tried jointly with the defendant:

1. The substance of any recorded or unrecorded oral statements known by the State to have been made by a codefendant is as follows:

None

2. Written statements made by a co-defendant:

None

(E). The State is in possession of the following portions of recorded grand jury minutes that contain testimony of the defendant:

None.

(F). Tangible papers or objects that were obtained from or belonged to the defendant:

See inventory pertaining to search warrant executed on June 2, 2010, as contained within FDLE IR# 61, and any materials referenced therein (all items available for copying and inspection).

(G). Any material or information which has been provided by a confidential informant:

None.

(H). Any electronic surveillance, including wiretapping, of the premises of the defendant, or of conversations to which the Defendant was a party and any documents relating thereto:

No electronic surveillance of the defendant exist and all recordings of the defendant have been disclosed under paragraph (B) and (C).

(I). Any search or seizure and any documents relating thereto:

See Search Warrant Affidavits, Orders, and Inventory Returns.

(J). Reports or statements of experts made in connection with this particular case, including results of physical or mental examinations and of scientific tests, experiments or comparisons:

Forensic computer expert testimony and report to be provided upon completion.

(K). In a hearing or trial for this cause, the State intends to use the following tangible papers or objects which were not obtained from or that did not belong to the defendant:

1. See bates stamped pages 000001- 000241 and any materials referenced therein;
2. CD bates stamped 000242 containing documents obtained from Gray Robinson;

3. DVD bates stamped 000243 containing Defendant's emails;
4. CD bates stamped 000244 containing recorded conversation with Delmar Johnson on March 24, 2010;
5. CD bates stamped 000245 containing phone calls made by the defendant while in jail;
6. DVD bates stamped 000246 containing the 2010 RPOF annual meeting;
7. CD containing recorded conversation with Delmar Johnson on March 29, 2010;
8. Copies of documents from the following institutions (available for copying and inspection):

(a) SunTrust Bank:

Account ending in x7068 – Jim Greer for Chairman of the Republican Party of FL

Account ending in x4871 – James Greer Personal Checking

Account ending in x2187 – Victory Strategies, LLC

(b) Bank of America:

Account ending in x9339 – National Hospitality Training Institute (Lisa Greer)

Accounts ending in x3046 and x3046 – James Greer Charge Accounts

(c) JP Morgan Chase & Co:

Account ending in x8169 – James Greer Cash Management Account

(d) United Legacy Bank (Formerly Riverside Bank):

Account ending in x2831 – J. Greer & Associates

Account ending in x3151 – National Hospitality Training Institute

Account ending in x2658 – Regulatory Services, Inc.

Account ending in x5736 – James Greer Checking

Account ending in x8482 – James and Lisa Greer Checking

(e) Regions Bank:

Account ending in x2724 – Delmar & Jamie Johnson Checking

Account ending in x3407 – Delmar Johnson Checking

(f) American Express:

Accounts ending in x2000 & x2003 – James Greer Charge;

9. Credit Reports for Defendant (available for copying and inspection as described below); and

10. Filed Internal Revenue Service documents related to “Jim Greer for Chairman of the Republican Party of Florida Committee.” (publicly available).

(L). The State is in possession or control of the following information, not disclosed above, which is arguably subject to disclosure pursuant to Fla.R.Crim.P. 3.220(b)(4), Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963), and Giglio v. United States, 405 U.S. 150, 92 S.Ct. 763, 31 L.Ed.2d 104:

While disclosed above with discovery documents, see Deferred Prosecution Agreement between State of Florida and Delmar Johnson III.

