

December 11, 2018

Honorable Judge Jose L. Linares, Ch. USDT
U.S. District Court, D.N.J.
Martin Luther King Jr.
Federal Building and Courthouse
50 Walnut Street, P.O. Box 999
Newark, New Jersey 07101-0999

Re: United States of America v. Paul Bergin
Criminal No. 09-369
Supplemental Reply In Support Of Defendant
Paul Bergin's Motion For A New Trial
Grounded On Newly Discovered Evidence AND
IN SUPPORT OF HIS MOTION PURSUANT
TO 28 U.S.C. § 2255.

Dear Honorable Chief Judge Linares:

I most respectfully plead that you accept my supplemental submissions in support of my motions pursuant to R. 33, Federal Rules of Criminal Procedure and 28 U.S.C. § 2255.

I am wholly cognizant that the supplement vociferously corroborates my position in the Rule 33 motion and that not all of it is

newly discovered. It is my ardent position that it will assist the Court in making its determination and presents context, to the newly discovered magnanimous evidence, already submitted.

Moreover, I firmly submit that when you read this submission in conjunction with the Rule 33 and 2255 evidence, it will wholly convince you of my actual innocence.

I am in coordination to provide you with certifications from the following:

- (a). Inmates - two whom were incarcerated with Yolanda Jacregui, at the Hudson County Jail, Kearny, New Jersey, whom I never met; but will certify-attest that Yolanda confided in them that I am innocent, but she was intimidated-coerced to provide false testimony against me in order to receive favorable governmental treatment.
- (b). An certification from Anthony Young, Sr (unrelated to Anthony Young whom testified in my case), that Eugene Braswell admitted to him he perjured and contrived all his testimony against me;
- (c). An admission by witness Abdul Williams that he committed perjury at my trial and against me;
- (d). An certification by Lawrence Lustberg, Esq, that Curry admitted to him I was innocent of the Kemo accusations and that there never was a meeting as alleged, or statement "no Kemo no case."

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(c) An certification from a fellow inmate and Muslim prayer brother of Abdul Williams, Syed Rehman, who was present with Williams when he plotted, schemed and conspired to wholeheartedly fabricate his entire testimony against me; to receive favorable treatment in the serious case against him.

Rehman Knows Williams CONTRIVED all his testimony against me and that I am completely innocent. (Emphasis added).

There is further monumental evidence that I have requested from my counsel-investigator and hope to present. Please forgive me.

At this materially relevant time and with a sense of urgency, I am most respectfully requesting an Order of the Court that the government provide me with the U.S.S.G. 5K1.1, motion certifications for Yolanda Jauregui and Ramon Jimenez; especially in light of the government's Reply submission and seminal issues of credibility.

It is my vociferous and steadfast position that the government questioned the veracity of these two witnesses when they recommended substantial imprisonment. Other witnesses whom had extensive violent criminal histories and prior substantial crimes, as well as facing life in prison received time served

sentences. The government could redact everything except their opinions on credibility; so they have no excuses nor objections to provide me with copies.

I am also begging - pleading with This Honorable Court to appoint me counsel, independent of my Rule 33 attorney, to represent me on my 2255 motion. I need independent investigation and want to ensure the truth, finally surfaces and justice prevails for me.

I also need counsel to seek a DOJ investigation relevant to prosecutorial misconduct and fervent suborned perjury, which resulted in my miscarriage of justice.

Finally, but most importantly. Yesterday I received the government's submission (letter and Judge Sheridan opinion), dated November 29, 2018 and relevant to William Baskerville's claims in accord with his 2255 petition.

It must be accentuated that the facts, evidence and their impact, between Baskerville and me are wholly dichotomous. I had one perjurer, discredited and now proven lying witness against me, Anthony Jany. The evidence presented against me, including a disprison and contrived motive (my alleged fear William would cooperate against me, which we now know to have been completely contrived by the government), pales in comparison to William's case. As a matter of fact, Judge Sheridan held that I merely passed along information from William to others; which evinces that I was not legally responsible for what the others did later in time; - if you accept the facts and perjured - fabricated testimony of Jany, or that William planned, ordered and was the one that identified Kemo McGay, which completely disassociates me from liability; and that William was the one who ordered that Kemo be hunted and killed, not me (Sheridan opinion, p. 20-24).

What the government fails also to mention is Judge Sheridan's holding that my claims are NOT procedurally barred as the government tried to squish

their way from a decision on the merits and out of. P. 70, Opinion.

Judge Sheridan also and conclusively ordered an evidentiary hearing on critical witnesses who could conclusively prove my innocence and eviscerate Young's credibility.

The audaciousness of the government's submission when they are fully cognizant of the incomparable and monumental facts and arguments I presented is atrocious. The proofs I present would result in a 5 minute not guilty verdict and vehemently establish my "actual innocence" and that the government knew, to an absolute per-jurvous certainty, witnesses were not testifying truthfully.

Saunders ingenuoussness is consistant with his unethical, amoral and corrupt intent to deceive the District Court and jury, to FALSELY believe I had the "no Komo no case" meeting on December 4, 2003; when in his hands the government held recordings, summaries and transcripts that this was impossible - yet, Minish also deliberately, knowingly and intentionally presents this false argument to my jury; and what is also paramount is that they corruptly coached Young to swear to the jury that "he also believed this to be the date. Especially, subsequent to my absolute proof that Young lied when he swore at Basleville's trial and professed to the FBI my alleged meeting occurred 4-6 days after Williams arrest, on November 28, 2003.

This is why the cases are dichotomous legally and factually and again Saunders deliberately attempts to mislead the Court.

What is troublesome and worrisome is how the govt thumps its chest with righteous indignation, because they are terrorized their illegalities are about to be exposed. They never attempted to verify nor investigate witnesses, when their experience should have depicted untruthful witnesses.

They turned their heads to known falsities like Yarnagi fabrications about using an automatic weapon and so much more. They never sought justice and all they ever cared about was winning their case, promotions and bonuses.

I may have lost everyone and everything I love in life and am now confined under torturous, sadistic conditions; but I will come before God proudly and knowing I am innocent. Minish, Gay, Sanders, Coyne and every witness who is complicit in this grave travesty of injustice, will have to answer for their atrocities.

God Speed,
Most respectfully,

Paul Benjamin

P.S I am presently attempting research in order to file a motion pursuant to Johnson v. United States, 135 S.Ct. 2251, 192 L. Ed. 2d 569 (2015) and Sessios v. Dimaya, 138 S.Ct. 1209, 200 L. Ed. 2d 549 (2018).

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

PAUL W. BERGRIN

CERTIFICATION OF PAUL W. BERGRIN

I, Paul W. Bergin, make this certification under the penalties of perjury. Every word contained herein has been copiously scrutinized and is the absolute truth.

I am familiar with every fact contained herein.

A. MY LIFE EXPERIENCES.

1. In order to make an intelligent and informed legal and factual judgment against me, it is imperative that this Honorable Court be wholly cognizant of my knowledge, experience and factors known to me at the time I made decisions, gave advice and these allegations were made against me.

2. I was born in 1955, the same year my father, Bertman Bergin became a New York City

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Police Officer

My father remained a New York City Police Officer until 1981, when he passed away. He rose to the rank of Lieutenant and during his entire career he remained in uniform, working the streets of New York City. He was buried with an Inspector's Funeral and over 500 law enforcement officials attended his funeral.

My father's life, friendships and personal discussions with me, up until the time of his death, evolved around his 26 year career, the daily life of being a police officer, their mind-set, thoughts and issues they confronted. This innate philosophy was instilled in me from childhood and my father, as well as a plethora of his friends, all of whom were civil servants and veterans, (like my Dad) all thought similarly. I grew up the son of a devout street cop and soldier.

3. In law school, I volunteered to intern at the State Attorney's Office and prosecuted a multitude of bench and jury trials. I was tutored and learned from career prosecutors, street police officers and law enforcement professionals.

They endowed me for the love of police work and respect for law enforcement.

4. As an United States Army Judge Advocate General, with the rank of Captain, I commenced my career as a Trial Counsel (Prosecutor). As a prosecutor I tried to verdict over twenty-five serious felony Court-Martials. I was selected as a defense counsel, to work for The United States Army's Trial Defense Service, Washington, D.C. and travelled the world representing service members accused of serious crimes, such as murder, homicide, robbery, rape, narcotic violations, fraud and corruption. I tried to verdict at least 50 major cases.

I represented serious felony ^{cases involving} ~~senior~~ military officials in Panama, The Azorean Islands, Europe and throughout CONUS - Continental United States.

(a). As a member of the 77th U.S. Army Command and a Major, I represented the most senior members of the Command such as Major Jonathan Thalassinos, Command Sgt. Major, Joseph Rodriguez, Sergeant Major Marvin Riddick, CW3 Paul Silverman, a Silver Medal recipient and CW4 William Haberman. All on serious criminal accusations and all career soldiers with distinguished records.

5. As an Essex County Assistant Prosecutor, Newark, New Jersey, I tried to verdict at least 50

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types of felony cases of all crimes. I was then selected for the Homicide Section, where I handled hundreds of investigations, law enforcement shootings or weapon discharges and tried twenty murder cases to verdict. I was well respected, always received the maximum pay bonuses and was sought after as a prosecutor by every law enforcement department and agency. I tried three defendants in an arson for hire murder case, and sought capital punishment. I never lost a homicide case and was extremely close to law enforcement. When I left the office I received more distinguish service awards than any prosecutor I knew.

6. As an United States Attorney, District of New Jersey, I tried and also investigated numerous cases of all seriousness, including The Winter's Candy Man Organization, Clark Kent for Kidnapping, robbery, rape, etc. The Dear family for truck hijackings and was assigned to the Child Pornography Task Force when the statute changed in 1989.

I was very well respected and through all my experiences as a prosecutor I was able to develop an acute knowledge for the inner most thoughts of an law enforcement officer and their mind sets.

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I was awarded Certificates, Awards and received a multitude of accolades from almost every federal agency; including but not limited to the FBI, DEA, ATF, Secret Service, Customs, Marshall's and INS. I was personally awarded an incentive plaque from FBI Director, Louis Freeh, for my pro bono assistance to FBI personnel and their families.

