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David Whitaker Designated as Cooperating Witness by Feds in Government Fraud and Corruption Cases

Federal prosecutors delay Whitaker's sentencing to 2026 to leverage his testimony in trials involving Martinez, O'Neal, White, and Hendricks; the court removes the complex case designation for White and Hendricks, streamlining their proceedings.

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From left to right, Jenifer O'Neal, David Whitaker, and Ray Martinez. Both Martinez and O'Neal appeared in court for a status conference on Thursday. By. WTJX (PICTURES OF O'NEAL AND MARTINEZ ON THE LEFT AND FAR RIGHT)

ST. THOMAS — David Whitaker is now being described by the federal government as a cooperating witness — a designation being made public for the first time — as prosecutors and

defense counsel filed a joint motion on Thursday to delay his sentencing, currently scheduled for April 7. The motion brings to the fore Whitaker's critical role in ongoing legal proceedings, positioning him as a key figure in multiple high-profile cases with potential far-reaching implications.

“The United States anticipates calling Defendant Whitaker as a cooperating witness at two different trials, which are not anticipated to conclude until the end of 2025,” the motion said, referring to the trials of Ray Martinez and Jenifer O'Neal, as well as Calvert White and Benjamin Hendricks.

Last September, Mr. Whitaker [pleaded guilty](#) to offering at least one government official bribes in exchange for expedited payments of his company's invoices. Pushing back his sentencing hearing until after January 5, 2026 will “allow for the Court to consider Defendant Whitaker's testimony” in the matters against the former government officials when making its determination about his ultimate punishment.

Meanwhile, Mr. Martinez and Ms. O'Neal were provided with court-appointed attorneys on a temporary basis after the court learned during a Thursday status conference that they did not yet have official private representation. Former OMB Director O'Neal said that a private attorney would be prepared to file to represent her by Friday. Former police commissioner Ray Martinez, who like Ms. O'Neal had counsel appear on his behalf on a limited basis on Thursday, also requested that a court-appointed attorney represent him until he had officially retained private counsel. Both parties now have until January 31 to file a financial affidavit with the court. That date is also the deadline by which discovery materials are due to be handed over. Mr. Martinez and Ms. O'Neal face charges of honest services wire fraud scheme, bribery concerning programs receiving federal funds, and money laundering conspiracy. [They have pleaded not guilty.](#)

In a separate status hearing on Thursday, Judge Alan Teague, presiding over both trials, was told that prosecutors would no longer seek to have Mr. White and Mr. Hendrick's case certified as complex, after Mr. White filed a [motion opposing that effort](#). Mr. White and Mr. Hendricks are charged with honest services wire fraud scheme and bribery concerning programs receiving federal funds. They have also pleaded not guilty to the charges.