(M). Pursuant to Fla. R. Crim. 3.220(b), the materials disclosed herein are currently available to Defendant to inspect, copy, test, and photograph, as follows:

*Copies have been made by the Office of Statewide Prosecution and are enclosed on CD-R or DVD as described above.*

*Any documents not provided are available as described below:*

a. *Upon reasonable notice in writing to the undersigned Prosecutor, the materials disclosed herein shall be made available for inspection at the Office of Statewide Prosecution or another mutually agreed upon location.*

b. *Upon reasonable notice in writing to the undersigned Prosecutor, the materials disclosed herein shall be made available for copying, testing, and photographing at a mutually agreed upon location. Copies will not be provided*

*without a request. Payment for copies, tests, and photographs made are the responsibility of the Defendant.*

*c. If copies are made by the Office of Statewide Prosecution, charges will be assessed, pursuant to § 119.07(1)(a)(b), Fla. Stat., as follows: \$.15 per one-sided copy, \$8.50 per hour labor in excess of one hour, and actual mailing/shipping costs.*

### **DEMAND FOR RECIPROCAL DISCOVERY**

The State of Florida, by and through the undersigned Assistant Statewide Prosecutor and pursuant to Fla.R.Crim.P. 3.220(d), submits this Demand for Reciprocal Discovery and says:

1. The State demands that within fifteen (15) days after receipt of this Discovery Exhibit, Defendant serve its written Discovery Exhibit, which shall include a written list of the names and addresses of all witnesses whom Defendant expects to call as witnesses at the trial or hearing.

2. The State demands that Defendant disclose to the State, and permit the undersigned Prosecutor to inspect, copy, test, and photograph, the following information and material which is in the possession or control of the Defendant:

*a. The statement of any person whose name and address has been furnished to the Prosecutor pursuant to Fla.R.Crim.P. 3.220(d).*

*b. Reports of statements of experts made in connection with this particular case, including results of physical or mental examinations and of scientific tests, experiments or comparisons.*

*c. Any tangible papers or objects which the Defendant intends to use in a hearing or the trial of this cause.*

3. The undersigned Prosecutor demands that Defendant make the foregoing disclosures within fifteen (15) days after receipt by the defense of the State's Discovery

Exhibit, and further that Defendant perform such obligations in a manner mutually agreeable to Defendant and the Prosecutor.

Respectfully submitted this 24<sup>th</sup> day of June, 2010.

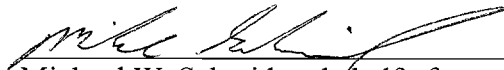
THE STATE OF FLORIDA  
OFFICE OF STATEWIDE PROSECUTION



Michael W. Schmid on behalf of  
Michael S. Williams  
Assistant Statewide Prosecutor  
Tampa Bureau  
Concourse Center 4  
3507 Frontage Road, Suite 200  
Tampa, Florida 33607  
(813) 287-7960; Fax (813) 281-5520  
Fla. Bar No. 120730

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by regular U.S. Mail to J. Cheney Mason, Esquire, counsel for Defendant, 390 N. Orange Avenue, Suite 2100, Orlando, Florida 32801, this 24<sup>th</sup> day of June, 2010.



Michael W. Schmid on behalf of  
Michael S. Williams  
Assistant Statewide Prosecutor

<b>Witness List</b>						
	<b>Name</b>	<b>Street Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>	<b>3.220(b)(1)(A) Category</b>
	<b>Records Custodians</b>					
1	JPMorgan Chase Bank	Mail Code IN1-4054, 7610 West Washington St.	Indianapolis	IN	46231	C
2	Capital One Bank	11013 West Broad Street	Glenn Allen	VA	23060	C
3	Regions Bank	1901 6th Avenue North, 18th Floor	Birmingham	AL	35203	C
4	United Legacy Bank	401 South Semoran Blvd.	Winter Park	FL	32792	C
5	SunTrust Bank	7455 Chancellor Drive	Orlando	FL	32809	C
6	Bank of America	1425 N.W. 62nd Street	Fort Lauderdale	FL	33309	C
7	American Express	43 Butterfield Circle	El Paso	TX	79906	C
8	1 & 1 Internet, Inc. - Legal Compliance	701 Lee Road, Suite 300	Chesterbrook	PA	19087	C
9	AT&T Mobility - Legal Compliance Center	National Compliance Center, P.O. Box 24679	West Palm Beach	FL	33416	C
10	Experian	701 Experian Pkwy	Allen	TX	75013	C
11	TransUnion	555 West Adams Street	Chicago	IL	60661	C
12	Equifax	P.O. Box 105139	Atlanta	GA	30348	C
13	Republican Party of Florida	420 E. Jefferson Street	Tallahassee	FL	32301	C
	<b>Florida Department of Law Enforcement</b>					
		2331 Phillips Road	Tallahassee	FL	32308	
14	Cross, Callie					A
15	Duncan, Jeffrey					A
16	Harrison, Davon					A
17	Jones, Todd					A
18	Lawson, Travis					A
19	LeFiles, Robert					A
20	Lysett, Brett					A
21	Massey, Jack					A
22	Pellham, A. Mark					A
23	Perez, Mark					A
24	Rodriguez, Tony					A
25	Roeder, Jennifer					A
26	Rousseau, Lisa					A
27	Woehr, Christopher					A