7. I had career ambitions of remaining a prosecutor eternally, but decided to resign subsequent to my testimony, as a defense witness, in USA v Cicalese and Giletti (Two former Essex County Prosecutor Detectives), being tried federally.

I have attached a copy of my memo which is entitled, "Maximum Hypocrisy" which delineates this era.

As a note, I passed the FBI Agent exam in 1983 and was offered a position as a Special Agent.

8. I was a New Jersey Supreme Court Certified Criminal Trial Attorney and practiced law for over 30 years, devoid of any accusations or complaints of ethics violations or conduct contravening the Rules of Professional Responsibility.

9. I was admitted to practice law before the US Supreme Court, multiple Appellate and District Courts, as well as bars in New York, NJ, Florida, Wash. D.C. and every military Ct.

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I am a retired Army Officer with over 35 years of impeccable, honorable and decorated service. I have successfully completed more than 25 overseas tours and missions.

As a Criminal Defense Attorney, I litigated to verdict more than 100 felony cases, including approximately 25 murder cases; I tried cases in both federal and state courts with great success. I gave my heart, soul and determination to every case.

10. I attributed my successes to tenacity, an incessant and never-ending work ethic and an innate ability to fully comprehend the weaknesses of a law enforcement officer and their investigation. Most importantly, I knew when statements, reports and prosecution presented testimony was false, contrived, fabricated and fantastical. I could get into the mind and under the skin of law enforcement officers and flawed witnesses; as I lived their life and comprehended their mind-set.

I was extraordinarily successful as both a prosecutor and defense counsel and sought after to represent federal and state police unions and their accused officers-members.

I represented hundreds of military, municipal, state and federal officials at administrative hearings.

11. I was placed on retainer by several police unions and handled administrative cases militarily and on behalf of law enforcement officers, throughout the United States.

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I worked incessantly to save the careers and liberty of many officers whose lives were in clear jeopardy of destruction.

12. I surrendered my heart and soul to helping, representing and saving the lives of my fellow soldiers and law enforcement officers; I felt an affinity for.

I was the lead attorney in the Abu Ghraib, Iraq torture case and responsible for addressing and revealing governmental misconduct, prisoner abuse and blatant violations of Treaties, Laws and Conventions. I refused to ever leave a fellow soldier behind on any battlefield.

During being formally warned by the gov't, on several occasions about impending death or serious injury, if I travelled to Iraq - Afghanistan, I went anyway. I was wholeheartedly willing to sacrifice my life, if it helped and saved a soldier's life. Consequently, I returned 6 times.

I was lead counsel in The Objective Iron Triangle, Samarra, Iraq murder cases; alleged to have been committed by elements - soldiers of The infamous 101 ST Airborne Division, Screaming Eagles. If I did not get involved in this case, multiple soldiers would have been sent to prison to die. I did the same to rescue 1st Armored Division Leon Parker, a valorous tank commander accused of homicide. Parker

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a father of 6 infant children and on his second tour of duty in Iraq was falsely accused in the friendly fire death of one of his tank crew soldiers. He was a hero and being scapegoated by the White House. I vociferously represented him in Iraq and Germany.

This is who Paul Benjamin is - was.

13. All these facts are materially relevant to the Man you must judge and determine whether I committed the crimes, I assert I was falsely accused of.

14. I am innocent and have never equivocated my position. Since the date of my arrest, 20 May '09, I have begged the Court to believe in my innocence.

I have implored and pleaded for the government to POLYGRAPH one material witness at a time, commencing with Anthony Young, but they refuse. They know he was come up deceptive as to my guilt.

My love for law enforcement and our justice system is inherent in my passing both the NYPD exam and FBI test and being offered positions in both departments. It is also apparent by my serving as a prosecutor in the military, Essex County and DOJ, and my exemplary records there.

B. THE DESHAUN MCCRAY (KEMO) CASE.

15. On 25 November 03, at approx. 0900-1000 hours, I was telephone by Deidre Barberville, Williams wife and advised of his arrest and seizure of all their vehicles, never by Curry as Young contrived.

I contacted the Office of the United States Attorney, AUSA John Gay and had the Criminal Complaint faxed to my office. I reviewed the Complaint and observed that it involved five hand to hand sales to a Confidential Witness and the quantities were miniscule. I added up the quantities and it was only approximately 100 grams of crack cocaine. Charges usually declined for federal prosecution. I then contacted William's wife Deidre and informed her to meet me at the federal court house for William's Initial Appearance at 1400 hours.

16. Deidre met me at the courthouse with William's mother, who was sick and suffering from metastatic breast cancer. We all knew Will would plead guilty and go to prison. I had represented both William and Ra'keem Bastoville on prior criminal cases. On William's case he pled guilty and was sentenced to State prison. On Ra'keem's case we went to trial and he was acquitted.

This was the first time I ever met either Deidre or William's mother. All they sincerely desired was some time with Will before his sentence.

17. I interviewed and spoke to William prior to his Initial Appearance and he advised me that my fee should not be too high because the case will be plead out. I agree. William Bastoville is intelligent, street

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savvy and gifted with extraordinary common sense.

We both knew to an absolute certainty there would never be a trial (emphasis added) nor even any motions filed. I based me fee on the absolute belief and discussions with Will Baskerville, that there would be no trial and the case plead.

a. William Baskerville never mentioned to me that he would cooperate, that he is considering cooperation as an option nor that this was within his thought process.

William would have NEVER considered me as his attorney, hired me nor contacted me, if he thought about cooperation. He would have saved money and sought a CJA Attorney. Most importantly William was wholly cognizant of the criminal justice system and any cooperation by him would jeopardize his mother, wife, brothers, cousins and everyone he loved.

Most pertinent also is the fact that if William had any thoughts or desires to cooperate, his two attorneys whom were CJA appointed, when I voluntarily recused myself, would have brought this to the Court and or government's attention. This proves he never contemplated nor thought about cooperation. He never-
ever mentioned this fact to me; nor did I ever (emphasis added) think, believe, fear nor did it enter into my that process, that he would cooperate. This motive by the govt is pathetically contrived, as proven by Defense Counsel Carl Herman's

and Kaiser's subsequent representation with no discussion about cooperation.

(b). Subsequent to the Initial Appearance both William and myself knew to an absolute certainty:

(1). That William had made six hand to hand narcotic sales to an ~~under~~ informant of the F.B.I.;

(2) That all the transactions had been set up during recorded telephone conversations and that all the hand to hand sales were recorded by body wires;

(3) That there was video surveillance of the narcotic deals;

(4) That law enforcement officers witnessed-observed-surveilled every single transaction;

(5) That the informant was methodically searched by skilled law enforcement officers before each and every transaction, that he was given buy money from informant funds, prior to each transaction and ^{was} observed handing the money to William and then receiving the drugs. Kemo then turned the drugs over to law enforcement; and they never lost sight of him.

The evidence was overwhelming and even a mentally dysfunctional and inexperienced criminal

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defense attorney would know? that. It was not rocket science and the case had to be plead:

(1). The case must be plead;

(2) There is no defense whatsoever; and

(3) No defense counsel would and could ever believe and represent that Deshaun McGary, "Kemo" was a necessary witness. He was immaterial and unnecessary for conviction.

(4). Based upon my experience and training as a State and Federal prosecutor, I would never even use "Kemo" as a witness; I had credible law enforcement officers, recordings, videos and surveillance to prove my case. It was a "no brain" prosecution and case to prove.

18. There was never a meeting with Hakeem Curry, Hakeem Barker, Jamal Barker, or Jamal McNeil or Anthony Young wherein

I ever made a representation that without Kemo McGary, I would win the case,

William would go free and no Kemo no case. NO MEETING EVER OCCURRED. NEVER!

It is insulting and pathetic to believe those words could ever come out of my mouth. It never would. Impossible!

19. I never met Jamal Barker, or McNeil

It was a complete fabrication. I never spoke to Young about this case - Ever.

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in my life, never. (Emphasis added). The first time I ever laid eyes on Jamal Baskerville, was in Court at my first trial, in 2011. He told Judge Martini he never saw nor met me nor had anything to do with the Kemo case, as Young falsely alleged. To this date he has never been charged. Immediately after Jamal stated this, I heard AUSA Gray warn him to assert his 5th Am. right and, essentially, shut up.

20. On 25 Nov. 03, I called Curry at about 2:00 p.m. and we spoke for the first time that date. Not as Young lied about. I was also cognizant that Young fabricated meeting with Deidre and Baskerville's family, as Deidre called me from her home that morning, was without any transportation and an emotional wreck.

21. When I met William at his Initial Ap. on 25 Nov. we mutually agreed the case MUST AND WILL BE PLEAD. TRIAL WAS NOT AN OPTION! (Emphasis added). I sought bail so William could spend precious time with his Mom, whom had Stage 4 metastatic breast cancer. It was terminal.

Will Knew he was going to prison; that the evidence was indefensible, indisputable and incapable of contestation.

22. I am not retarded. I am a skilled, competent, knowledgeable and extremely experienced defense attorney and Knew to an absolute certainty that the case would plead out. I also knew about NCIL pleas and how to work out favorable dispositions and how to plead a case

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below the guidelines. I was conclusively sure about this and had done it many times previously. For 150gr. of crack cocaine, I KNEW no one is getting life in prison and not the case of the century. I was surprised the U.S. was even prosecuting it, as it was a waste of an AUSA's time.

I also was cognizant of the govt's mind set about this case because the Complaint only averred a 5 to 40 statutory offense.

23. The Baskinills had been represented by me previously and I plead Will out to a short State prison term, when he was originally charged with a much more serious case. It is absurd-tudicrous to even entertain the fact that I would falsely claim, exaggerate or lie deliberately and state to anyone, never-the-less a serious client; "that without Kemo I would win the case, no-Kemo no case"; or that I could ever win the case or get Will bail, that was already denied; especially with an FBI witness killed.

