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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

SINCERE SEVEN
Washington, D.C.

File No. **BNPL-20131114AYL**
Facility ID **195472**

Application for Construction Permit
For a Low Power FM Broadcast Station

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SEP 16 2016

To: Peter H. Doyle, Chief, Audio Division, Media Bureau

Federal Communications Commission
Bureau / Office

SINCERE SEVEN'S PETITION FOR RECONSIDERATION
OF ORDER OF AUGUST 17, 2016

1. Sincere Seven ("S7") hereby petitions¹ for reconsideration of the Commission's letter order of August 17, 2016 ("August order"), dismissing the above-captioned Application.
2. This Petition addresses several misapprehensions of fact in the Commission's understanding of the record that cry out for correction. Sincere Seven respectfully submits that a clear presentation of these issues will illuminate them as has not been done before, and should lead the Commission to reverse its dismissal and either approve the Application or return it to pending status.
3. The August order upheld the dismissal order of May 10, 2016 ("May order"), which was based on two grounds: (1) a conclusion about who controlled the LPFM project at issue, and (2) a determination that S7 had not complied with the

¹ This is Sincere Seven's first submission in this matter through counsel. All previous submissions were made with no such assistance.

Commission's request on November 30, 2015 ("November letter"), for disclosure of certain important factual details. Each of these issues will be addressed in turn.

4. As to control of the station, the central problem is William Tucker's breach of the trust S7 placed in him to manage this project, and in particular Mr. Tucker's unauthorized misrepresentations to the FCC on key issues beginning with the first filing in this matter. As explained below, Mr. Tucker's presentation went from incomplete and misleading, as in the original Application (which omitted material facts that S7 had had every intention to disclose), to blatantly untrue, as in his unauthorized, falsehood-laden letter of December 28, 2015, by which time he had been severed from the project for over a year.

5. S7 initially did not know Mr. Tucker was making these misrepresentations, because Mr. Tucker refused to show S7 any paper he filed with the Commission on S7's behalf, either before or after he submitted it. S7 did not see the original Application until March 2015, when the Audio Division, at S7's request, stripped Mr. Tucker of CDBS filing privileges for S7 and granted them to Mr. Redd and the S7 board directly.

6. A proper reading of S7's 2013 fiscal sponsorship agreement with Mr. Tucker ("FSA") shows an arrangement far different from what Mr. Tucker would have the Commission believe.²

² The FSA is attached to the Tucker letter of December 28, 2015, and cited in the FCC's May 10, 2016, letter at 3. S7 would gladly have included the FSA with its original Application if it had known the Commission required it. However, unbeknownst to S7, Mr. Tucker did not include it, nor did he ever mention to S7 that it should have been included. Ultimately Mr. Tucker

7. Mr. Tucker asserted to S7 that he had relevant technology and regulatory expertise, as well as an idea to revive one of Washington's most famous AM radio stations, WOOK or "OK Radio DC," and update its African American-centric format for D.C. audiences. But Mr. Tucker admitted that he had no business or organizational affiliation, and no funding. Sincere Seven, meanwhile, had been founded in 1999 and had a 14-year record of social change activism and community work, and S7's Mr. Redd had long experience in audio recording and production and ran a fully equipped studio, Redd Media, Inc. Sincere Seven and Mr. Tucker agreed to work together toward an LPFM license application for a community radio station using the WOOK call sign, with Sincere Seven as named nonprofit licensee and fiscal sponsor of Mr. Tucker.

8. Most importantly, S7 assumed all the assets and liabilities of Mr. Tucker's project—in other words, became the project's owner.³

9. Under the agreement, Mr. Tucker was to file the Application in S7's name in compliance with all FCC regulations, act as general manager of the developing radio station, and account for the project and its expenditures to S7's board of directors, which became the radio station's *de facto* governing board. Nothing about this owner/manager arrangement was unlawful or out of compliance with the ownership rules for LPFM applicants, nor has the Commission so held or suggested in prior rulings.

egregiously and intentionally misconstrued the FSA in an effort to wrest control of the project from S7, and/or to deceive the FCC on the issue. Tucker Opposition, December 28, 2015.

³ The D.C. Superior Court, at the hearing of October 2015 in *Sincere Seven v. Tucker*, received testimony and documentary evidence from both sides regarding ownership, specifically found that S7 owned the station with all its assets and liabilities, and on that basis entered the injunction against Mr. Tucker referred to in this Petition.

10. The FSA made S7 much more than the LPFM project's fiscal sponsor for Section 501(c)(3) purposes; it set forth an understanding of an agency relationship between S7, the principal, and Mr. Tucker, the agent. S7 at all times had the legal and physical control of this project that it purported to have.⁴ The Commission's selective quotations of half-sentences cherry-picked by Radio One from the FSA, May letter at 3, misconstrue the document as a whole, which made S7 the principal and the project's owner, not merely a supporter as Mr. Tucker disingenuously contended. See FSA at 2, ¶ 3 (assumption by S7 of project assets and liabilities; obligations of Mr. Tucker to report all revenue, expenditures and activities to S7 board, which retained "ultimate responsibility" for entire project). The only "evidence" that after the original Application Mr. Tucker acted independently of S7 came from Mr. Tucker, whose false assertions, out of S7's hearing, that *he* controlled the station do not make it so.

11. S7 indeed did delegate the filing of the original Application to Mr. Tucker, whom it made its agent for that purpose. FSA at 1. S7 opened a project bank account which it permitted Mr. Tucker to administer. And S7 allowed Mr. Tucker, in its name, to create a CDBS electronic filing system account in order to make FCC filings on its behalf. These three facts do not establish that Mr. Tucker had control exclusive of S7 after signing the project's assets and liabilities over to S7, or that Mr. Tucker would control the resulting station when it began over-the-air broadcasting. From S7's perspective, because

⁴ The station produces a 24-hour-a-day webcast at www.ok103.org under S7's direct, day-to-day operational control, as it has done since S7 began studio operations in February 2015 shortly after it severed its ties with Mr. Tucker for non-performance under the FSA. No such operations occurred, and no community programming was created as defined by the LPFM rules, while Mr. Tucker was general manager of the project.

it had assumed the project's assets and liabilities and required Mr. Tucker to report to its board, and because it, and not Mr. Tucker, was the nonprofit entity qualified to apply for and receive an LPFM license, it had both legal and practical control. Again, the Commission's only evidence of Mr. Tucker's "control" of the project came from Mr. Tucker.

12. During 2014, S7 found Mr. Tucker increasingly unwilling to share financial and other project management information with his nonprofit principal as agreed under the FSA. After months of requests, entreaties and warnings, and with its own finances at risk, S7 confronted Mr. Tucker regarding his performance at a tense board meeting in December 2014. S7 has preserved unaltered its audio recording of that meeting, which makes clear S7's reasons for severing its relationship with Mr. Tucker. The recording itself, and/or a transcript of that recording, can be made available to the Commission upon request.

13. Mr. Tucker's unauthorized December 2015 letter to the Commission was written after S7 had severed its ties with him, sued him for falsely claiming the station was his, and obtained a court injunction forbidding him from so claiming.⁵ Mr. Tucker's December 2015 letter was a direct and brazen violation of that injunction. It was an attempt to punish S7 with falsehoods concerning the Application, and at the same time a legally defective attempt to manipulate these proceedings to give Mr. Tucker control of the station and the Application going forward. See May letter at 1 n.1 (describing Tucker's request for waiver of 47 C.F.R. § 73.865(d) restriction on transfer of control).

⁵ Order on Motion for Preliminary Injunction, *Sincere Seven v. Tucker*, Civil No. 2015 CA 007373 B (Mitchell-Rankin, J., Oct. 14, 2015), Exhibit 1 to S7 Board Response.

