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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA,)	CR. NO. 3:23-00117-JFA-1
)	
v.)	
)	DEFENSE MOTION TO
STEVEN CLARK LEFEMINE,)	SUBPOENA WITNESSES
)	FOR BENCH TRIAL
DEFENDANT.)	
_____)	

DEFENSE MOTION TO SUBPOENA WITNESSES FOR BENCH TRIAL

NOW COMES *pro se* Defendant Steven Clark Lefemine, and respectfully moves the Court direct that subpoenas be issued for the appearances of two individual witnesses during bench trial, presently set for March 11, 2024, beginning at 10:30 am, Courtroom #4, in the Matthew J. Perry Court House, 901 Richland Street, Columbia, SC 29202, as follows:

- 1) Marketta Portee*, Planned Parenthood "Health" Center Manager
2712 Middleburg Drive, Suite #107, Columbia, SC 29204
Ph. 803-256-4908 (office)

- 2) Allison Terracio, Advocacy Campaigns Manager for
Planned Parenthood South Atlantic
2712 Middleburg Drive, Suite #___, Columbia, SC 29204
E-mail: allison.terraccio@ppsat.org
Ph. number may be available in unredacted **Federal Bureau of Investigation** Electronic Comm. report

* It is noted that Marketta Portee is also listed as a witness on the Government's "PRELIMINARY EXHIBIT AND WITNESS LIST", dated February 16, 2024

During the investigation, Allison Terracio had contacts with, and Marketta Portee had interviews by, FBI Special Agent Alexandra Monaghan regarding this case, as documented in the Unclassified **Federal Bureau of Investigation** Electronic Communication report provided to the Defendant by the Columbia Federal Public Defender's Office on February 28, 2024.

Both Allison Terracio and Marketta Portee were present on November 15, 2022 outside in the

parking lot at 2712 Middleburg Drive in the vicinity of Suite #107 prior to Defendant's arrest by two Columbia Police Department officers (Barfield and Beattie). Both Allison Terracio and Marketta Portee were eyewitnesses to Defendant's actions and conduct prior to his arrest.

The Government Indictment against the Defendant (below) includes the charges that Defendant "did intentionally intimidate" and "attempt to intimidate" ... "employees and patients of Planned Parenthood South Atlantic in Columbia, South Carolina".

In Title 18, Section 248 (e) **Definitions**. — As used in this section:, the term "Intimidate" is defined thusly:

(3) Intimidate. — The term "intimidate" means to place a person in reasonable apprehension of bodily harm to him- or herself or to another.

The testimony of Allison Terracio and Marketta Portee is each sought at trial to address the matter of whether or not, in accordance with the statute's definition in Title 18, Section 248(e), they were placed in reasonable apprehension of bodily harm by Defendant's stationary, seated, interposition ("sit-in") outside the Planned Parenthood client door outside Suite #107; as well as other matters, particularly in the case of Marketta Portee, who approached the Defendant while he was seated and engaged him verbally.

INDICTMENT (February 22, 2023)

COUNT 1

THE GRAND JURY CHARGES:

On or about November 15, 2022, in the District of South Carolina, the defendant, **STEVEN CLARK LEFEMINE**, by physical obstruction, did intentionally intimidate and interfere with and attempt to intimidate and interfere with employees and patients of Planned Parenthood South Atlantic in Columbia, South Carolina from providing reproductive health services and patients of said clinic from obtaining reproductive health services in that the defendant, **STEVEN CLARK LEFEMINE**, did block the front doors, making it difficult for employees and patients to get around him to enter the clinic;

In violation of Title 18, United States Code, Sections 248 (a)(1) and (b)(1).

Respectfully submitted,



/s/ Steven C. Lefemine

STEVEN C. LEFEMINE

Defendant

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Columbia, South Carolina
March 1, 2024