	<b>Republican Party of Florida</b>	420 East Jefferson Street	Tallahassee	FL	32301	
28	Betta, Katie					A
29	Braley, Gerald					B
30	Cox, Allen					A
31	Day, Sharon					B
32	Feaman, Peter					A
33	Howard, Katherine					A
34	Jones, Stafford					B
35	Kigel, Beth					A
36	Lee, Gary					B
37	Linton, Kay					B
38	Miller, Allen					A
39	Pate, Joel					A
40	Senft, Paul					B
41	Starr, Bob					B
42	Stelling, Jim					B
43	Swartz, Richard					A
44	Whitfield, Lela					A
	<b>Other Witnesses</b>					
45	Adkins, Daniel	Hartman & Tyner, Inc., 24700 West Twelve Mile Rd	Southfield	MI	48034	B
46	Boyles, William	Gray Robinson, P.A., 301 E. Pine Street, Suite 1400	Orlando	FL	32802	A
47	Burmer, Jay	The Green Wolf Group LLC, 5903 S. Elkins Ave.	Tampa	FL	33611	A
48	Crist, Charlie	The Capitol	Tallahassee	FL	32399	C
49	Dorworth, Chris	District Office, Suite 205, 1055 AAA Drive	Heathrow	FL	32746	A
50	Dupree, Abby	2640-A Mitcham Drive	Tallahassee	FL	32308	A
51	Eikenberg, Eric	3250 Salinger Way	Tallahassee	FL	32311	A
52	Gonzalez, Jason	Ausley & McMullen, 123 South Calhoun Street	Tallahassee	FL	32301	A
53	Greer, Lisa	1205 Prestige Point	Oviedo	FL	32765	A
54	Harris, John	Gray Robinson, P.A., 301 South Bronough Street	Tallahassee	FL	32301	A
55	Herberger, Ann	15203 Southwest 142nd Ave.	Miami	FL	33177	B
56	Johnson III, Delmar W.	c/o Robert Levanthal, Esq., 111 N. Orange Ave., Suite 700	Orlando	FL	32801	A
57	Law, Peter	Gray Robinson, P.A., 301 E. Pine Street, Suite 1400	Orlando	FL	32802	A
58	Nordby, Daniel	Ausley & McMullen, 123 South Calhoun Street	Tallahassee	FL	32301	A

59	O'Rourke, Meredith	c/o Stephen Dobson, Esq., 610 N. Duval Street	Tallahassee	FL	32301	A
60	Rimes, Jim	Enwright Consulting Group, 420 E. Jefferson St.	Tallahassee	FL	32301	A
61	Sargeant, Harry	IOTC, 3020 N. Military Trail, Suite 100	Boca Raton	FL	33431	A
62	Williams, Jill	c/o Richard Coates, Esq., 115 E. Park Ave., Suite 1	Tallahassee	FL	32301	B
63	Wright, Susan	9763 Horseshoe Road	Tallahassee	FL	32317	A