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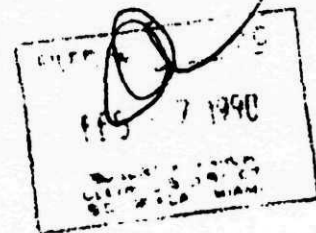
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 88-0079-Cr-HOEVELER

v.

MANUEL ANTONIO NORIEGA,
Defendant.



GOVERNMENT'S RESPONSE TO MOTION FOR
INVENTORY AND RETURN OF STOLEN PROPERTY

Comes Now the United States of America, by and through the undersigned Assistant United States Attorneys, and opposes the defendant's Motion for Inventory and Return of Stolen Property for the following reasons.

1. In his motion, defendant Manuel Antonio Noriega summarily alleges that at an unspecified time United States Army soldiers, stole personal articles belonging to the defendant.

2. Aside from mentioning business cards, items which by their nature are meant to be distributed, the defendant fails to identify what, if any, property he believes was stolen. Presumably, if the defendant had actual knowledge that personal property was stolen, he would be able to identify what if any items were taken from his residences or offices. Since the defendant must, as a matter of common sense, already know what items were allegedly stolen, a government inventory is unnecessary.

3. Even the defendant's allegations regarding supposedly "stolen" business cards are made "[b]y information and belief."

4. In fact, the defendant's motion provides no factual basis

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whatsoever for concluding that anything has been stolen from the defendant. Indeed, some of those allegations are clearly incorrect. For example, the defendant identifies Lieutenant Colonel Terry Jones as the individual who led raid on the Commandancia and one of his residences. In fact, Lieutenant Colonel Jones is a Public Affairs Specialist who has never led any raid or been inside the Commandancia. The vague and erroneous allegations in the motion fail to support the relief the defendant seeks. Moreover, it is difficult to imagine what if any evidentiary value applies to the business cards referenced in the defendant's motion.

5. The United States submits that to the best of its knowledge, none of the defendant's property has been stolen. The government is still in the process of organizing and cataloging items found at the defendant's residences and offices. Insofar as any items may have been removed from those locations with the government's knowledge, they were removed in compliance with applicable military regulations and directives.


Accordingly, because the defendant's motion fails to provide any basis for the relief sought, the United States respectfully submits that the motion be denied.


Respectfully submitted,

DEXTER W. LEHTINEN
UNITED STATES ATTORNEY

By: 
MICHAEL P. SULLIVAN
ASSISTANT UNITED STATES ATTORNEY

SENIOR LITIGATION COUNSEL
155 South Miami Avenue
Miami, Florida 33130

By: 
MYLES H. MALMAN, DEPUTY FIRST
ASSISTANT UNITED STATES ATTORNEY
155 South Miami Avenue
Miami, Florida 33130

By: 
KAREN E. ROCHLIN
ASSISTANT UNITED STATES ATTORNEY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by mailing this 7 day of February, 1990, to the following:

Frank A. Rubino, Esq.
3940 Main Highway
Coconut Grove, FL 33133

Steven Kollin, Esq.
2937 SW 27th Avenue
Suite 201
Miami, FL 33133

Samuel I. Burstyn, Esq.
3050 Biscayne Blvd.
Suite 701
Miami, FL 33137

Steven E. Kreisberg, Esq.
3250 Mary Street
Suite 400
Coconut Grove, FL 33133

Richard A. Sharpstein, Esq.
3043 Grand Avenue
Penthouse One
Coconut Grove, FL 33133

William A. Meadows
11820 SW 70 Avenue
Miami, FL 33156

Michael J. O'Kane, Esq.
305 South Andrews Avenue
Suite 203
Ft. Lauderdale, FL 33301



MICHAEL P. SULLIVAN
ASSISTANT UNITED STATES ATTORNEY
SENIOR LITIGATION COUNSEL