14. The truth of the matter, as S7 has realized only in the course of its pending litigation against Mr. Tucker, is that Mr. Tucker wanted the FCC to believe he had control, even as he presented himself to S7's board as its agent as the parties had agreed in the FSA. The Commission's valiant attempt to untangle these convolutions, see May letter at 6 ("Change in Control"), was understandably mistaken given the extremity of Mr. Tucker's misstatements of fact. The Commission's error was in accepting Mr. Tucker's version of events surrounding the FSA and his own performance, or non-performance, thereunder.⁶

15. Even after Mr. Tucker was exposed, the Commission chose to take his December 2015 misrepresentations on the issue of control as true, even as it determined (or to support its determination) that he had used S7 as a front for a false Application. The Commission either misunderstood or ignored that Mr. Tucker's December 2015 letter violated the October 2015 court injunction against his claiming control. Mr. Tucker's incorrect statements are not transformed into correct statements merely by his making them.

16. In fact, S7 did comply with the Commission's request for disclosures, in a submission sent to the Commission and to Radio One on December 27 and 29, 2015. See ¶ 17 *infra*. The December 27 submission, in addition to a pleading, contained an amended Form 318 with all the requested disclosures, among them a full description of Perry Redd's criminal record—which incidentally Mr. Redd freely admits to the world, never sought to

⁶ The Commission in one instance attributed to Mr. Tucker an assertion, made at an unspecified time, that S7 had control of the project. May letter at 6 (opining that such assertion was false, when in fact it was a true statement whenever Mr. Tucker made it).

hide from the FCC, and explained in detail to Mr. Tucker long before S7's first Application. (See e-mail correspondence, October 24, 2013, Exhibit 2 to S7 Board of Directors' Response Supplement, April 18, 2016 (response to artificially narrow question from Mr. Tucker); P. Redd, *Perry No-Name: Journal from a Federal Prison* (Redd Media 2014) (book-length autobiography), available at www.amazon.com/Perry-NoName-Journal-Federal-Prison-book/dp/0692263357).

17. A submission containing all this material was uploaded to the CB, as well as sent to the FCC in hard copy via U.S. certified mail, before the December 30 deadline in the November letter. See CDBS screenshot, Dec. 27, 2015 (Attachment A hereto); U.S. Postal Service certified mail receipt, Dec. 29, 2015, Exhibit 1 to S7's Petition for Reconsideration, June 8, 2016. The Commission asserted it was never formally filed, see May letter at 3, n.20, and yet relied on Radio One's disingenuous partial "presentation" of it, claiming to have considered it fully while pretending not to notice the pleading's citation to its attached disclosures. S7 did not know until the May 10 order that the Commission was considering only part of the December 29 package of materials.⁷

⁷ Alexander Sanjenis, Esq., an Audio Division attorney-advisor, informed Mr. Redd later that the FCC had never formally received S7's December 29 response, even though Mr. Redd had uploaded all of it into the CDBS database on that date. Mr. Sanjenis said the hard copy filing had never arrived, and that the electronic filing had not been perfected using the "File Form" button after the upload. He admonished Mr. Redd for not sending the filing by non-U.S. Postal Service overnight mail, and indicated that it would no longer be considered since the deadline had passed. Yet even though the pleading cited the requested disclosures in addition to the pleading itself, see Response at 3 ("a [criminal] record [for Mr. Redd] is provided herein"), the Commission chose to proceed on the pretense that the copy of the pleading it received from Radio One, without the exhibits and disclosures cited in its text, was the entire filing. See May order at n.20 and accompanying text. The May order even claimed, ostensibly in support of its ruling, that Mr. Sanjenis had instructed Mr. Redd to file S7's response via CDBS, even if late, which contradicts Mr. Redd's recall of being told the late pleading would not be considered. This chain of events at a minimum was a striking elevation of form over substance, and a marked departure from the

18. Had the Commission reviewed all the material in S7's December 29 submission, it would have recognized S7's compliance with its November 30 requests and taken a very different view of the equities.

19. When S7 asked for reconsideration in June 2016, the Commission (a) chose to ignore S7's showing that it had fully and readily complied with the November 2015 letter's requests, and (b) chose to continue, as described above, to accept Tucker's version of events even as it effectively denounced him as a fraud.

20. The Commission's August order took Mr. Tucker's earlier misinformation, unexamined, as establishing S7's noncompliance with LPFM regulations and with the November request—and then incorrectly wrote, see August order at 3, n.16, that the May order had not been “base[d]” on S7's noncompliance with the November request, when that in fact was explicitly identified in the May order as one of the two grounds for the decision. May order at 3, nn.15-20 and accompanying text. In other words, the August order ducked the issue of S7's supposed non-disclosure, and transparently failed to address a principal ground of S7's request for reconsideration of the May order. This apparent pretense makes the August order vulnerable to allegations not only of error, but of bias, if not staff misconduct, in covering for the May order's mistake rather than addressing and correcting it.

Commission's earlier showings of fairness toward an unsophisticated nonprofit LPFM applicant of limited means, doing its best to comply with FCC requirements, in favor of a much more powerful commercial interest bent on derailing the Application for mercenary reasons. At worst, it was a deliberate thumb on the scales in Radio One's favor. In any event, Mr. Redd has now pressed “File Form” and caused the December 29, 2015, response with its attachments to be filed electronically, assuming the CDBS accepts it, and in hard copy as an attachment to this Petition.

21. In its reasoning on operational control of the station, the August order seems to have pulled illogically in two opposite directions at once. It credited two scenarios that in fact are mutually exclusive: (1) that S7 controlled the station, in which case Mr. Redd should have been listed as an interested party and his history disclosed, and that noncompliance with a request to do so was disqualifying, and (2) that Mr. Tucker controlled the station, in which case he used S7 as a front for a false application, which was disqualifying. It cannot simultaneously be true that S7 controlled the station and that Mr. Tucker did; but more importantly, the Commission mistook a key fact in each scenario.

22. The first scenario depends on an erroneous determination that S7 never made its submission of December 29, 2015, and never complied with the Commission's November request for information. As to the second scenario, S7 did have control at all relevant times, as the Commission would have recognized but for its acceptance of Mr. Tucker's false assertions to the contrary in his December 2015 letter to the Commission.

23. The Commission's opinion that, "from a regulatory standpoint, the FSA was effectively an agreement to cooperate in prosecuting a false FCC application presenting S7 rather than WOOK as the applicant," is valid only if Mr. Tucker's version of events is accepted. Therein lies the error at the heart of the Commission's May and August orders. If S7's representations about control of the station are accepted, as they should be on the evidence, and Mr. Tucker's *post hoc* assertions are recognized as essentially those of an impostor, the supposition that Mr. Tucker ever had control evaporates, and he is exposed for what he is, a manipulator, both of S7 and of the

Commission. See declarations of S7 board members Barbara Patterson and Chapl. Tim Buffaloe, Attachments to Motion for Preliminary Injunction, *Sincere Seven v. Tucker*, Civil No. 2015 CA 007373 B (Attachments B and C hereto).

24. Finally, as to the composition of S7's board of directors, S7 was unaware of the provision in 47 C.F.R. § 73.871(c)(3) that a more-than-50% turnover on the board of a nonprofit is ordinarily deemed a major change in "ownership of the Application" by that nonprofit for LPFM licensure. S7 did not expect that compliance with its own bylaws on board member terms of office—bylaws which were disclosed to the FCC with the original LPFM application—could disable that Application.

25. S7 placed its trust in Mr. Tucker's claimed expertise in LPFM regulations. Had Mr. Tucker told S7 that under § 73.871(c)(3) it had to freeze 50% of its board for as long as the Application remained pending, changing its bylaws if necessary to ensure compliance, S7 would have taken those steps.

