

1 JOEL LEVINE, State Bar No. 52565  
2 JOEL LEVINE, A PROFESSIONAL CORPORATION  
3 695 Town Center Drive  
4 Suite 875  
5 Costa Mesa, California 92626  
6 Telephone: 714 662 4462  
7 Facsimile: 949 481 1014  
8 Email: jlesquire@cox.net  
9 Attorney for Defendant  
10 BEATA PRIORE

11 UNITED STATES DISTRICT COURT  
12 CENTRAL DISTRICT OF CALIFORNIA

13	UNITED STATES OF AMERICA	)	CASE NO. SA-CR-08-180-DOC
14	Plaintiff,	)	
15	vs.	)	DEFENDANT BEATA PRIORE'S
16	BEATA PRIORE	)	LODGING OF EXHIBITS IN
17	Defendant.	)	SUPPORT OF RENEWAL OF BAIL
		)	REQUEST

18  
19 Defendant Beata Priore was arrested in New York pursuant to an arrest  
20 warrant issued by this Court upon an application by PreTrial Services to revoke  
21 bail, premised upon Defendant's application for a passport in violation of her  
22 conditions of bail.

23 Although the application was in violation of those conditions, Ms. Priore did  
24 not know that until after the application was submitted. Attached hereto as  
25 Exhibits are email messages between Ms. Priore, her counsel (the undersigned) and  
26 to a limited extent PreTrial Services, showing why she believed that she needed the  
27 passport, i.e. for identification to travel aboard a flight to appear for trial which had  
28 been set for April 26, 2011. Ms. Priore has no intention of leaving the United

1 States, nor does she have the funds to do so. She is totally destitute, and her travel  
2 expenses to the trial in this District were being underwritten by the undersigned,  
3 after the Court denied requests submitted in 2010 to have the United States  
4 Marshal pay for these expenses. In addition to these email messages, Ms. Priore  
5 discussed her need for the passport with PreTrial Services as well. PreTrial  
6 Services apparently did not provide this additional information to the Court. Upon  
7 learning from the undersigned that she could not apply for a passport (last email  
8 dated 3/31/11), Ms. Priore abandoned the effort.

9 Also attached hereto is a letter from Federal Public Defender Tracey Gaffey,  
10 who represented Ms. Priore before the Magistrate at her bail hearing on April 6,  
11 2011. Ms. Gaffey is requesting that the matter be reheard, and that bail be re-  
12 instated. We are lodging these exhibits with both this Court and the Magistrate, in  
13 the hope that if this Court is contacted by the Magistrate, it will incorporate this  
14 additional information and conclude that bail should be re-instated. It is  
15 anticipated that Assistant United States Attorney Larry Kole in this District will  
16 agree to this procedure and result.

17  
18 Dated: April 7, 2011

Respectfully submitted,

19  
20 JOEL LEVINE, Esq.  
21 A Professional Corporation

22  
23 By s/ \_\_\_\_\_  
24 JOEL LEVINE, Esq.  
25 Attorneys for Defendant  
26 BEATA PRIORE  
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**Joel Levine**

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**From:** "Joel Levine" <jlesquire@cox.net>  
**To:** <priore@maxfoundation.us>  
**Sent:** Thursday, March 31, 2011 2:19 PM  
**Subject:** Re: Beata Priore

I have no idea what you need. The first message you sent said the pretrial officer would contact me. He or she never has.

Joel

----- Original Message -----

**From:** priore@maxfoundation.us  
**To:** Joel Levine  
**Sent:** Thursday, March 31, 2011 1:47 PM  
**Subject:** RE: Beata Priore

Release for me to have my passport has to come from you.. I need permission to have it by the court.. I need to have the passport as ID for travel; I was detained 1hr n 45 min at the airport the last time because my driver licence from my maiden name does not match anything,, Beatrix g. Montay..

Please send to US dept of State a release of my renewal to by fax 202 663 2654 Patricia Dinkens-Greene office of legal affairs, tel: 202 663 3500 I spoke to her she is waiting for it. all is paid for: Appreciate clearing this up quickly...reference # CA/PPT/L/LA:PDG-PRIORE, Beata Gizella Will also send travel info soon as I hear from you...

Kindly,

**Beata**

Beata G. Priore, MD, ND, MMsc.  
Max Foundation, Chairman,  
516 674 4455  
516 908 7738 Fax

We are an organization, where all proceedings will be used for project funding.

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----- Original Message -----

**Subject:** Re: Beata Priore  
**From:** "Joel Levine" <jlesquire@cox.net>  
**Date:** Wed, March 30, 2011 4:45 pm  
**To:** <priore@maxfoundation.us>

I have not received anything on a passport release, and do not know what you are referring to.

Joel

4/6/2011

----- Original Message -----

**From:** [priore@maxfoundation.us](mailto:priore@maxfoundation.us)  
**To:** [Joel Levine](mailto:Joel.Levine)  
**Sent:** Wednesday, March 30, 2011 12:30 PM  
**Subject:** RE: Beata Priore

Thank You Joel, November is good.. Hope it is good for you too..

Please also send my passport release to Patricia, do to it has been paid for and picture has been taken and paid for as well. Otherwise file will be destroyed and no real ID for my name for travel will be in existence. and who knows if I will be able to afford the price again. Plus it cost a lot more when you start from scratch...