— This was Curry's first cousin whom was raised by the same grandmother and in the same house, with Curry. Any defense counsel would know that this representation was 1000% false and it would mean a death sentence to me. I never said such a thing nor anything related to that. This is why the phone recordings clearly and unequivocally and emphatically state that

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on MULTIPLE (emphasis added) occasions I was recorded informing Curry that Will would be pleading guilty and I would be able to negotiate a deal for him actually doing 10 years in prison. This is also why Curry was recorded repeating this plea and sentence to others of power. I used the number 10 because that was the statutory minimum. I knew my way around.

24. These may be one of the most important facts: Please read carefully.

Baxterville (a). I had represented Rakeem ²⁰⁰³ ~~Curry~~ a few years prior to Will's arrest. He was arrested, charged and indicted for unlawful possession of a weapon and possession of a weapon by a convicted felon. At the time Rakeem was charged he was physically disabled after he was shot several times. He was in poor physical condition and almost died.

Rakeem and Curry brought Anthony Young to my office and Young informed me ^{that} it was his gun and not Rakeem's; and that Rakeem is innocent of the weapon charges. I hired an investigator to take a sworn statement from Young and presented it to the Prosecutors office seeking Rakeem's dismissal of charges. Young was called into the Essex

County Prosecutor's Office and interrogated. Young gave a second sworn statement, to Prosecutor's Detectives, recanting the fact that the gun was Young's; and, most importantly, admitting that Curry and the Baskinville's convinced him to lie, perjure himself and falsely exculpate Rakeem. (Emphasis added). He became a State C/W against Curry and the Baskinville's. I received the Young statement in discovery for Rakeem's trial.

Young was never trusted by Curry nor the Baskinville's after Rakeem's State case. The first time I ever met Young was during Rakeem's State gun case and why I refused to represent him, when he sought me on his federal trigger lock case, in 2003-2004.

I believed I was conflicted in representing him and did not like nor trust Young.

Young then retained attorney Paul Fenberg, because I would not represent him.

Lachoy Walker, the government's critical C/W against Curry and Rakeem Baskinville, at Curry's federal trial, knew that Young was not in Curry's inner circle; nor did he ever see Curry with Young. Also, importantly, Walker would have to have informed the government Young is lying about the Kemo case and I am certain a hearing would disclose this. 26. I NEVER MET WITH YOUNG NOR ANYONE ELSE ABOUT KEMO, AS YOUNG TESTIFIED. IT NEVER OCCURRED. I WAS SO UPSET ABOUT THIS FALSITY AND CRIED.

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like a

little baby when I was arrested in 2009 and learned that I was falsely accused ~~to be an~~ ^{of} ~~being~~ accessory in Kemo's murder. It never occurred. Never. I had nothing to do with it. Ever. I ~~was~~ never mentioned nor did anything to harm Kemo.

27. Kemo was killed on March 2, 2004.

Approximately, two weeks prior to the Kemo shooting, Curry came to my office and in his hand was a federal tracking device. I had seen them before. Curry was terrified. I knew that Curry was under investigation ^{and} surveillance and I was recorded informing Curry and his wife that this is very serious. To walk the straightest line in his life.

To believe I would advise or participate in the murder of a federal informant witness, whom is ^{irrelevant and} totally ^{meritless} to my representation of will, while Curry is under federal investigation and scrutiny is completely insulting.

This Court must consider all these factors. I am innocent. I had nothing to do with the murder of Kemo and had no knowledge it would occur.

28. The last point I want to make on

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the fact that Will and I intended to plead guilty was Will being recorded by a government informant and while speaking to fellow inmates at the Hudson City Jail, telling them he is going to plead guilty; and was hiring a sentencing expert to assist in reducing his sentence. What stronger proof is there than this. It is not subject to contestation.

I also want this Court to understand that for the government's monoric theory about what I said at this meeting to have any merit, then I would have filed a bail motion, after Kamo was killed. This never occurred.

I also ask the Court to also consider the fact that if I was any part of this conspiracy then I would have never been intercepted telling Curry the case has to be plead, we will plead and how I never even considered Will would get life; but only be facing about 10 years.

I also ask the Court to consider my expert crime scene report which the govt never disputed. It proves that forensically and scientifically, Young has to have committed perjury. This is wholly new evidence - conceded by the govt.

THE ESTEVES - OSCAR PLOT TO ALLEGEDLY KILL WITNESSES,

29. Will Basterville was convicted in the Kamo case in 2007. Newspaper articles commencing in 2004 (after Kamo's death) and continuing into 2009 meticulously - copiously - and nauseum described the entire scheme - case - crime scene and demonized me. The Press through the govt made me a co-conspirator.

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30. In 2008, I was retained by Vincent Esteves to represent him in a major Monmouth Cty, NJ narcotics case. He was accused of running an international drug organization. a) Esteves entire organization was also arrested, including but not limited to his wife Chantel, brother in law, Cesar, first cousin Michael and associates. It was an all encompassing investigation involving State + Federal law enforcement.

31. On the date of Esteves' arrest he decided to cooperate with law enforcement and gave an exhaustive video-taped confession-statement. He left no stone unturned and incriminated even all his family, friends, associates and every conceivable contact.

32. Upon my retention I filed a bail motion for Esteves and recommended attorneys for his wife and family.

a). Extremely important: as a alaw whom testified against me at trial. Esteves admitted at trial that HE as well as the prosecution informed and provided me a copy of his videotaped confession. It was discovery and, of course as retained counsel in a State prosecution, I have the right to all pretrial discovery and would need this confession to file pretrial motions.

b). A review of Esteves' confession-statement-extensive cooperation delineated that he even incriminated the beloved members of his family, as well as all his international, national and drug distribution contacts. I also ascertained Esteves cooperated in a prior major State case.

33. Months after my retention by Esteves and out of the clear blue sky, Oscar Cortova telephoned me; he wanted to finance the

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Esteves case. He misrepresented to me initially that both he and his alleged father, Latin King Leader, Lord Gino are close friends of Esteves and want to help him. I brought this contact to Esteves attention and he immediately denied he knew, ever met nor did he ask for this help.

Oscar told me his father, Lord Gino is imprisoned at the Supermax Prison ADX, Florence, Colorado and not only was he ordered to contact me by his father, but also his bosses, The Colombian Cartel Leaders, The Ochoa and Herrera Family.

Oscar also told me ^{he} has unlimited funds to finance Esteves' defense and to work on his bail. All this was stated to me telephonically and then during an in-person meeting, with a man whom never met me.

What was mind-boggling and the most preposterous to me was when Oscar then stated, he needs Esteves on bail so he could meet his drug contacts and buy drugs. (This was subsequent to Oscar telling me he was being sent by the Colombian Cartel(s)).

33. I truly believed this was a hidden television camera show and it was actually comical.

34. I met Oscar and he truly looked, dressed and talked like a clown. He continually made absurd incriminatory statements, although he never met me in his life.

35. I told my impressions to Esteves at the jail and we agreed to play along with Oscar, have him believe he is getting over on ^{us} and take his

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money because Estenes is broke, all his funds seized or tied up and we need to fund his defense.

36. I contacted my client Maria Correia, whom I knew was a former Latin Queen and tell her that she needs to meet Cordova and find out who he is.

I firmly informed Maria repeatedly that Oscar has to be an informant for the government and he is definitely not whom he says he is. I asked Maria to please meet Oscar Cordova and confirm my suspicions. I was sure he was an C.I.

37. My vehement belief that I knew Oscar was an informant and not who he claims to be was also confirmed by Yolanda Jauzequi and her boyfriend Alejandro Castro visiting Maria at 3:00 a.m., and unbeknownst to me ~~and~~ threatening her; that Paul knows Oscar is an informant and that Oscar's life is being threatened.

38. It is important to consider that I was hated, threatened with death and had nothing to do with the Latin Kings; since I represented Jeffrey Castro in ^{the} execution murder of the leader of the Kings, in Newark's Essex County Superior Court. I called the Kings the Devils reincarnated, cowards, bullies and animals. ~~during trial and~~ They threatened to kill me and my family. The Court

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was packed with Latin King gang associates and subsequent to their threats against my life and to Kidnap and Kill my family; I notified Superior Court Judge Michael Casale and security was increased; moreover, I recorded their threats and turned it over to Newark Police.

39. During meetings with Oscar wherein he continually promised to provide legal fees for Esteves, he consistently threatened to kill witnesses, he had no clue existed; or who they were. I knew that no genuine person talks like this. He even made such insane statements the first time he ever met me.

I swear that I played along with Oscar in order to string him along and until he brought me promised legal fees. All the attorneys were desperate for funds to hire experts, investigators, mitigation specialists, accountants and for enormous time already invested on the case. I should have cut my losses but I had too much time invested in the case and sincerely believed the funds had to come.

40. I Knew To an ABSOLUTE, UNEQUIVOCAL AND TOTAL CERTAINTY THAT OSCAR CORDOVA WAS NOT A LATIN KING LEADER, NOR THE SON OF LORD GINO, NOR A HIT MAN. Oscar was wholly incredible, a drunk, drug user and he spoke one major inconsistency after another. I knew he was a working informant.

a). Oscar informed me that

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he committed 4 execution murders for Esteves, provided Esteves security for thousands of distributed kilograms of cocaine and that he was Esteves' enforcer and money collector. I knew this was totally false as Esteves advised me he did not know Oscar, nor had he ever met him. In this same breath, Oscar told me he was a hit man. All known lies dichotomous to Esteves' information.

b) Oscar told me Esteves knew he was a hit-man. A lie.

c) Oscar told me his father, Lord Gino, at the ADX had a cell phone in his solitary confinement cell, ran the King's World-wide from his cell and ordered murders with his cell phone. He further stated that he communicates with his father via 3 way prison calls and that prison officials permit this.

d) Oscar represented that he was a multi millionaire drug dealer who collected strings from thousands of King's world wide.

e) Oscar represented to me that the New Jersey King's Love and respected me and that he will refer me millions of dollars in cases, after the Esteves case.

f) Oscar said he knew the truck driver in the Esteves case who was arrested on his way to deliver 75 Kg to Esteves (Cocaine); yet when queried about the situation he had no clue relevant to any facts. He knew absolutely nothing and along with all the above he was caught in another lie.

