

# ESI sources and file type examples in small, medium, and large federal criminal cases

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# MEMORANDUM

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To: File  
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RE: ESI sources and file type examples in small, medium, and large federal criminal cases

Below are three examples of the sources and file types of ESI that may be found in federal criminal cases. I have provided examples for a small, medium, and large case as each has their own potential composition of ESI. This is not meant to be an exhaustive list, but rather a representative cross-section of e-discovery that may be present and examples of the type of ESI Criminal Justice Act (CJA) panel attorneys and assistant federal defenders must address as part of their representation of clients.

## **Small case (a felon in possession of a firearm case):**

### **Total gigabyte size: 200 gigabytes**

- 1 defendant;
- 3 rolling productions;
- 300 PDF files (scanned paper) totaling 1500 pages, consisting primarily of investigative reports, interviews, and transcripts (much of the information has been provided by local law enforcement);
- 100 digital photographs (primarily in JPG but some in PDF format);
- 10 proprietary videos (business cameras and body camera footage);
- 3 Cellebrite phone reports (provided in Cellebrite reader, HTML and PDF formats) for three phones [iPhone 8 128 GB; iPhone 7 32 GB; and Samsung Galaxy S7 32 GB]
- DNA, fingerprint and GSR reports on testing of the gun provided in PDF format.

## **Medium case (drug conspiracy case)**

### **Total gigabyte size: 2200 gigabytes**

- 20 defendants;
- 10 rolling productions;
- 4 year time period;
- Both federal and state law enforcement agency investigations;
- 4,800 PDFs (search warrant applications (wiretap renewals), investigate reports, interviews, transcripts), totaling 135,000 pages;

## *Sample ESI found in Small, Medium, and Large Cases*

- 7,000 wiretap interceptions (audio recordings);
- 8,000 wiretap interceptions (text messages);
- 200 hours of jail calls (audio recordings (mp3 and proprietary formats));
- 1,500 Photographs (primarily PDFs with some jpg, heic, bmp, tiff files – the PDFs are part of the 4,800 PDF files listed above);
- 30 Mobile device forensic reports (from various tablets and phones - provided in Cellebrite reader, HTML and PDF formats);
- 75 Proprietary video files (security camera footage from fast food, gas station and convenience store businesses, dash cam and body camera footage);
- 20 Call detail record productions (combination of scanned PDFs and csv files);
- Social media information (10 Instagram accounts; 15 Facebook accounts (primarily posts, likes and direct messages) provided in combination of PDF and html formats);
- Pole cam video (1000 hours / 500 gigabytes); and
- 80 forensic images and extractions (computers, laptops, tablets, external hard drives, USB drives - provided in EO1 format – totaling 1.2 terabytes)

### **Large case (mortgage fraud case)**

#### **Total gigabyte size: 6100 gigabytes**

- 3 defendants;
- 20 rolling productions;
- 6 year time period;
- 8,000 home loan applications from 8 custodians;
- Three (3) government investigations;
- 600 witnesses;
- Parallel civil and administrative proceedings;
- 5,000 PDF files (investigative reports, interviews, and transcripts), totaling 20,500 pages;
- 3,500,000 electronic business records (from loan files and spreadsheets to structured data sets and legacy QuickBooks records); 120,000 emails and text messages (native format);
- 5,500 low resolution bank records (checks, deposit slips; digital but not searchable and include handwritten information)
- 14,000 digital photos;
- 500 video and audio recordings (industry standard format);
- 3 terabytes of EO1 files (from seized server, computers and laptops); and
- 150 banker boxes of paper seized pursuant to search warrants at homes and offices (estimated to be 318,750 pages).