26. S7 as an organization has never changed. Its mission to advance social justice and community empowerment by reflection, advocacy and peaceful activism remains the same. S7's former and current board members have all been devoted to that mission. As part of S7's ongoing effort to comply with applicable regulations, it gave notice of its new board members to the Commission by amending the Application in July 2015 to name them.⁸

⁸ It should be noted that, in preparing for its July 15 amended application and in order to perfect it, S7 sought and obtained the advice and assistance of then-Audio Division attorney-advisor Konrad Herling, Esq. It appears that the Commission's view of this matter changed with Mr. Herling's departure. Exigencies of time have prevented S7 from locating Mr. Herling and asking

27. The FCC decision in *US Pro Descubierta*, Application for a New LPFM Station at Seffner, Florida, FCC 16-52 (rel. Apr. 27, 2016), cited in the August order, was based in part on a conclusion that because conflicting, mutually exclusive applications had a key board member in common, a board composition change from the initial application was tantamount to a deliberate evasion of Subsection 871(c)(3). In S7's case there were no conflicting applications from overlapping entities, and there was no deliberate attempt to evade. Quite the contrary, S7's board merely rotated in accordance with the two-year service limit in its pre-existing bylaws, an arrangement which S7's board itself would have taken steps to change—and could have, under its bylaws, by the simple expedient of voting to retain a member or members in office beyond their terms' end—had it known that its orderly corporate business could jeopardize the Application. The Commission need not and should not treat the *Sincere Seven* and *USPD* cases alike.

28. The Commission still has a chance to make the matter right, as S7 has been trying to do since it learned of Mr. Tucker's perfidy. That S7's chosen general manager breached the trust placed in him, and attempted to deceive both the licensee and the Commission, should not disable S7's Application or deprive a local radio audience of otherwise unavailable program offerings that the LPFM regulations were designed to encourage.

for his recollections in connection with the present Petition, but S7 is prepared to make that effort.

WHEREFORE, petitioner Sincere Seven, Inc., respectfully requests as follows:

1. That the above-captioned LPFM Application be reinstated and approved, or at a minimum restored to pending status to permit the applicant to perfect its application and satisfy all procedural and technical requirements for the license sought; and
2. That any other application for a license to broadcast on the FM channel known as 103.1 within the coverage area proposed in S7's Application, or which could in any way have the effect of precluding S7's eventual use of that channel, be held in abeyance until this matter is decided and all administrative and judicial appeals exhausted.

Respectfully submitted,



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Counsel for petitioner

Dated: September 16, 2016

CERTIFICATE OF SERVICE

I certify that on this 16th day of September, 2016, the foregoing was hand-delivered to:

Federal Communications Commission
445 12th Street, S.W., Rm. TW-A325
Washington, D.C. 20554

and sent via electronic mail to:

Alexander Sanjenis, Esq.,
Attorney-Advisor, FCC Audio Division, Media Bureau
alexander.sanjenis@fcc.gov

and sent via electronic mail and by U.S. mail, postage prepaid, to:

William Tucker
10715 Cherry Tree Court
Adelphi, MD 20783
neon_noodley2k@yahoo.com

Peter Tannenwald, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 N. 17th Street, 11th Floor
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Stephen B. Pershing

FCC 350 --- Application For An FM Translator Or FM Booster Station License	Apr 2001
FCC 395-A -- Cable Television Annual Employment Report	Apr 2000
FCC 395-B -- Broadcast Station Annual Employment Report	Apr 2000
FCC 396 -- Broadcast Equal Employment Opportunity Program Report	Mar 2003
FCC 396-A -- Broadcast Equal Employment Opportunity Model Program Report	Feb 2003
FCC 396-C -- Multi-Channel Video Program Distributor EEO Program Annual Report	Sep 2003
FCC 397 -- Broadcast Mid-Term Report	Apr 2000
Additional non-form Filings	Mar 2005

Select	Form Title - Description	Status/ Ref No.
<input type="radio"/>	FCC 318 -- Application for Construction Permit for a Low Power FM Broadcast Station APPLICATION FOR CONSTRUCTION PERMIT FOR A LOW POWER FM Created: Dec 27 2015 8:50PM	VALID N/A
<input type="radio"/>	FCC 318 -- Application for Construction Permit for a Low Power FM Broadcast Station MODIFICATION OF PERMIT APPLICATION Created: Jul 15 2015 11:10AM	VALID N/A
<input type="radio"/>	FCC 318 -- Application for Construction Permit for a Low Power FM Broadcast Station MOVE TO UNCF BUILDING [REC #2211] Created: Jul 8 2015 12:14PM	FILED 20150715AAG
<input type="radio"/>	FCC 318 -- Application for Construction Permit for a Low Power FM Broadcast Station APPLICATION FOR CONSTRUCTION PERMIT FOR A LOW POWER FM BROADCAST STATION Created: Nov 8 2013 11:56AM	FILED 20131114AYL

System Status

THE SINCERE SEVEN,

PLAINTIFF

vs.

WILLIAM TUCKER,

DEFENDANT

Barbara J. Patterson deposes and says:

4. The requested documents were:

a. Financial accounting that listed all deposits and withdrawals either from the inception of the WOOK-LP project or beginning from the date of S7's Fiscal Sponsorship Agreement (FSA).

b. A list of programmer information that included:

- i. Name of programmer
- ii. Contact information
- iii. Programmer Bio/Profile of approximately 75 words.
- iv. Show description of approximately three sentences
- v. Current programming grid

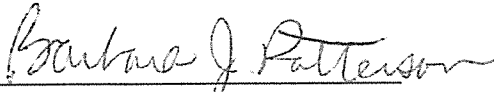
c. The Programmer User Agreement ("PUA") so that I could use the PUA as the basis to develop a Programmer Contract.

5. On November 26, 2015 I followed up this discussion with a formal request by email.

6. I spoke with Mr. Tucker on November 27, 2015 and he agreed to provide a profit and loss statement. Mr. Tucker told me that he did not want to send a grid because he was still working on it and I asked that he send what he had thus far. Mr. Tucker was also unwilling to send the programmer bios because he did not yet have all of the programmer bios. Mr. Tucker refused to send programmer contact information because he did not feel the S7 Board of Directors needed this information. Finally, Mr. Tucker disagreed with my intent to use the Programmer User Agreement as a base for a Programmer Contract because he felt that the Programmer User Agreement was sufficient. I asked Mr. Tucker to send all the documents he had thus far by November 28, 2015 and Mr. Tucker agreed to send the documents he felt we needed.

7. On November 28, 2015 I received no documents from Mr. Tucker nor did I receive an acknowledgement of the missed deadline.

I declare under penalty of perjury that the foregoing statements are true and correct.


Barbara J. Patterson

Date: June 24, 2015

any business with them involving WOOK.” (See “Important Announcement: WOOK-LP 103.1 FM” email).

5. On February 2, 2015, Mr. Tucker sent me a receipt for my initial \$75 payment. (See “Chaplain Buffalo Receipt”).

6. On March 9, 2015, Mr. Tucker blind copied me on an email receipt to Lauren Thompson Andrews for a \$75 payment for Entrepreneur Talk Radio's time slot reservation on WOOK. (See “WOOK Program Syndication” email). Mr. Tucker sent this email to me unsolicited.

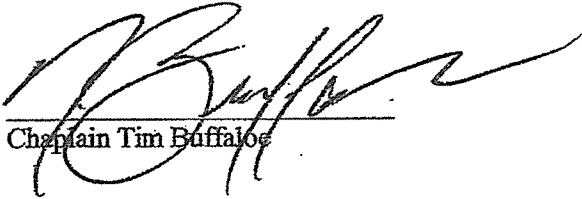
7. In April 2015 I posted a promotion for my WOOK-LP radio show on Facebook and on April 10, 2015, Mr. Tucker sent me a direct message that said:

You're a true idiot, Tim. It's bad enough that you literally ruined a promising project I handed you on a silver platter. Now, you're complicit in a scheme to defraud me of my business. You didn't even have the decency or sense to question whatever bullshit Perry has told you. Remove your comment at once.

8. Mr. Tucker also called me and left the following message:

Tim this is William Tucker. You remove that tag from that post you put up on Facebook. Right away. It's bad enough that you ruined something that I put right in your hands. Now you're participating in somebody trying to rob me. I don't appreciate it one bit. You are a disloyal jack-legged punk motherfucker. I expect you to do it right away and comply.

I declare under penalty of perjury that the foregoing statements are true and correct.