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about Esteves witnesses; such as who they are what they looked like, where they were located, how to locate them. Cardona knew absolutely nothing whatsoever about Esteves' case and those involved.

(g). Cardona stated he knows all of Esteves drug connections and business partners. In the next conversation he was questioning me about their identities, information about them, descriptions, photos, etc. It was difficult for me to even play along with him. His lies were insulting and apparent.

h). Cardona told me that from the ADX, his father, ordered him to kill the witnesses against Esteves.

I knew that this was absolutely false, impossible and that there was a CONFESSION by Esteves and at least 20 cooperating witnesses.

i). Cardona stated he buys kilograms of cocaine from the Ochoa's for \$3,000 per Kg and asked me if I wanted any. I not only told him No but wondered how stupid the government thought I was; ~~then~~ Cardona said he was sent to me to get Esteves out of jail so Cardona could meet ~~his~~ the drug connections of Esteves; who was paying \$15,000 a Kg for cocaine.

j). The next day, Cardona forgetting what he previously told me about \$3,500 Kg; ^{he} told me his friend just went to Mexico and bought him 150 Kg of cocaine at \$15,000 per Kg, and do I want any. I laughed at him and refused the offer.

(k). Cardona told Esteves and Thomas Moran that he paid me \$50,000 cash, which

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I just keep smiling and absorbing all Oscar's statements. It was insulting to me that the government would believe I did not know Oscar was incredulous. All these lies were recorded.

This is why I emphatically told the Government's CI-CW Maria Correia that Oscar was an informant; and now makes sense why the govt changed her name, sequestered her in a Louisiana City Jail and made sure she was late and unavailable to testify at my trial.

Oscar paid me \$20,000 in bubble wrapped U.S. currency.

After repeated broken promises to pay. It was so apparent they were govt funds as Oscar could never afford to even buy lunch or a drink.

L. Oscar told me he is travelling to Panama to kill an Estes witness (Jensen); yet he asked me for a photo, description + location which I ignored. This was also after he advised me he knows Jr and his bosses, but then forgot what he had said and asked what they looked like.

It must be noted that Estes' wife Chantel and their infant son were devoid of any funds; they could not afford pampers, baby food, an apartment, car and Oscar could not afford to even donate a penny for support; although he also promised to help Chantel and the baby, but never did.

I knew that once I received one more payment from Oscar I would cut him off and tell him I never believed him. He promised on multiple occasions more money but to no avail.

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n. On 12-8-08, it was my birthday and I went to dinner. I had Sangria to drink and was having a good time. Moran + Oscar asked to see me to have a birthday drink and for Oscar to give me the funds he promised for Esteves. He said he had it with him.

Oscar made the statement about locating Ir and his girlfriend and wanting to kill them. I knew this was totally false and impossible. I truly believed I would just take the money he claimed he had and this charade would finally be over.

When I saw Oscar and asked for the money, he swore he had it with him and after dinner would get it and pay me. I stalled Oscar and made stupid statements I regret, but knew to be as absurd as all the other comments, statements and talk I had with Oscar.

No human being could have ever believed Oscar, his absolute lies and ludicrous false statements and fantasies.

I knew Oscar was drinking very heavily, was planning to go out with Moran to a Go To Bar and that by tomorrow everything stated would be forgotten, and most importantly, once I received this last payment Oscar would be completely out of my life, that I could provide Xmas funds to all the attorney's engaged in the Esteves case including Moran and myself.

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Everyone I spoke to and involved in this case, especially Maria Correia, Yolanda Jauregui and myself were aware Oscar was an informant and of my intent to play strong him along.

41. I never told Moran of my emotions, beliefs nor objectives because I learned that he was an alcoholic and drug addict and intended to terminate my relationship with him. I had offered Moran residential drug treatment which he refused. Once Moran was arrested for DUI, aggravated assault by causing injury in a motor vehicle accident and then a separate case in another County of eluding police, our relationship was finished.

a) Additionally, I instructed by Office Mgr, Malik Fredericks to terminate Moran after the holidays and evict him. I also learned about this time that Moran was socializing behind my back with Oscar and both of them using drugs and alcohol together; Maria Correia informed me of this. I knew that Moran would tell Oscar anything I informed him about.

b. Adding insult to injury and salt to his wound, Moran failed to appear in Middlesex Cty Superior Court for me in the State v. Ali case; wherein Moran represented a Co-Def and I was held in contempt. Moran was drunk in a bar instead of appearing and this was it. The end. The nail in Moran's coffin.

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42. I would not trust Moran with any confidences

I pray, implore and plead with This honorable Court to conclude that I am genuinely innocent of the Esteves-Cordova allegation.

It is insane to even consider that all my knowledge about Oscar Cordova and his absolute lies would permit me to engage in any illegalities with him; none the less the conspiracy to murder a witness; witnesses Oscar could know nothing about.

Furthermore, Esteves was a CI, confessed and cooperated in a major narcotics case with federal authorities and was a CI in a prior case. He was facing 25 to life as a drug Kingpin, had incriminated his own loved ones, friends and associates, in serious crimes.

43. @ Esteves had fully confessed on videotape to law enforcement without any pressure applied whatsoever.

(b). Esteves was desperate to avoid serious jail time and now help his wife, brother in law and cousin.

(c). He had no drug organizations; inculcated his drug connections, financial contacts, transportation system, international and national traffickers and did this with ease.

I foresaw at least 30 cooperating witnesses agst. Esteves, besides the recorded confession which would be viewed by a Monmouth Cty jury. He would be easily

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viewed as a drug knigger and Jo The Panamanian was not even a relevant- sexual witness.

d) I was certain that Oscar was a CI and what made this even more conclusive and beyond any doubt was the following: I travelled to Chicago to visit my daughter whom blessed me with my first grandchild and to see Oscar. He promised money if I came and to pay all my expenses including the flight. I figured on a free trip- visit and money in my pocket. When I met Oscar he never reserved a hotel room and I waited for blocks with luggage searching for a room. He could not afford to pay for it nor even for dinner. He sent a woman up to my room and I questioned her. Oscar told me she was a Latin Queen sent by his father. When I interrogated her she admitted she was a prostitute and Oscar told her to lie about being a Latin Queen. She is nothing but a street prostitute. I Kicked her out. All Oscar's statements to this girl were recorded. He originally denied all this on the witness stand, but after confrontation with the recording, admitted he perjured himself. All this occurred within a few months of initially meeting him.

(2) I would never commit a crime with anyone, especially a CI- CI Esteves, a CI- CI Oscar, and an admitted alcoholic- drug addict Moran, facing two open indictments.

THE NARCOTIC OFFENSES.

45- I hereby incorporate by reference all facts delineated in my 2255, Rule 33 etc. Every fact proclaimed in

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these submissions is the absolute truth.

46. On March 4, 1951, my older sister Rhonda was born. Besides being my best friend and sister, Rhonda was my surrogate Mom and raised me; as my parents worked around the clock.

a). My sister married a rehabilitated drug abuser, who used heroin and cocaine intravenously. My brother in law Ray had been clean for 10 years prior to meeting Rhonda and he had the Acquired Immune Deficiency Syndrome Virus; which was dormant in his system. They had 3 children.

My sister took her last breath on Valentine's Day 1994 and died of AIDS; infected by her husband as she never used drugs. She left 3 infant children to care for and I took that burden upon myself.

I raise this at this time and implore the Court to believe that I would never use, traffic in, sell nor profit from drugs. I never feared William Baskerville nor Curry would ever cooperate, but for certain; would never falsely incriminate me in drug dealing; that is just false.

I never participated in any drug deals or schemes nor did I profit from aiding, abetting or conspiring to deal drugs. Most importantly, I never directed nor requested anyone to deliver drugs for me; and I certainly had no knowledge whatsoever that the day after my arrest, May 21, 2009, Alejandro + Alonzo Castro would pick up cocaine and store drugs ~~there~~ there. Any witness that says otherwise is

not telling the truth. They are continuing and fabricating this evidence for their own benefit. I represented drug dealers because it was my duty, job and obligation to defend our Constitution. 47. I was extremely successful as a criminal defense attorney. I had cases referred to me by bail bondsman, law enforcement officers, ~~other~~ fellow attorneys, tow truck companies, chiropractors, doctors, first responders, police unions ^{because} and my work ethic was second to no one.

(a). Every Saturday and Sunday I visited the Essex County Jail, Newark, New Jersey, Union County Jail, Union, New Jersey, Monmouth County Jail, Freehold, New Jersey, and at least twice a month went to the Ocean County Jail, Toms River, N.J. and the Passaic County Jail, Paterson, N.J. I gave out at least 100 cards per week and worked incessantly. I had great relationships with the Correction Officers at jails as well as their PBA Unions and they also referred cases to me. My practice thrived.

I had a multitude of personal injury cases, as well as immigration and various other cases; I referred a lot of these cases out and received a referral fee.

I would never risk dealing drugs or being involved with them. I never did and would not. I worked around the clock to build a solid reputation as an aggressive advocate.

48. For over ten years I was a partner with Anthony J. Pope, Junior. I met Anthony at the Essex County Prosecutor's Office. He was an investigator

and former Newark Police Detective assigned to narcotics.

He was also a part time law student. He ended up graduating Rutgers Law School.

Anthony and I ~~partner~~ formed a partnership when I left the Office of the United States Attorney. We refurbished and purchased the building and parking lot at 510 Market Street, Newark, New Jersey. We both worked tirelessly to build our practice. We had one of the most booming and successful law practices in New Jersey.

Mr. Popes office window looked out into the parking lot and onto Market Street. He was astutely cognizant of what went on at our office.

(a) I requested permission from Anthony to hire Ramon Jiminez, who needed full time employment to be released from prison and given parole. He was in Pennsylvania State Corby on a drug case and would be placed on life time parole.

I met Ramon through his sister, Ylanda Javreque whom I was having an extra-marital affair with. The greatest mistake in my life. God knows my regret.