Appreciate  
blessings  
Beata

----- Original Message -----

**Subject:** Re: Beata Priore  
**From:** "Joel Levine" <[jlesquire@cox.net](mailto:jlesquire@cox.net)>  
**Date:** Tue, March 29, 2011 6:44 pm  
**To:** <[priore@maxfoundation.us](mailto:priore@maxfoundation.us)>

I just received a call that the prosecutor agrees to postpone the trial until November. We are now in the process of submitting paperwork to the court to get approval, which will take a couple of days. So do not worry about travel for the moment. Also, given these new events, I will hold off filing the motions until closer to trial. The only thing which might change things is if the Court turns us down on the delay, which I do not expect.

Joel

----- Original Message -----

**From:** [priore@maxfoundation.us](mailto:priore@maxfoundation.us)  
**To:** [Joel Levine Esq](mailto:Joel.Levine)  
**Cc:** [donna\\_mackey@nyert.uscourts.gov](mailto:donna_mackey@nyert.uscourts.gov)  
**Sent:** Tuesday, March 29, 2011 2:50 PM  
**Subject:** Beata Priore

Dear Donna,

Joel Levine my attorney would like to get an email from you with the docs from the passport place..also you sent him a closed envelope, was that pertaining to the passport.

Dear Joel,

I need to have the passport as ID for travel to California.. I have no intentions of going anywhere else but it is the any form of ID I have that matches ll my banking atm cards and SSI checks. I was detained 1hr n 45 min at the airport the last time because my driver licence from my maiden name does not match anything,, Beatrix g. Montay.. Please send to US dept of State a release of my renewal to by fax 202 663 2654 Patricia Dinkens-Greene office of legal affairs, tel: 202 663 3500 I



spoke to her she is waiting for it. all is pai for: Appreciate clearing this up quickly...reference # CA/PPT/L/LA:PDG-PRIORE, Beata Gizella

Will also send travel info soon as I hear from you...

Kindly,

**Beata**

Beata G. Priore, MD, ND, MMsc.  
Max Foundation, Chairman,

Beata G. Priore, MD, ND, MMsc.  
Max Foundation, Chairman,  
516 674 4455  
516 908 7738 Fax

**Joel Levine**

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**From:** <priore@maxfoundation.us>  
**To:** "Joel Levine" <jlesquire@cox.net>  
**Sent:** Thursday, March 31, 2011 7:10 PM  
**Subject:** RE: Passport  
OK,if there is nothing you an do, thank you.

Beata G. Priore, MD, ND, MMsc.  
Max Foundation, Chairman,  
516 674 4455  
516 908 7738 Fax

We are an organization, where all proceedings will be used for project funding.  
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----- Original Message -----

Subject: Passport  
From: "Joel Levine" <jlesquire@cox.net>  
Date: Thu, March 31, 2011 8:12 pm  
To: "Beata Priore" <priore@maxfoundation.us>

After we spoke I researched your case file and discovered an order from the Court regarding your bail, which I am attaching to this email. In paragraph 4, the Court has ordered that any passport that you had at the time be surrendered, and that no additional passport be applied for. Apparently, you did not know this when you applied for the passport recently, I would strongly suggest that you discontinue your efforts to get the passport in view of this order, which could result in a contempt of court order, which could result in your being arrested and sent to jail. The driver's license is the better solution.

Joel Levine

Federal Defenders  
OF NEW YORK, INC.

Eastern District  
Long Island Federal Courthouse  
460 Federal Plaza, Central Islip, NY 11722-4422  
Tel: (631) 712-6500 Fax: (631) 712-6505

Leonard F. Joy  
Executive Director

*Long Island*  
Randi L. Chavis  
Attorney-in-Charge

April 7, 2011

Honorable William D. Wall  
United States Magistrate Judge  
Eastern District of New York  
United States Courthouse Rm 824  
Central Islip, NY 11722

**Re: United States v. Beata Gizella Priore  
Removal Complaint 11 MJ 356**

Dear Judge Wall:

I represent Ms. Priore on the above-captioned case. This morning I received the enclosed e-mails from Ms. Priore's attorney in California, Joel Levine. As you can see, Ms. Priore is asking Mr. Levine for help in getting her passport for travel identification to California for the trial. The correspondence includes Ms. Priore's e-mail to Eastern District Pretrial Officer Donna Mackay asking for help in getting her passport. As per a March 31, 2011 e-mail, Mr. Levine tells Ms. Priore that she should not continue to try to get her passport because the bail order indicated that she could not apply for one - information Ms. Priore was previously unaware.

Mr. Levine has shown these e-mails to the AUSA on the California case, Larry Kole. After reviewing the e-mails, AUSA Kole, Mr. Levine and I jointly request that you re-open the bail hearing and contact Judge Carter. If you agree to re-open, Mr. Levine and AUSA Kole will lodge these e-mails with Judge Carter for his review also.

Honorable William D. Wall

April 7, 2011



United States Magistrate Judge  
Eastern District of New York

Page Two

**Re: United States v. Beata Gizella Priore**  
**Removal Complaint 11 MJ 356**

Respectfully submitted,

Tracey L. Eadie Gaffey, Esq.  
Assistant Federal Defender

cc: John J. Durham, Esq.  
Assistant United States Attorney  
Eastern District of New York  
w/enclosure

Joel Levine, Esq.

Larry Kole, Esq.  
Assistant United States Attorney  
Central District of New York

Donna Mackey, PSA  
Pre-Trial Services  
Eastern District of New York  
w/enclosures

George M. Walker, Chief  
U.S. Pretrial Services Officer  
Central District of California