Captain Tim Buffaloe

Date: June 24, 2015

Before the
Federal Communications Commission
Washington, DC 20554

In re:)	
)	
Sincere Seven)	File no: BNPL-20131114AYL
)	Facility ID 195772
Application for a Construction Permit for)	
a new Low Power FM station)	
at Washington, DC)	

Electronically filed through CDBS

To: Chief, Audio Division, Media Bureau

RESPONSE TO PETITION FOR RECONSIDERATION

Sincere Seven ('S7') hereby responds the petition for reconsideration, released November 30, 2015 regarding petition filed by Radio One Licenses, L.L.C. ("Petitioner") on September 11, 2014, of the letter ruling ("Ruling") by the Audio Division of the Media Bureau ("Bureau"), reference 1800B3-EA/ATS, released August 19, 2014 granting the above captioned application ("Application") by S7 ("Applicant") for a new construction permit for a new Low Power FM station in Washington, DC. The Petitioner maintains, contrary to the repeated assertion asserted in multiple exhibits provided by S7^{1,2} and previously accepted by the Commission's Ruling³. Radio One now accuses that S7 "... may have misrepresented its officers and character qualifications to the Commission, because a person who has held himself out more than once to governmental authorities as a corporate officer was not listed in the application, and his conviction of

¹ Sincere Seven LPFM Application,, Exhibit 2, Attachments 1-3; Exhibit 10, Attachments 1-2, 11/14/13 (*part of the previous record*).

² Sincere Seven Opposition to Petition to Deny, Exhibit 1, Attachments 3-5, 4/16/14.

³ F.C.C. Audio Division of the Media Bureau letter ruling, 8/19/2014.

multiple felonies was not disclosed”⁴. S7 maintains the position Radio One continues to misrepresent select regulations and aspects of the Application for its latest petition to lack merit, and that insufficient cause exists for the Commission to reconsider its granting the Applicant a construction permit for a low power FM station.

Perry D. Redd is an officer of S7 and is not a member of its board of directors

Mr. Redd has served as S7’s Executive Director since its founding in 1999. At no point in time has Mr. Redd held a position as an “officer” with the non-profit corporation (in the traditional definition) nor a seat on its board of directors. As stated in previous petitions, Sincere Seven’s Executive Director position is voluntary (with Board authorized stipends), and its responsibilities are that of a manager serving at the pleasure of its board of directors -- a relationship commonplace in nonprofit organizations. Mr. Redd has signed official documents and otherwise acted on behalf of S7 as its Executive Director, again apropos of, and consistent with, positions bearing the title ‘President’ or ‘CEO’ with a traditional nonprofit organization.

S7 concedes to Radio One’s assertion herein that, if in the semantics of defining a corporation’s “officer,” as one who serves as its chief manager, overseer or executive, then Mr. Redd is indeed an “officer”; and though consistently informed—in ALL filings—that Redd was indeed *that* individual, thus is, has been S7’s *authorized* officer, then this point is moot. S7 has never called its Executive Director an officer, but understands Radio One’s motive here (alongside the underlying motive of one, William Tucker, the former authorized contact). S7, without fail, wholly agrees with the

⁴ Radio One Petition for Reconsideration, 9/11/14.

seriousness with which The Commission herein applies to this allegation of misrepresentation. S7 also argues here, that ignoring the defectiveness in application of Section 1.106(c) of the Rules would equally prove detrimental to the integrity of this reconsideration process. Radio One's failure to adequately address this issue previously, only further obstructs S7 in carrying out this "public interest" trust; everyday that S7 is consumed in re-litigation is another day that S7 is not providing community volunteer radio opportunities, training radio industry personnel or mentoring radio interns.

The initial application with the signature of an "authorized" agent, operative or contact representative was approved by Sincere Seven without prior knowledge of the strict language applied to the title. It is acknowledged that ignorance is no excuse, but misleading The Commission was never a motive on S7's part.

Full Disclosure of Perry D. Redd's Criminal Convictions

In compliance with the Commission's request for full disclosure of all of Perry Redd's criminal convictions, a record is herein provided. The respondent here questions the underlying intent—and source—of such demand.

In all appearances, compliance with Section 632 of the "Local Community Radio Act of 2010," convictions irrelevant to the operation, management and ownership of an LPFM station are moot at best, and should not even be entered into the record of the application. Convictions having a bearing of said radio operation and ownership *should* be rightly entered—and scrutinized. Barriers to community organizations seeking to promote the public interest have historically and duly documented undue obstacles placed upon groups, organizations and people of color to participate in American industrial pursuits. Such barriers are, of recent, being addressed by the current federal executive

administration, particularly at the US Justice Department regarding the prosecution, legislations, conviction and sentencing of low-level drug offenders in this country. Nonetheless, full disclosure and transparency is a policy embraced by S7 since its inception and partly an element in its founding, and thus complies fully herein.

Moreover, as a matter of public record, Perry Redd has publicly documented and published the germane aspects of his criminal history, most notably in the release of his 2010 full-length CD “Trial By Fire” (see https://www.amazon.com/gp/product/B004MGTKFY/ref=dm_ws_sp_ps_dp) and subsequent recordings) and his books “*As A Condition of Your Freedom: A Guide to Self-Redemption From Societal Oppression*” (© 2014, <http://www.amazon.com/Condition-Your-Freedom-Self-Redemption-Oppression/dp/0615903126>) and “*Perry NoName: A Journal From A Federal Prison*” (© 2014, <http://www.amazon.com/Perry-NoName-Journal-Federal-Prison-book/dp/0692263357/>). The assertion of misrepresentation on S7’s part made by Radio One is absurd at least, disingenuous at best.

Furthermore, to underscore S7’s response here, Section 632. (a) is clear:

The Federal Communications Commission shall modify the rules authorizing the operation of low-power FM radio stations, as proposed in MM Docket No. 99–25, to—

(2) prohibit any applicant from obtaining a low-power FM license if the applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934 (47 U.S.C. 301).

It appears that Section 632 is not the authority governing this demand from The Commission, but rather, provisions within the Anti-Drug Abuse Act of 1988 which prompt The Commission to include questions 6 and 7 in the application process:

6. **Character Issues.** The applicant certifies that neither the applicant nor any party to the application has or has had any interest in, or connection with:

- a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
- b. any pending broadcast application in which character issues have been raised.

7. **Adverse Findings.** The applicant certifies that no adverse finding has been made and no adverse final action has been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant, in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

If the answer is "No," attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and a description of the disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 C.F.R. Section 1.65, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

Sincere Seven here points out that "all convictions" requested for full disclosure would be related to communications broadcasting and the communications industry and commerce. Anything other may be construed as a veiled attempt to create undue barriers (for whatever reason) for an organization (of whatever persuasion) to participate in a governmental public service.

Moreover, an acute look at the governing authority, are the sentencing provisions which specifically outline the bars. The sentencing provisions of the Anti-Drug Abuse Act of 1988 are as follows:

Drug trafficker.

Any individual convicted of a federal or state offense consisting of the distribution of a controlled substance, as defined by the Controlled Substances Act (21 U.S.C. 801 et seq.):

◆ *On the first conviction, is ineligible for any or all federal benefits for up to 5 years, at the discretion of the court.*

Drug possessor.

Any individual convicted of a federal or state offense involving the possession of a controlled substance:

◆ *On the first conviction, receives one or a combination of the following three sentences, at the discretion of the court: (1) is ineligible for any or all federal benefits for up to 1 year*

The intent of the Congress of 1988 was to create punishments so harsh as to serve as a deterrent to the commission of said crimes; history has proven racial disparities and unequal application of the law are what resulted. This law and its provisions created “denials” to participate in the American society such as:

Business Administration loans or the right to contract with the Federal Government; and as researchers, they can lose medical, engineering, scientific, and academic grants.

Some benefits are excluded from the denial process. These exclusions include public housing, welfare, and drug treatment benefits, as well as benefits earned through financial contributions or services to the Federal Government, such as Social Security, health, disability, and veterans’ benefits. Also, the courts may choose to restore benefits for specific reasons...