I wholeheartedly believed Ramon who was given LIFE-TIME parole would walk the straightest line available in life.

Ramon's mother and sister Ylanda, begged me to mentor him and give him another chance.

in life. They swore to me that he was a new man that would not risk re-offending and, thereby returning to prison. To be a "good guy" and help Ramon - give him a new start in life, I convinced Anthony Pope to hire him. Pope was my managing partner.

Pope supervised Ramon and he did a competent job; he was a clerk, worked our mail room, did filing, photocopying and even reviewed files preparing case summaries. He was well liked by everyone at the firm. He was very courteous, humble, respectful and reliable. He even legally married and had a son.

(B). I was working tediously, trying every jury trial or administrative case after another and travelling all over the State. I had open cases in all 21 Counties of N.J., interstate cases and even military cases overseas. I swear that I had no cognizance whatsoever that Ramon was reviewing case files, using contacts he made from the firm and setting up drug deals. Neither I nor Pope would tolerate this. The firm was my life. I was a prime time and successful attorney.

(C). I would never risk my career, life and law firm, especially our building and conduct drug deals at my office; Nor permit Ramon to risk life in prison and jeopardize everything I ever worked for. Ramon's steadfast proclamations for 6 months of his cooperation were true. I am innocent and had no knowledge, he, Idanda and Alejandro Castro were drug dealing.

(D). It is an insane accusation that I directed Ramon to deliver cocaine to Ronda Kelly at my law office.

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This is why Ramon denied this ever occurred and only Rondre Kelly asserted this false evidence. It is also the reason why the government never called Ramon to testify at my second trial and why they recommended imprisonment for him, but not Kelly.

(2). Rondre Kelly completely contrived his entire testimony about Ramon delivering him multi Kilograms of cocaine, in duffle bags, from 572 Market St, Newark, at my bequest. I had nothing to do with Ramon's drug dealing, nor Kelly's fabricated deliveries.

49. I was never involved in drug dealing-distribution with Yolanda Jauregui and her secret boyfriend, Alejandro Castro. As Ramon and Yolanda stated, they were involved in a secret relationship with Alejandro and I had no knowledge. As Ramon told the government, he introduced Yolanda to Castro without any knowledge by me and was angered to know that he introduced her to the drug distribution business.

a) I loved Yolanda with all my heart and would never participate in a love triangle with them and or further Castro's drug trafficking business.

b) IT IS VERY-IMPORTANT TO NOTE:

Two inmates at the Hudson County Jail, incarcerated with Yolanda, and to whom I never met, stated that Yolanda trusted and confided to them that I am completely innocent, had nothing whatsoever to do with her drug dealing and had no knowledge about her business and personal relationship with Castro.

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and others. This is new evidence to be presented at an evidentiary hearing.

I learned about Yolanda's relationship with the Castro's and Mexican drug cartel after my arrest on May 20, 2009 and when I received Jim's discovery. I also learned that they feared my interference if I learned about Yolanda and Castro's drug business and wanted to hurt me; to eliminate my informing law enforcement about their profitable drug business.

I devastated my family by having an extra-marital affair with Yolanda and would never deal drugs with her nor anyone she associated with. It never happened.

I sincerely believe that Yolanda received a 10 year prison term recommendation because she revealed the truth to prosecutors; that Abdul Williams lied when he testified that Yolanda + me directed him to deliver multi-kg's of drugs for me, as well as the testimony of Brownell and Kelly. SO. I had no knowledge and absolutely nothing to do with Yolanda, Alejandro-Lorenzo Castro's, and Ramon Jimenez' drug business. I was NEVER their boss, partner, associate nor complicit by even acquiescing or introducing them to others, to sell drugs.

(c) Maria Correia, a CIW, CI for the government even recorded me angrily instructing her to never talk to me about drugs, that I do not believe that Yolanda is involved and

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that if I ever learned or believed Yolanda was drug dealing, that I would dump her immediately. What is just as important is the FACT, that Yolanda instructed (firmly) Maria that I must never find out she is dealing drugs or involved with Castro. Maria recorded Yolanda stating this.

I even had Maria call Yolanda while I listened in and Maria told her I was on the phone. You could hear Yolanda crying hysterically that she would never cheat on me or ever get involved in drug dealing. THIS IS WHY THIS COURT MUST BELIEVE ME!

51. I first met Alejandro Castro after he was arrested with my client, Norberto Velez, in Passaic, N.J. They were both charged with drug conspiracy and the drugs were seized in Norberto's automobile. I had no idea who Alejandro was until Norberto advised me that he was working for Alejandro as a drug courier.

Norberto paid my fees and I recommended Passaic City attorney, John Bruno to represent Castro. I took a referral fee as I was a Certified Attorney.

52. Bruno delayed filing a bail motion for Alejandro and Castro's family threatened me for the delay and recommending Bruno. I learned at this time that they were connected to the Sinaloa Mexican Drug cartel and Alejandro's role. I feared them and they tried to intimidate me. To believe I was their BOSS as Kelly testified is insulting. This is also why I contacted DEA S.A. Hilton.

a) Prior to my arrest in May 2009, I

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received a call on my cellular telephone from Jose Khalif Martinez. I represented his wife, Melissa Astew, A New Jersey State, Internal Affairs Correction Officer, charged with misconduct. She worked at Northern State Prison. They knew I dated Yolanda.

Jose informed me that he was at a Newark Bar-Restaurant and Yolanda is there drunk and with some Mexican guy. I drove to the restaurant, observed Alejandro Castro, but Yolanda was gone. I was upset, confronted Castro and asked him where Yolanda was and what is their relationship. Castro initially said Yolanda was not with him or ever at the restaurant and they had no relationship at all. I called him a liar, grabbed his cell phone and we got into a fight.

Newark Anti-Crime Officers that I knew were at the Bar and they broke up the fight. In Martinez' presence I told Officers that Castro is an illegal alien from Mexico, a major drug-cocaine trafficker and has a prior drug felony. They wrote the information down. I ALSO CONTACTED DEA SPECIAL AGENT GREG HILTON and asked him to investigate Castro. (Emphasis added).

I was never involved or complicit with Castro in drug trafficking. NEVER. EVER.

53. I planned on completely breaking off my relationship with Yolanda at this point, but she cried, begged and pleaded with me. I fell for her emotions. I really loved her.

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d. Shortly subsequent to this bar incident, Theresa Vannoy, whom was only 13 years old and was being raised by Yolanda, was kidnapped, held hostage and sexually assaulted. I had known Theresa, aka Ashley for a substantial part of her life and she was close to me. It broke my heart how devastated Theresa was and the breadth of her suffering. Her victimization by a stranger, who was arrested and convicted of the assault, caused emotional distress to all of us.

I could not bring myself to leave Theresa or even Yolanda at this time and during this crisis.

What is important to note is that this incident occurred because Theresa informed me for the first time, that Yolanda and Alejandro are involved in a love affair. Yolanda went crazy, called Theresa a liar, tried to attack her and I intervened. Theresa ran away from the house, was picked up and assaulted.

This occurred approximately one month prior to my arrest and I made the firm decision to separate from Yolanda on Memorial Day 2009. I was arrested 3 days prior.

54. I had reported the Castro's, his connection to the Sinaloa Cartel to Special Agent, Greg Hilton, DEA. I called him more than 50 times and we had multiple discussions. He assured me that it would be thoroughly investigated and my information ^{identifying} protected.
55. I never introduced anyone to Castro, especially any of my clients. That is completely false-fabricated.

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56. Under no circumstances did I ever possess nor store drugs at my restaurant, Isabel's, 710 Summer Avenue, Newark, N.J., or at my Law Offices, 50 Park Place, Newark. To believe the testimony of Eugene Braswell, that I kept cocaine in my office ceiling and sold it from my law office, during business hours is painful, just to hear. This is why I continually begged the govt to polygraph witnesses.

I also never sold Braswell drugs from hotel rooms. If this absurd accusation was true, security cameras or hotel records would reflect rental action on these acts. There are none, because it never occurred.

56. I represented Braswell's brother on a serious shooting, aggravated assault case. I was successful in my defense.

I represented his first cousin Paul on Newark Police administrative charges and even Braswell on a Municipal Court misdemeanor. I know his family knows he lied agst me.

57. Braswell was a State Corrections Officer, at Northern State Prison and extremely corrupt. He referred police union cases to me and introduced me to police union delegates whom referred officers to me, for representation. I had no clue he was dealing drugs until his arrest by New Jersey Attorney General Investigators and State Police, for serious drug trafficking charges. He was accused of being a Kingpin.

I had represented him for the shooting

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death of an former inmate, whom was on the tier he guarded. I was contacted by both Braswell and his C.O. PBA Delegate that Braswell was being investigated for an off-duty shooting resulting in death; and that investigators needed his statement.

The NJSP Detective assigned the investigation was Harry McEnroe, whom I had worked with as a prosecutor at the Essex Cty. Prosecutor's Office.

Braswell claimed the shooting was justified and in self defense.

Subsequent to the State Police investigation I learned that Braswell's shooting victim, was a paroled Northern State Prison inmate, housed on his tier; and that Braswell owed him thousands of dollars from drug transactions. The victim was invited to Braswell's house to pick up money owed, when the killing occurred.

Although police concluded the shooting was justified and Braswell returned to work, I knew the truth. It was murder.

b. I was also retained to represent Braswell's co-conspirator in his drug Kingpin case; his brother in law, whom was the first person arrested in the investigation of his State Kingpin case and prior to Braswell himself. I was conflicted from then representing Braswell who was later-arrested.

I begged Braswell to plead guilty, admit his

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involved in a major interstate drug trafficking case and relate my clients' denigrating role. He was not happy with my request.

Braswell had been procuring multi-Kg's of cocaine from Texas and under investigation for an extensive period of time. He had major drug contacts in Texas and Florida and the State Police and Attorney General knew his entire scheme.

58. Braswell's testimony relevant to me was completely contrived and fabricated, to enable him to receive favorable treatment at sentencing. The govt should have known this when he was arrested by federal agents, indicted, given bail and then re-arrested on new federal drug charges; all devoid of me. They should have consulted State authorities whom extensively - intensely investigated him and knew of his multistate major drug trafficking contacts; all devoid of me.