Thus, S7 finds it imperative to clearly unearth where this inquiry appears to be going; here lies the definition in section (d) of the statute as used in this section—

(1) the term “Federal benefit”—

(A) means the issuance of any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States; and

(B) does not include any retirement, welfare, Social Security, health, disability, veterans benefit, public housing, or other similar benefit, or any other benefit for which payments or services are required for eligibility; and

(2) the term “veterans benefit” means all benefits provided to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

Herein, the question posed to The Commission, is, in entertaining Radio One’s re-litigation of a previously disclosed fact—Redd’s previous convictions—it appears to be intended to deny a license to a duly qualified, community-based applicant. In that, S7 opposes not full disclosure, but the malicious intent in Radio One’s Petition for Reconsideration.

It appears that Radio One’s complaint is based in an unintentional omission, as opposed to a deliberate misleading by S7 on its application with the FCC. Mr. Redd’s name and title *should have* been the authorized signatory from day one, but as was accepted by The Commission, with William Tucker—the authorized “Contact Representative” as assigned by Sincere Seven—as the name listed on the application. In retrospect, The Commission did nothing untoward in placing that designation on their application, and in turn, S7 did nothing untoward in providing the requested information on the application. That error was at most, a misunderstanding on Sincere Seven’s part.

Every party with a vested interest in this assignment of Sincere Seven’s license unequivocally knows who the over-arching authority concerning Sincere Seven’s license is: Perry Redd, Sincere Seven’s Executive Director.

Through Sincere Seven’s evolutionary and diligent oversight, Mr. Tucker had been removed as executor of Sincere Seven’s authorized representative on this community radio project as of January 23, 2015 (see exhibit 8) for several reasons, which are being currently adjudicated in DC Superior Court and remedied through an IRS intervention. His stated knowledge, passionate fervor and proficient navigation of the

FCC-sanctioned process (to success) demonstrated to Sincere Seven and its Board of Directors that he was both a proficient, if not sincere, actor and knowledgeable as to FCC's prescribed guidelines. He was listed on the initial application as S7's "Chief Operation Officer." For all intents and purposes, Mr. Tucker was an officer with S7, yet we now realize he was unlisted in the "parties" section of the application. Wikipedia defines the COO as *"a position that can be one of the highest-ranking executive positions in an organization on par with the Chief Services Officer, comprising part of the "C-Suite". The COO is responsible for the daily operation of the company, and routinely reports to the highest ranking executive, usually the chief executive officer (CEO). The COO may also carry the title of President which makes that person the second in command at the firm and enjoying an equal privilege with Chief Services Officer, especially if the highest ranking executive is the Chairman and CEO."* As "COO" Mr. Tucker was charged with carrying out S7's community radio project, WOOK-LP; nothing less, nothing more.

Sincere Seven came to realize and remedy the inefficiencies of Mr. Tucker's management and has for the past 11 months successfully and methodically moved toward fulfilling the FCC and Congress' intent in affording FM community radio to our local neighborhoods, by offering a full complement of community-based radio programming (24-hours-a-day; log on at www.ok103.org), training station show hosts, programmers, engineers and mentoring radio industry interns, along with sponsoring neighborhood activities in the name of the station.

With that said, S7 has consequently come to learn that Mr. William Tucker understood this, and with self-serving motives, failed to list Mr. Redd's name on the

application as the charge administering the application process, while omitting this to the Sincere Seven Board of Directors, any adverse consequences of such action. As the evolution of Sincere Seven's efforts to execute this community radio project, Mr. Tucker's self-serving interests were extricated from the carrying out this mission on January 23, 2015 (see exhibit 8). In turn, Mr. Tucker recently revealed this omission to Radio One and thus, we herein have this "fourth bite of the apple" in denying our community-based organization the opportunity to serve the public interest through FM low-power radio.

Also be duly reminded that S7 has amended its application Form 318 several times since Radio One's initial Opposition Petition. Our response is to rapidly and succinctly remedy the most recent complaint by Radio One by one:

1. Placing the "Contact Representative" as selected by Sincere Seven and updating S7's Board of Director and "all parties" information on the application and,
2. Make all disclosures regarding Mr. Redd's previous convictions (see exhibit #9)

Conclusion

In light of the Petitioner's repeated Petitions for Reconsideration, Sincere Seven, in providing the mandated amendments to its Form 318 Application and duly submitting them via CDBS, requests the Commission move to immediately dismiss Radio One's latest petition for reconsideration.

Respectfully Submitted,

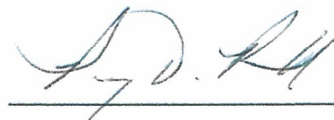


Perry Redd
Sincere Seven, Executive Director

Certificate of Service

I, Perry D. Redd, do hereby certify that I have, on this 29th day of December 2015, caused a copy of the foregoing opposition to petition for reconsideration to be sent by first class U.S. mail, postage prepaid, to the following:

Peter Tannenwald
Fletcher Heath & Hildreth, PLC
1300 North 17th Street
11th Floor
Arlington, VA 22309-3801

A handwritten signature in blue ink, appearing to read "P.D. Redd", is written over a horizontal line.

Perry D. Redd,
S7 Executive Director

Sincere Seven ♦ *"Fighting For Justice & Equality In Our Workplace"*

Sincere Seven

♦ 422 Marietta Place, NW, Washington, DC 20011 ♦
(202) 241-3294 ♦ (202) 239-6565 ♦ e-mail: sincereseven@hotmail.com
www.sincereseven.org

"Let us not grow weary in well-doing, for in due season we shall reap, if we faint not." _____ Gal. 6:9

December 28, 2015



Exhibit #8

(9 pages total)

☐ PSO/CSO
Find Client
Change Password
Client Profile
Logoff
☐ Diagnostic
Lockup List (Diagnostic)
☐ Client
Name
Employment
Addresses
Identifiers
Characteristics
Birth/Death
Citizenship
Languages
Communications
Case Filing
Criminal History
☐ Supervision
Release Orders
Warrants

Name: **MCCREARY, PERRY DAWHAYNE**
DOB: 8/25/1964 PDID: 376-083 BAID: 85032974

FIND CLIENT

Internal Criminal History

File Date	Case/ Docket Number	Suppress	Judge/Officer	Case Status	Sealed	Sealed Date
2/27/1985	85058889 / 1985-CMD- 003362		TIGNOR, ROBERT S	Closed Complete	No	

Count	Charge	Disposition	Disp. Date	Sentence Type
<input checked="" type="checkbox"/> 1	Simple Assault	Confinement: 60 Days / Suspend: 60 Days / Probation: 1 Years Supervised	6/18/1985	

2/1/1985 85032924 /
1985-CMD-
001605 TIGNOR,
ROBERT S Closed
Complete No

Count	Charge	Disposition	Disp. Date	Sentence Type
<input checked="" type="checkbox"/> 1	Burglary I	No Paper	2/1/1985	
<input checked="" type="checkbox"/> 2	Attempt Burglary	Nolle Prosequi	5/6/1985	
<input checked="" type="checkbox"/> 3	Unlawful Entry	Probation: 1 Years Supervised	6/18/1985	
<input checked="" type="checkbox"/> 4	Destruction of Property (Misdemeanor)	Probation: 1 Years Supervised	6/18/1985	
<input checked="" type="checkbox"/> 5	Simple Assault	Nolle Prosequi	5/6/1985	

External Criminal History

File Date	Docket Number	Suppress	Judge/Officer	Case Status	City/County/State of Offense
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Criminal History Record Check

Review Date	Reviewer	Status	Reason	Comments
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UNITED STATES DISTRICT COURT

DISTRICT OF COLUMBIA

PROBATION OFFICE

GENNINE A. HAGAR
UNITED STATES PROBATION OFFICER

E. BARRETT PRETTYMAN U.S. COURT
333 CONSTITUTION AVENUE, N.W., SUIT
WASHINGTON, D.C. 20001-2866
TELEPHONE (202) 565-1300

MEMORANDUM

May 18, 2010

EXHIBIT G
2010CBX00728(DCS)

September 2010

Agency Position Statement
Letter from Probation Officer

To: Richard Mattiello
Compliance Review Manager

From: Lisa Wright
United States Probation Office

Re: Perry D. McCreary-Redd

This memorandum represents a report of Mr. McCreary-Redd's status since his release to supervised release on August 13, 2009.