* 59. THIS IS VERY IMPORTANT!

It corroborates Kamau Muntasin's ardent position relevant to Braswell's fabrication of evidence against me.

A Muslim inmate at Hudson County Jail, Kearney, N.J. Syed Rehman was present when Abdul Williams plotted and schemed to completely fabricate and contrive the entire story of me being involved in drug dealing.

Witness Anthony Young, Sr., unrelated to the Kemo witness Anthony Young, was informed by Braswell that he fabricated his entire testimony against me.

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and that I am innocent of any drug dealing.

Additionally, Abdul Williams was recorded surreptitiously, admitting (emphasis added) he perjured himself agst me. Williams, although facing multiple life sentences, was sentenced to time served, for his false and perjured testimony agst me. He is BACK IN FEDERAL CUSTODY BEING ARRESTED ON NEW CHARGES 59. Abdul Williams was introduced to me and referred by Hakeem Curry.

IT MUST BE AVERRED NOW. Curry informed Lawrence Lustberg, Esq. that I was innocent.

(a). I represented Williams on multiple cases from drug cases, aggravated assaults, gun possessions and parole violations.

(b). On the parole violation case, the facts revealed that Newark Police seized a gun from the street and in close proximity to 3-5 black males. No forensic evidence linked Williams to the gun. He was on parole at the time and, henceforth charged with the offense.

At the parole revocation hearing the arresting officer truthfully verified, that he never observed Williams in possession of the gun and the hearing officer recommended that charges - parole violation against Williams be dismissed.

(c). Williams hired attorney Cliff Minor, Esq, without any involvement by me, to represent one of the individuals

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in that group of 3-5 to allege that the gun was his and not Williams. I had nothing to do with this assertion.

It later turned out that Minor knew this was a false statement. Minor admitted that I was not involved in this sequence of lies and he did not have a relationship with me.

60. I NEVER hired Williams to distribute drugs for me as a courier, and return the money to me, Yolanda or Alejandro Castro. This is false, so help me God.

The testimony of Williams was continued while he was an inmate at the Hudson County Jail, with Eugene Braswell. Several inmates such as Martinez and Rehman will be subpoenaed to testimony, along with others. They will prove Braswell and Williams perjured themselves.

(a). Williams was a drug Kingpin facing life in prison. To believe he would risk life in prison to courier for me or act as M.I. taxi driver, for a service fee, must not be believed. It's a lie.

Lastly, I never discussed the Komo case with Williams nor talked to him about Baskerville.

61. I never dealt drugs with Yolanda, Alejandro, Ramon, Ronda Kelly nor Eugene Braswell.

62. I purchased a building and restaurant at 710 Summer Avenue, Newark, N.J. as an investment. It had 6 apartments and was essentially a take out business; across from a public

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school and down the street from the Nwk. Police Dept. I knew this restaurant from my days as a prosecutor, as the restaurant was a common hang-out for law enforcement officers. Not an hour passed at the restaurant wherein either teachers or police officers were present.

The restaurant was busy for the first year of my ownership, but business died when Summer Avenue was closed and construction on the road commenced. The school across the street also closed for new construction.

Yolanda ran-managed the restaurant and I focused on my law practice. I worked a minimum of 16 hours per day and was consistently out of New Jersey, especially Newark.

I rarely went to the restaurant as my spare-time was extremely limited.

63. I never sold, stored nor observed any illegal drug activity at the restaurant. I sincerely believed it would return to success once all the construction was completed and I did not have either the time nor patience to travel there.

(a). I never spoke to any representatives of Subway Sandwich franchise nor ever met them at the restaurant nor anywhere else, as Thomas Moran falsely testified at trial and as justification for him going there with me and contriving that we also met Alejandro there. I also never received a red cent from anyone to

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store cocaine there. If this had a scintilla of truth to it, Yolanda would have known about it and as a C/W informed the gov't.

I requested my present P.I. Mc Mahen to get proof from Subway's of this fabrication.

64. I never appeared on pole camera images of the restaurant, that were being taken for over 30 days prior to and including May, 2009 because I am being truthful and had nothing to do with Castro's cocaine that he brought there a day after my arrest.

(a). This is also why the extensive surveillance of Castro and the restaurant never-ever revealed my presence there nor meeting with anyone there.

This is also why Jose Jiminez who lived in the front room of the apartments, above the restaurant and with a clear view of every means of ingress or egress, never saw me at the restaurant, nor ever meeting with either Castro nor anyone else. He also knew I am innocent of any drug dealing.

65. I was arrested on May 20, 2009 and imprisoned in solitary confinement with phone access.

The cocaine located at 710 Summer Avenue and to which I was wrongfully convicted of was observed being brought there by the Castro's on 21 May 09.

That was not my cocaine. I received life in Prison for this cocaine. It is crazy.

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65. I am completely innocent of the drug transactions.

This is why a hearing is especially warranted. New witnesses Syed Rehman and Montfort will prove Williams and Braswell plotted together to lie.

This Court must ponder why the gov't would confine cooperating witnesses together, nor even question them as to whom they were with. Multiple other witnesses could testify I am innocent: Aziz Shabazz, Anthony Jung, Sr., Yolanda Juregui, Ramon Jimenez, Alejandro Castro, the recording of Abdul Williams wherein he confessed to committing perjury. Theresa Vannoy, multiple members of Yolanda's family and more.

66. Richard Pozo operated a 250 million dollar a year drug trafficking operation. He was referred to me for representation by another client.

Pozo had esteemed defense counsel, Peter Willis as his attorney, and hired me to assist and co-counsel with him. Willis was the lead counsel and had been Pozo's attorney for over a decade, at this time.

When Pozo was arrested in Union County, N.J. for a Texas warrant, he contacted both Willis and myself. The original allegations involved a motor vehicle driven from NJ to Texas, with cocaine secreted therein.

At the moment of Pozo's arrest, he ran an

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major interstate, multinational organization. Hundreds of drug dealers were involved in his business. It was a vast network of suppliers overseas and nationally, couriers, money collectors and launderers, transporters and many other intricate associates. Pozo was also maintaining several businesses wherein he laundered millions of dollars and had two separate - distinct wives - families.

He was facing a life sentence in Texas, 25 to life in Union County, NJ as a Kingpin and had a prior drug felony.

All of these facts existing at the time of my retention. This was the very first time I represented him.

I had no clue whatsoever who was or was not cooperating against him, whether there were wire-taps, controlled sales deliveries, other seizures. It was impossible to even guess, speculate or reason as to the magnitude of the case against him. We had no discovery whatsoever, only a copy of the extradition warrant from Ts.

The arrest was a complete surprise to Pozo. 67. Willis and I planned to interview Pozo at the County jail together. He was being held at the Passaic County Jail until his extradition.

Additionally, Pozo was an abrasive and braggadocious individual whom frequented several Go Go Bars, drank excessively and spent hundreds of thousands of dollars, each week at those bars.

68. I visited and consulted with Pozo with Willis

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at the Jail.

I had a newly formed relationship with Pozo.

69. I NEVER stated nor suggested to Pozo to Kill his partner, Pedro Ramos. That is baseless, meritless and Pozo completely made this fact up. He even admitted reading all the newspaper articles about me and the Kamo case, prior to his cooperation.

It is so absurd to believe this as Ramos was his best friend and like his brother. We never knew who the witnesses were and, most importantly, Pozo firmly believed Ramos was not one of them. There were hundreds of du

I am convinced that Pozo fabricated this fact after reading the explicit newspaper articles, like Anthony Young. This is why Willis was able to confirm that he was present with me when we met with Pozo and I did not state what Pozo said. That Pozo was a liar, manipulator and that Willis would have known if I stated this; Pozo would have told him or he would have seen an attitude change or personality deviation.

70. I am convinced that prosecutors knew that these witnesses were not being truthful and suborned their lies. They used suggestive questioning and repetitive coaching, just as Ramon Jimenez swore.

By the way Pozo, Williams, Kelly, Moran and others received time served. I am sure they are still

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laughing at how they deceived the gov't.

71. THE PROSTITUTION CASE:

- (a). I was contacted by a Jason Itzler from the Hudson County Jail. I never represented him nor met him before and he was being held on a violation of probation charge.
 - (b). I represented Jason at his violation hearing and obtained his release.
 - (c). Jason's primary attorney was one Mel Sachs, a high profile attorney from New York who was fascinated by my publicity from the Abu Ghraib, Iraq case. He was also Jason's close friend and mentor.
 - (d). Itzler was a law school graduate too.
 - (e). Jason opened an escort agency, in N.Y. and Sachs was his counsel. It is conceded that I was never consulted nor did I have anything to do with the start-up. The business was named N.Y. Confidential.
 - (f). During this period of time I was consumed with my high profile Iraq case and overwhelmed with its magnitude.
- Sachs volunteered to work pro-bono on the Abu Ghraib case and pleaded for me to teach

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him military law.

I was inundated with over 20,000 pages of discovery, Top Secret reports and discovery, over 20,000 photos and in charge of an explosive and politically defined mine-field. I was also over-burdened with this case and also in the process of running a law practice and managing a tremendous case load. I was also pro-bono.

I travelled multiple times, under dangerous conditions and threats to Iraq, Afghanistan, Kuwait and Germany; not counting CIA Headquarters at Langley, Va.

I accepted Sach's offer of assistance and he advised me that he would force Jason Itzler, to help on mundane-administrative organization.

g. Sach's asked me to contact N.J State Parole to advise them that Itzler would be working on this case and to seek extra time for him to work in N.J.

h. Sach's and I communicated regularly and he kept confirming that Itzler was assisting his work on the case.

i. I never ran, operated, managed nor owned the escort agency. I never made money from prostitution and I believe I was paid a total of about \$ 2500. for the VOP case and no more than another 2500

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as a retainer from Itzler. Not a cent more.

(j). I incorporated a new NY Confidential Agency when Itzler was arrested and held in jail, for one of his escorts. I agreed to accept service of process and act as her attorney; but never ran nor owned the business. I was never even paid for my services and when I could not even get expenses covered, I closed the corporation after about a month.