On July 10, 2008, Mr. McCreary-Redd was found guilty of Conspiracy to Possess Cocaine Base; Felon in Possession of a Firearm; and Criminal Contempt. He was sentenced to 70 months incarceration followed by three years supervised release. He was ordered to pay a \$300 special assessment and participate in substance abuse treatment. Supervision commenced April 13, 2009, and expires August 12, 2012.

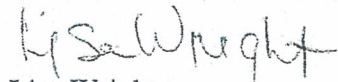
Mr. McCreary-Redd's adjustment to supervision is viewed as satisfactory. He responds well to the directives of the probation officer, he submits monthly supervision reports as scheduled, and he is compliant with his special conditions.

Mr. McCreary-Redd resides with his fiancé at, 422 Marietta Pace, NW, Washington, D.C., and he is actively seeking employment.

Should you have any questions, please contact this officer at the above listed telephone.

Sincerely,

UNITED STATES PROBATION OFFICE



Lisa Wright
United States Probation Officer



**Screening and
Selection Services**

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

Criminal Court Records

District Of Columbia, Washington Dc County Criminal History Report

Order/Item: 18708988-5

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Applicant Data Provided:

Name: Redd, Perry D
DOB: 08/25/1964
SSN: XXX-XX-6519

Search Summary:

Product Coverage: Consolidated information from the courts of Washington Dc County.
Source Records Reviewed: From 08/02 to 08/09
Source: WASHINGTON DC COUNTY COURTS

Record Summary: **No Record found based on the Applicant Data Provided**

Fair Credit Reporting Act Notice:

Your acceptance and use of this report is certification that you are in full compliance with the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.) and all applicable state and federal laws. Although every effort has been made to assure accuracy, ADP Screening and Selection Services cannot act as guarantor of the accuracy or completeness of the information as ADP Screening and Selection Services is not the source of the information. The depth of information varies from product source to product source. Final verification of an individual's identity and proper use of the report is the user's responsibility. We require the requestor of these reports to have signed a User Agreement certifying that users are familiar with, will abide by, and will use the report in compliance with all applicable laws, including, but not limited to, the Fair Credit Reporting Act.



Screening and
Selection Services

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

First Check

First Check

Order/Item: 18708988-4

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Product Coverage: Social Security Number matched against Social Security Administration databases. Provides state and issue date associated with the SSN.

This social security number was validly issued in the state of DISTRICT OF COLUMBIA between 1974 and 1975.

Validation of an SSN does not confirm a match to the name provided.

***** No matching SSN was found in the death master database *****

Name: Redd, Perry D
Date of Birth: 08/25/1964
SSN: XXX-XX-6519

Fair Credit Reporting Act Notice:

Your acceptance and use of this report is certification that you are in full compliance with the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.) and all applicable state and federal laws. Although every effort has been made to assure accuracy, ADP Screening and Selection Services cannot act as guarantor of the accuracy or completeness of the information as ADP Screening and Selection Services is not the source of the information. The depth of information varies from product source to product source. Final verification of an individual's identity and proper use of the report is the user's responsibility. We require the requestor of these reports to have signed a User Agreement certifying that users are familiar with, will abide by, and will use the report in compliance with all applicable laws, including, but not limited to, the Fair Credit Reporting Act.



**Screening and
Selection Services**

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

Locator Products

Fair Credit Reporting Act Notice:

Your acceptance and use of this report is certification that you are in full compliance with the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.) and all applicable state and federal laws. Although every effort has been made to assure accuracy, ADP Screening and Selection Services cannot act as guarantor of the accuracy or completeness of the information as ADP Screening and Selection Services is not the source of the information. The depth of information varies from product source to product source. Final verification of an individual's identity and proper use of the report is the user's responsibility. We require the requestor of these reports to have signed a User Agreement certifying that users are familiar with, will abide by, and will use the report in compliance with all applicable laws, including, but not limited to, the Fair Credit Reporting Act.



**Screening and
Selection Services**

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink

Order/Item: 18708988-3

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Product Coverage: Crimlink is a multi-jurisdictional criminal history database which contains more than 300 million records. Jurisdictions searched include Traffic Courts, Superior and Circuit Courts, Administrative Office of the Court (AOC), Department of Corrections (DOC) and Terrorist Watch List (OFAC) records. Inclusion of these national, state and county level jurisdictions in the database vary by state and county.

Based upon the name and/or DOB supplied by you, we have searched our CrimLink database for all possible matches to your inquiry. The following information is provided as summary information only and should be verified for accuracy by ordering a complete criminal background check.

Applicant information provided:

Applicant Name:	REDD, PERRY
DOB:	08/25/1964
SSN:	XXXXX6519

Information returned from Crimlink database:

JURISDICTION: TN DOC

Personal Identifiers

Full Name:	REDD, PERRY
DOB:	08/25/1964
SSN:	NOT PROVIDED
Known Aliases:	

REDDMCCREARY, PERRY; MCCREARYREDD, PERRY;
MCCREARY, PERRY

Physical Description

Eyes:	BROWN
Hair:	NOT PROVIDED
Weight (in pounds):	000
Height (in inches):	068
Gender:	MALE
Race:	BLACK

Record details

Record Type:	OFFENSE
County or Jurisdiction:	TDOC, TN
Court:	NOT PROVIDED
Custodial agency:	TDOC
Comment:	DOC #: 00244485
Other comments:	Felony Statute: 39-14-103
Case Number:	NOT PROVIDED
Statute Number:	39-14-103
Offense:	THEFT OF PROPERTY - \$500-\$1,000
Offense Severity:	FELONY
Offense Date:	NOT PROVIDED
File Date:	10/31/1994
Final Plea:	NOT PROVIDED
Disposition:	CONVICTION
Disposition Date:	NOT PROVIDED



Screening and
Selection Services

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink

Order/Item: 18708988-3

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Sentence Date: 10/28/2003
Probation Sentence: NOT PROVIDED
Sentence Length: 9 YEAR(S)
Confinement Type: NOT PROVIDED

JURISDICTION: TN DOC

Personal Identifiers

Full Name: REDD, PERRY
DOB: 08/25/1964
SSN: NOT PROVIDED
Known Aliases:

REDDMCCREARY, PERRY; MCCREARYREDD, PERRY;
MCCREARY, PERRY

Physical Description

Eyes: BROWN
Hair: NOT PROVIDED
Weight (in pounds): 000
Height (in inches): 068
Gender: MALE
Race: BLACK

Record details

Record Type: OFFENSE
County or Jurisdiction: TDOC, TN
Court: NOT PROVIDED
Custodial agency: TDOC
Comment: DOC #: 00244485
Other comments: Felony Statute: 39-14-103
Case Number: NOT PROVIDED
Statute Number: 39-14-103
Offense: THEFT OF PROPERTY - \$1,000-\$10,000
Offense Severity: FELONY
Offense Date: NOT PROVIDED
File Date: 10/31/1994
Final Plea: NOT PROVIDED
Disposition: CONVICTION
Disposition Date: NOT PROVIDED
Sentence Date: 10/28/2003
Probation Sentence: NOT PROVIDED
Sentence Length: 9 YEAR(S)
Confinement Type: NOT PROVIDED

JURISDICTION: TN DOC

Personal Identifiers

Full Name: REDD, PERRY
DOB: 08/25/1964
SSN: NOT PROVIDED
Known Aliases:

REDDMCCREARY, PERRY; MCCREARYREDD, PERRY;
MCCREARY, PERRY

Physical Description

Eyes: BROWN
Hair: NOT PROVIDED



Screening and
Selection Services

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink

Order/Item: 18708988-3

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Weight (in pounds):	000
Height (in inches):	068
Gender:	MALE
Race:	BLACK
Record details	
Record Type:	OFFENSE
County or Jurisdiction:	TDOC,TN
Court:	NOT PROVIDED
Custodial agency:	TDOC
Comment:	DOC #: 00244485
Other comments:	Felony Statute: 39-13-401
Case Number:	NOT PROVIDED
Statute Number:	39-13-401
Offense:	ROBBERY
Offense Severity:	FELONY
Offense Date:	NOT PROVIDED
File Date:	10/31/1994
Final Plea:	NOT PROVIDED
Disposition:	CONVICTION
Disposition Date:	NOT PROVIDED
Sentence Date:	10/28/2003
Probation Sentence:	NOT PROVIDED
Sentence Length:	9 YEAR(S)
Confinement Type:	NOT PROVIDED

JURISDICTION: VA General District

Personal Identifiers	
Full Name:	REDD, PERRY DAWHAYNE
DOB:	08/25/1964
SSN:	NOT PROVIDED
Known Aliases:	NOT PROVIDED
Physical Description	
Eyes:	UNKNOWN
Hair:	NOT PROVIDED
Weight (in pounds):	000
Height (in inches):	000
Gender:	MALE
Race:	BLACK
Record details	
Record Type:	OFFENSE
County or Jurisdiction:	FAIRFAX COUNTY, VA
Court:	NOT PROVIDED
Custodial agency:	NOT PROVIDED
Comment:	Case#: 059GT03207819
Other comments:	Case Type: Misdemeanor
Case Number:	059GT03207819
Statute Number:	NOT PROVIDED
Offense:	089/60 RECKLESS
Offense Severity:	MISDEMEANOR
Offense Date:	NOT PROVIDED
File Date:	12/30/2003
Final Plea:	NOT PROVIDED
Disposition:	GUILTY IN ABSENTIA
Disposition Date:	02/05/2004
Sentence Date:	NOT PROVIDED



**Screening and
Selection Services**

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink

Order/Item: 18708988-3

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Probation Sentence: NOT PROVIDED
Sentence Length: NOT PROVIDED
Confinement Type: NOT PROVIDED

Jurisdictions Searched:

Crimlink is a multi-jurisdictional criminal history database which serves to identify potential criminal history records based upon a name (first, middle and last) and date of birth match. If a date of birth is not available in the record contained in the database, a record will be matched by name only. Sex Offender Registries (SOR) records are only matched by name.

Jurisdictions that are searched in Crimlink consist of Traffic Courts, Superior and Circuit Courts, Administrative Office of the Court (AOC), Department of Corrections (DOC), Sex Offender Registry (SOR) and Office of Foreign Asset Control (OFAC) records. Inclusion of these national, state and county level jurisdictions vary by state and county. Please see the most current list of included jurisdictions for complete details in the Resource Library, General ADP Information, Product Information section.

It is the recommendation of ADP Screening and Selection Services that all records that are returned by searching the Crimlink database be verified for completeness and accuracy with county court level searches, particularly before taking any adverse action.

Fair Credit Reporting Act Notice:

Your acceptance and use of this report is certification that you are in full compliance with the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.) and all applicable state and federal laws. Although every effort has been made to assure accuracy, ADP Screening and Selection Services cannot act as guarantor of the accuracy or completeness of the information as ADP Screening and Selection Services is not the source of the information. The depth of information varies from product source to product source. Final verification of an individual's identity and proper use of the report is the user's responsibility. We require the requestor of these reports to have signed a User Agreement certifying that users are familiar with, will abide by, and will use the report in compliance with all applicable laws, including, but not limited to, the Fair Credit Reporting Act.

UNITED STATES DISTRICT COURT

DISTRICT OF COLUMBIA

PROBATION OFFICE

GENNINE A. HAGAR
UNITED STATES PROBATION OFFICER

E. BARRETT PRETTYMAN U.S. COURT
333 CONSTITUTION AVENUE, N.W., SUIT
WASHINGTON, D.C. 20001-2866
TELEPHONE (202) 565-1300

MEMORANDUM

May 18, 2010

EXHIBIT G
2010CBX00728(DCS)

September 2010

Agency Position Statement
Letter from Probation Officer

To: Richard Mattiello
Compliance Review Manager

From: Lisa Wright
United States Probation Office

Re: Perry D. McCreary-Redd

This memorandum represents a report of Mr. McCreary-Redd's status since his release to supervised release on August 13, 2009.

On July 10, 2008, Mr. McCreary-Redd was found guilty of Conspiracy to Possess Cocaine Base; Felon in Possession of a Firearm; and Criminal Contempt. He was sentenced to 70 months incarceration followed by three years supervised release. He was ordered to pay a \$300 special assessment and participate in substance abuse treatment. Supervision commenced April 13, 2009, and expires August 12, 2012.

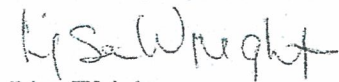
Mr. McCreary-Redd's adjustment to supervision is viewed as satisfactory. He responds well to the directives of the probation officer, he submits monthly supervision reports as scheduled, and he is compliant with his special conditions.

Mr. McCreary-Redd resides with his fiancé at, 422 Marietta Pace, NW, Washington, D.C., and he is actively seeking employment.

Should you have any questions, please contact this officer at the above listed telephone.

Sincerely,

UNITED STATES PROBATION OFFICE



Lisa Wright
United States Probation Officer

Name: MCCREARY, PERRY DAWHAYNE **DOB: 8/25/1964** **PDID: 376-083** **BAID: 85032974**

☐ **PSO/CSO**
☐ Find Client
☐ Change Password
☐ Client Profile
☐ Logoff
☐ Diagnostic
☐ Lockup List (Diagnostic)
☐ Client Name
☐ Employment
☐ Addresses
☐ Identifiers
☐ Characteristics
☐ Birth/Death
☐ Citizenship
☐ Languages
☐ Communications
☐ Case Filing
☐ Criminal History
☐ Supervision
☐ Release Orders
☐ Warrants

Internal Criminal History

File Date	Case/ Docket Number	Suppress	Judge/Officer	Case Status	Sealed	Sealed Date
2/27/1985	85058889 / 1985-CMD- 003362		TIGNOR, ROBERT S	Closed Complete	No	
	<u>Count</u>	<u>Charge</u>	<u>Disposition</u>		<u>Disp. Date</u>	<u>Sentence Type</u>
	+ 1	Simple Assault	Confinement: 60 Days / Suspend: 60 Days / Probation: 1 Years Supervised		6/18/1985	
2/1/1985	85032924 / 1985-CMD- 001605		TIGNOR, ROBERT S	Closed Complete	No	
	<u>Count</u>	<u>Charge</u>	<u>Disposition</u>		<u>Disp. Date</u>	<u>Sentence Type</u>
	+ 1	Burglary I	No Paper		2/1/1985	
	+ 2	Attempt Burglary	Nolle Prosequi		5/6/1985	
	+ 3	Unlawful Entry	Probation: 1 Years Supervised		6/18/1985	
	+ 4	Destruction of Property (Misdemeanor)	Probation: 1 Years Supervised		6/18/1985	
	+ 5	Simple Assault	Nolle Prosequi		5/6/1985	

External Criminal History

File Date	Docket Number	Suppress	Judge/Officer	Case Status	City/County/State of Offense
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Criminal History Record Check

Review Date	Reviewer	Status	Reason	Comments
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Sincere Seven ♦ *"Fighting For Justice & Equality In Our Workplace"*

Sincere Seven

♦ 422 Marietta Place, NW, Washington, DC 20011 ♦
(202) 241-3294 ♦ (202) 239-6565 ♦ e-mail: sincereeven@hotmail.com
www.sincereeven.org

"Let us not grow weary in well-doing, for in due season we shall reap, if we faint not." Gal. 6:9

December 28, 2015

Exhibit #9

(9 pages total plus cover page)



Screening and
Selection Services

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

First Check

First Check

Order/Item: 18708988-4

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Product Coverage: Social Security Number matched against Social Security Administration databases. Provides state and issue date associated with the SSN.

This social security number was validly issued in the state of DISTRICT OF COLUMBIA between 1974 and 1975.

Validation of an SSN does not confirm a match to the name provided.

***** No matching SSN was found in the death master database *****

Name: Redd, Perry D
Date of Birth: 08/25/1964
SSN: XXX-XX-6519

Fair Credit Reporting Act Notice:

Your acceptance and use of this report is certification that you are in full compliance with the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.) and all applicable state and federal laws. Although every effort has been made to assure accuracy, ADP Screening and Selection Services cannot act as guarantor of the accuracy or completeness of the information as ADP Screening and Selection Services is not the source of the information. The depth of information varies from product source to product source. Final verification of an individual's identity and proper use of the report is the user's responsibility. We require the requestor of these reports to have signed a User Agreement certifying that users are familiar with, will abide by, and will use the report in compliance with all applicable laws, including, but not limited to, the Fair Credit Reporting Act.



**Screening and
Selection Services**

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

Locator Products

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**Screening and
Selection Services**

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink

Order/Item: 18708988-3

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Product Coverage: Crimlink is a multi-jurisdictional criminal history database which contains more than 300 million records. Jurisdictions searched include Traffic Courts, Superior and Circuit Courts, Administrative Office of the Court (AOC), Department of Corrections (DOC) and Terrorist Watch List (OFAC) records. Inclusion of these national, state and county level jurisdictions in the database vary by state and county.

Based upon the name and/or DOB supplied by you, we have searched our CrimLink database for all possible matches to your inquiry. The following information is provided as summary information only and should be verified for accuracy by ordering a complete criminal background check.

Applicant information provided:

Applicant Name:	REDD, PERRY
DOB:	08/25/1964
SSN:	XXXXX6519

Information returned from Crimlink database:

JURISDICTION: TN DOC

Personal Identifiers

Full Name:	REDD, PERRY
DOB:	08/25/1964
SSN:	NOT PROVIDED
Known Aliases:	REDDMCCREARY, PERRY; MCCREARYREDD, PERRY; MCCREARY, PERRY

Physical Description

Eyes:	BROWN
Hair:	NOT PROVIDED
Weight (in pounds):	000
Height (in inches):	068
Gender:	MALE
Race:	BLACK

Record details

Record Type:	OFFENSE
County or Jurisdiction:	TDOC, TN
Court:	NOT PROVIDED
Custodial agency:	TDOC
Comment:	DOC #: 00244485
Other comments:	Felony Statute: 39-14-103
Case Number:	NOT PROVIDED
Statute Number:	39-14-103
Offense:	THEFT OF PROPERTY - \$500-\$1,000
Offense Severity:	FELONY
Offense Date:	NOT PROVIDED
File Date:	10/31/1994
Final Plea:	NOT PROVIDED
Disposition:	CONVICTION
Disposition Date:	NOT PROVIDED



Screening and
Selection Services

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink

Order/Item: 18708988-3

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Sentence Date: 10/28/2003
Probation Sentence: NOT PROVIDED
Sentence Length: 9 YEAR(S)
Confinement Type: NOT PROVIDED

JURISDICTION: TN DOC

Personal Identifiers

Full Name: REDD, PERRY
DOB: 08/25/1964
SSN: NOT PROVIDED
Known Aliases: REDDMCCREARY, PERRY; MCCREARYREDD, PERRY;
MCCREARY, PERRY

Physical Description

Eyes: BROWN
Hair: NOT PROVIDED
Weight (in pounds): 000
Height (in inches): 068
Gender: MALE
Race: BLACK

Record details

Record Type: OFFENSE
County or Jurisdiction: TDOC, TN
Court: NOT PROVIDED
Custodial agency: TDOC
Comment: DOC #: 00244485
Other comments: Felony Statute: 39-14-103
Case Number: NOT PROVIDED
Statute Number: 39-14-103
Offense: THEFT OF PROPERTY - \$1,000-\$10,000
Offense Severity: FELONY
Offense Date: NOT PROVIDED
File Date: 10/31/1994
Final Plea: NOT PROVIDED
Disposition: CONVICTION
Disposition Date: NOT PROVIDED
Sentence Date: 10/28/2003
Probation Sentence: NOT PROVIDED
Sentence Length: 9 YEAR(S)
Confinement Type: NOT PROVIDED

JURISDICTION: TN DOC

Personal Identifiers

Full Name: REDD, PERRY
DOB: 08/25/1964
SSN: NOT PROVIDED
Known Aliases: REDDMCCREARY, PERRY; MCCREARYREDD, PERRY;
MCCREARY, PERRY

Physical Description

Eyes: BROWN
Hair: NOT PROVIDED



Screening and
Selection Services

WORKING AMERICA

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink

Order/Item: 18708988-3

Order Date: 08/05/2009

Requester: NORTHERN VIRGINIA OFFICE

Billing Code: nova

Weight (in pounds):	000
Height (in inches):	068
Gender:	MALE
Race:	BLACK
Record details	
Record Type:	OFFENSE
County or Jurisdiction:	TDOC, TN
Court:	NOT PROVIDED
Custodial agency:	TDOC
Comment:	DOC #: 00244485
Other comments:	Felony Statute: 39-13-401
Case Number:	NOT PROVIDED
Statute Number:	39-13-401
Offense:	ROBBERY
Offense Severity:	FELONY
Offense Date:	NOT PROVIDED
File Date:	10/31/1994
Final Plea:	NOT PROVIDED
Disposition:	CONVICTION
Disposition Date:	NOT PROVIDED
Sentence Date:	10/28/2003
Probation Sentence:	NOT PROVIDED
Sentence Length:	9 YEAR(S)
Confinement Type:	NOT PROVIDED

JURISDICTION: VA General District

Personal Identifiers	
Full Name:	REDD, PERRY DAWHAYNE
DOB:	08/25/1964
SSN:	NOT PROVIDED
Known Aliases:	NOT PROVIDED
Physical Description	
Eyes:	UNKNOWN
Hair:	NOT PROVIDED
Weight (in pounds):	000
Height (in inches):	000
Gender:	MALE
Race:	BLACK
Record details	
Record Type:	OFFENSE
County or Jurisdiction:	FAIRFAX COUNTY, VA
Court:	NOT PROVIDED
Custodial agency:	NOT PROVIDED
Comment:	Case#: 059GT03207819
Other comments:	Case Type: Misdemeanor
Case Number:	059GT03207819
Statute Number:	NOT PROVIDED
Offense:	089/60 RECKLESS
Offense Severity:	MISDEMEANOR
Offense Date:	NOT PROVIDED
File Date:	12/30/2003
Final Plea:	NOT PROVIDED
Disposition:	GUILTY IN ABSENTIA
Disposition Date:	02/05/2004
Sentence Date:	NOT PROVIDED

**Screening and
Selection Services****WORKING AMERICA**

SSN: XXX-XX-6519

Redd, Perry D

ID Link

Crimlink**Order/Item:** 18708988-3**Order Date:** 08/05/2009**Requester:** NORTHERN VIRGINIA OFFICE**Billing Code:** nova

Probation Sentence:	NOT PROVIDED
Sentence Length:	NOT PROVIDED
Confinement Type:	NOT PROVIDED

Jurisdictions Searched:

Crimlink is a multi-jurisdictional criminal history database which serves to identify potential criminal history records based upon a name (first, middle and last) and date of birth match. If a date of birth is not available in the record contained in the database, a record will be matched by name only. Sex Offender Registries (SOR) records are only matched by name.

Jurisdictions that are searched in Crimlink consist of Traffic Courts, Superior and Circuit Courts, Administrative Office of the Court (AOC), Department of Corrections (DOC), Sex Offender Registry (SOR) and Office of Foreign Asset Control (OFAC) records. Inclusion of these national, state and county level jurisdictions vary by state and county. Please see the most current list of included jurisdictions for complete details in the Resource Library, General ADP Information, Product Information section.

It is the recommendation of ADP Screening and Selection Services that all records that are returned by searching the Crimlink database be verified for completeness and accuracy with county court level searches, particularly before taking any adverse action.

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