When New York County indicted me for serious felonies, but offered me a misdemeanor, no probation, no jail and no objection to continue my law practice; and a plea wholly devoid of a factual admission I jumped at it. I sought to avoid a week trial, all its negative publicity and the of being wrongfully convicted as happened Sub.

I would have had to have examined to turn down a misdemeanor. I was convinced that my legal woes were over.

73. THE EDWARD PE

a) As a criminal defense attorney represent him on a murder charge noteworthy is that the victim is Newark's most prominent Muslim Imam.

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dealer. He was competing with Peoples for control of the Barker Terrace Projects and the courtroom was packed with the victims supporters everyday.

(b). I accepted the case for a minimal fee and could not afford to hire an investigator.

(c) Anyea Williams, Peoples girlfriend was a witness for the prosecution and devotedly in love with the defendant; who was extremely controlling and abusive of her. She tattooed his name ten times to her body.

Peoples wrote a letter to her, ordered her to leave New Jersey and refuse to testify.

The gangster developed because he wrote in the letter that "Paul advised her to do this." A fact that was incredible.

(d). Anyea fled the trial and her obligation to testify, but was arrested by Ga. Detectives at Peoples fathers house; and Essex County Prosecutors Office flew to Ga. to bring her to Court as a material witness.

What is extremely important and paramount for consideration is the fact that investigators vigorously interrogated her as to why she left; and if I had any involvement. She specifically and voluntarily stated that I had nothing whatsoever to do with her leaving and it was all her boyfriend. He solely convinced her to flee.

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My investigators were unable to subpoena - locate Anyea to testify at my trial; and the jurors never had the benefit of her testimony exculpating me.

Moreover, during pre-trial proceedings in Essex County Superior Court, the State motivated to recuse me due to People's letter. The Hon. Judge Michael Ravin, a former homicide prosecutor opined that in his experience he does not believe what People's wrote in the letter and it was his judgment that defendant's consistently fabricate these kind of facts. The jury never heard this too.

Most seminal: Anyea would have to testify truthfully in federal court and admit that I ordered her to make sure she obeys a subpoena, testifies truthfully and does not allow People's to intimidate her.

e). The government just ignored the interrogation and response by prosecutor investigators and Judge Ravin; and admitted in federal court the People's letter arguing my guilt in tampering with Anyea.

They knew this was false and never happened and if they sought the truth and justice, they would have interviewed Anyea. They never even made an attempt.

f). I represented People's zealously, ethically and to the best of my ability. I was vigorous at trial and refused to surrender my wholehearted efforts. I never

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ceased to work tirelessly, nor be just a mediocre attorney, going through the motions. Prosecutors hated my aggressive and vigorous style.

Please know that if there even an iota of any credible evidence that I was unprofessional, unethical or did anything illegal, it would have been investigated and charged.

In all my years of practice, it never was.

74. THE STATE V. NORBERTO VELEZ

- a) I first met Norberto in approximately 2001, when he was struggling through significant and extreme marital problems, with his wife Marylu.

Norberto was in a very deep state of depression and seemed to cry endlessly. What was troublesome, was the manipulative manner in which Marylu used his two infant children as a pawn against him; withholding visitation, communications and poisoning their minds against their father. The children aged 7 and 4 were impressionable and when Marylu abandoned the marital residence, they moved in with her and her family.

- b) To pass time from his depression, Norberto helped out at our restaurant, making deliveries, cooking food

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and clearing.

- c. In or about 2001, I received a call at my office, advising me that Norberto had been arrested and charged with assaulting his wife with a knife. I was shocked, as I never considered him violent, only vulnerable. His mother retained me to defend him.
- d. His 7 year old daughter adored Norberto and her mother also. She was torn in the middle, as each parent vied heavily for her affection and support. Caroline was devastated by the accusations against her father.
- e. I consulted Norberto at the Essex City Jail and he continually cried for the entire time we spent together. In between weeps he swore that his wife attacked him with the knife and while disarming her she was injured.

I sought bail for him and then hired three forensic expert Psychiatrists, M.D.'s. Each submitted the same expert opinion. That Norberto suffered from temporary insanity at the time of the incident. Their opinions were substantiated by forensic and medical conclusions. They also all opined that he was legally insane.

- f. The case had to proceed to trial as the State's offer mandated extensive State prison, to be served in accord with the "No Early Release Act." The case was assigned to The Hon. Thomas McCormick, J.S.C.; a former prosecutor, County Council and very

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respected Trial Judge - Attorney.

The Judge repeatedly expressed that he was disgusted how Caroline, a child, was being used and manipulated by her mother. He further exclaimed that the manipulations are emotionally traumatizing her.

- g. There were several pre-trial motions and Caroline deviated her testimony, depending on which parent had last custody and brought her to Court.
- h. I interviewed Caroline several times, in preparation for trial and she corroborated the fact that Marylu - her mother possessed the Knife. She advised me that on the morning of the incident and while in her mother's custody, they stopped at Norberto's house for Caroline to pick up her book bag; at which time her mother grabbed a Kitchen Knife because she was afraid of Norberto.

This made perfect sense since Marylu waited at the scene - the school of Caroline - for Norberto to show up and voluntarily let him into her car. In my judgment, if she feared Norberto she had more than ample time to leave.

All three psychiatrists forensically wrote that Norberto was docile, non-aggressive nor combative.

- i. What is paramount and what the jury never heard, because Judge Cavanaugh refused to admit it, was

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the Psychiatric expert testimony, a forensic expert who opined that Norberto had defensive wounds to his hand, the testimony of Ofelia Rodriguez, who witnessed Marylu remove the Knife from the house and other pertinent, material defense testimony.

J. The allegation against me was that I tampered with Caroline as a witness and convinced her to commit perjury, about Marylu and the knife, at the State trial. Caroline testified at Norberto's trial that her mother was the one who removed the Knife from the house. This was a false accusation.

K. Subsequent to Norberto's acquittal the Prosecution, Tony Gutierrez who was embarrassed and humiliated by the verdict, made this misconduct allegation against me to the Judge.

The Judge admonished Gutierrez and profoundly opined that he personally scrutinized Caroline and believed our version and her trial testimony. Another fact my jury never considered.

L. The testimony presented to my jury was devoid of any defense witnesses that could have wholly disputed the government's false accusations.

My jury could not truly evaluate the incident that occurred when Caroline was 7 years old. They observed a 22 year old girl whom has had no contact with her father for over 10 years and has been

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programmed by her mother and the maternal family.

Without a complete and thorough picture, vividly exemplified and the benefits of all existing parts at the time of the incident before them, it was impossible to receive a fair and just result.

M. A second Judge, The Hon. Judge Sebastian Lombardi, E.C.S.Ct., also firmly opined that he believed Caroline's testimony; that her mother Marylu Bruno removed the knife from the house and prior to the incident; but, of course, the jury in my trial never heard that also.

The Judges whom observed and evaluated Caroline, as well as all members of The Superior Court Jury were convinced, beyond a reasonable doubt, that I was presenting the truth; and that I did not tamper with Caroline. They all had the benefits of observing an 8 year old girl's testimony and would surely have known if she lied or if I had corruptly persuaded her to give Norberto favorable testimony. I was wrongfully convicted on this count.

n. It must also be written that Judge Cavanaugh denied my request to obtain the Velez Superior Court transcripts; as he incessantly interrupted my examination of witnesses and precluded my

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defense presentation.

An objective witness, Julio the Velez neighbor; testified in Superior Court that he observed Marylu leaving the marital residence, the morning before the stabbing "and possessed a shiny object in her hand."

This supporting corroborative evidence was magnanimous and impactful. He only had a remote memory of this ten (10) year old date when he testified in federal court and I did not have transcripts to refresh his recollection.

○. Lastly, at my federal trial the government, through A.P. Gutierrez was permitted to present evidence accusing me of scamming the Superior Court. These are the accurate and verifiable facts. Since there were no FBI 302's concerning Gutierrez I had no clue this subject would even arise; or how it was even remotely relevant.

The Hon. Judge McCormick gave a trial date for State v. Velez. It was scheduled a few months in advance.

Approximately two weeks prior to the Velez trial date, I was ordered by another Superior Court Judge to commence an extremely complex, multiple defendant, fraud case. State v. Carmen Dente, Dente Brothers Towing, et al. I was lead counsel.

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P. The case involved multiple witnesses, experts, and it was highly-vigorously contested. The impact of a guilty verdict meant the shut down and going out of business of Dente's Towing, the official towing company for the police.

The trial lasted a full ~~two~~^{six} weeks with a verdict of not guilty returned late Friday afternoon, approximately 48 hours prior to commencement of Norberto Velez trial; another extremely important and consequential case.

I was physically and mentally exhausted. My heart beat had sky rocketed, my breathing became rapid and my vision blurred. I consulted and was examined by a Board Certified Cardiologist who strongly advised me to rest and not commence the Velez trial.

The Doctor faxed a medical note to the trial judge, who called him and confirmed that I needed rest. The Velez case was adjourned a few weeks.

9. The Government had Assistant Essex County Prosecutor Gutierrez testify that I feigned illness and used the time to corruptly persuade Caroline Velez; to testify she saw her mother remove the Knife from the house.

This was so incredulous and painful. Everyone knew I was a trial warrior who was known to try one difficult case after another. It was just an abomination of the truth, when the gov't knew The Court spoke

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to my cardiologist and even had test results reviewed. It was impossible for me to defend against these false accusations. It was an atrocious and abominable act.

r. The gov't opened its case with the photos of Marglo in the hospital and ended with AUSA Gay's summation about it. Slamming me personally and falsely impugning me as the most corrupt human being whom ever walked the Earth.

I emphatically delineate in this Certification that there was nothing wrongful, unlawful, illegal nor corrupt in my defense of Norberto Velez.

I merely gave the case my heart and soul and created reasonable doubt. NO ETHICAL COMPLAINTS

NOR CHARGES WERE FILED AGAINST ME FOR TEN YEARS.

75. During my career as a military, state and federal prosecutor and defense counsel, I have tried more than 250 cases - criminal to verdict. I have handled 1000's of investigations, pleas of guilty, administrative boards - hearings and Bench Trials.

I was a Supreme Court Board Certified Criminal Trial Attorney and in The Velez case or any other, never had an ethics complaint nor

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nor criminal complaint filed against me. This was after 30 years of one of the busiest criminal law practices in the Country.

I made friends and had foes, because of my vigorous, aggressive, take no prisoners, never surrender trial and case style. I won a lot of cases and lost some too, but I gave every case my all; whether the simplest and mundane to the complex, which extraordinary consequences. No attorney who ever practiced law worked harder than me.

I submit this Certification as an attestation of truth and my side of the offenses, I was wrongfully convicted of.

Paul Bergin
PAUL W BERGIN

Dated: 11 December 2018

MAXIMUM HYPOCRISY
THE UNTOLD STORY
BY

PAUL W. BERGRIN

As a soldier, attorney, humanitarian, and human being, I witnessed violations of international law, treaties, inhumane conduct, and blatant, intentional lies by the highest levels of the United States government; by individuals who would condone human rights atrocities and then hypocritically and publicly condemn such actions.

I now realize why I am imprisoned and the vociferous attempts to impugn my integrity, morality, and veracity. I have the ability to connect these atrocious abominations committed against Prisoners of War, Enemy Combatants, Insurgents, and even Civilians, to the highest levels of our national government and cause our enemy, foe, and ally to have significant contempt and disdain for our country. I could prove that North Korea, Iraq, Iran, and China's violations of human rights pale in comparison to the precedent and actions of the United States of America.

There exists not another human being, who has such unique vast and vital experiences, firsthand and indisputable knowledge, as well as information ascertained through copious investigative mechanisms. As an attorney and retired Army Major, I can eviscerate the alleged morality of a system and political idealism and prove the nexus to this realism. I can categorically and unequivocally prove the hypocrisy of our government leaders' grave miscarriages of justice, which resulted in immeasurably and unjustified suffering with no benefits whatsoever.

The motivation to silence me and the rewards for achieving this objective is unparalleled in history.

...

In March of 1987, I was recruited for employment at the Office of the United States Attorney, District of New Jersey, by United States Attorney Thomas Graulich and First Assistant Thomas Roth. I had a successful career as a State Homicide Prosecutor. Shortly after being hired as a federal prosecutor, the administration changed and the new United States Attorney was Samuel Alito, First Assistant Michael Chertoff, and Criminal Division Chief Paul Fishman. During these years, I excelled and was given one of the premier prosecutions in the office, United States v. Gerald Winters, et. al., also known as the Candyman Commercial Terrorism case. In or about 1990, the Office indicted and prosecuted Detectives Thomas Gilseman and Ralph Cicalese, two Essex County Prosecutor's detectives, well known by us for RICO and corruption. As the result of my federal employment and knowledge of these defendants, I was subpoenaed as a defense witness and called to testify on their behalf.

My albatross and nemesis would be this testimony, as Alito, Chertoff, Fishman, and others attempted to coerce, intimidate, and even threatened me against testifying truthfully. They all

attempted to suborn perjury and collectively warned me that I should get amnesia upon the witness stand. I was told that if I were to offer favorable evidence to the defense that the consequences and ramifications of it would detrimentally affect my position as a federal prosecutor and employment in the office. I testified truthfully and to the best of my recollection.

During my testimony, Alito sat in the center of the courtroom, stared me down, attempted to intimidate me and when I would go to the courthouse to watch the trial, again attempt to intimidate me. Chertoff ordered Chief John Fahy to warn me against testifying and to inform me how disloyal I was being. Although I complained and repulsed Fahy's threats to the administration and voiced my objection to my treatment, I knew I had made enemies for life. Subsequent to the jury's verdict, I was my office to the sixth floor of the federal building. I had no desk, secretary, telephone, files, cases, and was scorned by office personnel. There were no other federal prosecutors on this floor and my career with the Justice Department essentially over. I resigned as a federal prosecutor in 1991 and went into private practice in the District of New Jersey. I had met my obligations pursuant to a legally issued subpoena and knew there would be retaliation.

In 1991, while this administration remained in power, I was falsely accused and indicted for conspiracy to tamper with evidence and tampering evidence, knowingly false accusations, devoid of any merit whatsoever. I remained under indictment for two years, despite conclusive proof of my actual innocence. It devastated my private practice, so the intent of this baseless case was achieved. Three days prior to commencement of trial, wherein I would have been vindicated, Chertoff's good friend, Howard Shapiro, alleged conflict of counsel, dismissed all charges against me in the interests of justice. Their objective of destroying me had been accomplished but never over.

...

Samuel Alito would depart from his tenure as New Jersey United States Attorney and be elevated by the Republicans and Bush Administration to the Third Circuit Court of Appeals. Alito's long term alliance with David Addington, a Federalist like Alito and arch conservative Republican, would be my nemesis. Addington became Chief of Staff and legal counsel to Vice President Cheney and lead Cheney and Rumsfeld's personal war on terror. Addington, along with White House Counsel, Alberto Gonzales, would change history by re-defining the term "torture," in clear contravention to humanity and law and promote memo upon memo wrongfully and unlawfully espousing Rumsfeld and Cheney's position of permissible torture during interrogations. Furthermore, Addington and Gonzales would mislead agency heads on permissible interrogation techniques, with the approval of the White House; and when Chertoff served as Chief of the Criminal Division, Department of Justice, Washington, D.C., he would wrongfully and also unlawfully support their position. Directors from the CIA and other intelligence agencies detrimentally relied upon Addington, Gonzales, and Chertoff in advising their operatives, agents, and soldiers in the field on permissible conduct, while knowing their opinions intentionally breached the American Code of Law and espoused what were in essence war crimes against humanity. As the lead counsel to Abu Ghraib, I learned of the actions by these parties and sought them along with Bush, Cheney, Rumsfeld, Stephen Cambone (Deputy to Rumsfeld on intelligence), Deputy Defense Secretary Paul Wolfowitz as witnesses. All to no avail. They knew I was

aware of their memos, orders to torture, which I publicly proclaimed through my interviews with the media, especially Al-Jazeera, motions, and legal work.

In 2000, Alito, at the behest of Addington and the Bush administration, gave a speech before the Federalist Society. Alito would be involved in giving new and unprecedented powers to Bush and his administration.

Paul Fishman, my former Chief in the U.S. Attorney's Office, Criminal Division, would move into the Justice Department, Washington, D.C. and Chertoff, who was United States Attorney in New Jersey after Alito, would also be empowered with new appointments, from heading the Department of Justice's Criminal Division from 2001-2003, to a Cabinet level position as the Secretary of Homeland Security from 2005 to the end of the Bush administration.

My ardent, vociferous, and aggressive betrayal of the Bush administration in my quest to zealously represent scapegoated soldiers on the Abu Ghraib case, Objective Iron Triangle debacle, and my appeal of tank commander Staff Sergeant Leon Parker (who was being crucified and wrongfully charged with criminal negligent homicide) lead to my demise. The hierarchy of the men I challenged continued to rise to unprecedented power in our nation. They all knew and feared my tenacity and intelligence by observing my public display of discrediting the highest levels of our government. Most importantly, they knew it had to be curtailed at all costs. Consequently, here I sit in the Metropolitan Detention Center, Brooklyn, New York, wrongfully convicted by the word of convicted felons, who were given benefits beyond comprehension, to falsely accuse and testify against me; and facing life in prison with no parole.

I was the one who constantly and publicly publicized the fact that the United States violated international law, ordered the cruel and inhumane torture of men, women, and children in the name of national security, lied to the international and national communities as to our government's knowledge of the conduct and actions which lead to legal violations. I took the lead and scrutinized our government's actions. I brought further evidence our government's attempt to desperately conceal such atrocities. It was I who challenged the Bush administration to stop scapegoating the lowly soldiers and to finally tell the world the truth.

The knowledge I gained during the scope of my representation made me a threat to the reputation, integrity, and influence of the United States in the eyes of the entire world, among foe and ally alike.

I know about torture recommendations, murder of prisoners of war, water boarding, starvation, beatings, closed quarter isolation booth prisoners, especially Muslims, being forced into nudity, in the wearing of female garments to demoralize them for intelligence, threats with vicious dogs, sleep deprivation, hangings with chains, binding of wrists and ankles off the ground, all by order of the Bush administration. I knew in 2006, prior to the Obama administration ordering the release of such information, the infamous Bush torture memos.

I made telephone inquiries with the ACLU, a Constitutional Law professor at Seton Hall Law School, co-counsel on Abu Ghraib, Guy Womack, and defamed Sgt. Javal Davis of Abu Ghraib. I revealed that I was going to change military history and renew my attack on the American government and its war crimes; that I was moving to reverse the convictions of all Abu Ghraib case soldiers because the defense was denied crucial intelligence information, which I demanded, but was denied, and which would have proven the soldiers of Abu Ghraib were merely following the orders of the intelligence community. Prior to my achieving these objectives, I was indicted in New York in a case the federal government clearly had a hand in and which would become a major part of my federal indictment.

Additionally, I demoralized the New Jersey U.S. Attorney's Office with my acquittal before a jury of Carmine Dente, Jr. in United States v. Carmine Dente, Jr., a case wherein the Federal Bureau of Investigation and United States Attorney's Office sought a conviction to publicize the need to protect witnesses. As they prepared for their victory speech, the jury shelled egg on their face with a not guilty verdict and it was I who gave the victory speech,

My ability to tie together all the personnel cases, criminal acts and conduct of our government set into motion the retaliatory indictment and case against me. What is also important to note is how I can reveal the relationships developed between federal laws, enforcement agencies, and the highest levels of government officials. I was a thorn to their continued deception and lies. While their Counsel Gonzales became United States Attorney General, John Ashcroft, United States Attorney General, befriended a lowly attorney named Chris Christie, who later came to reward Ashcroft with a major monetary contract. The concealed foundation of the Bush legacy was under attack by me and now all the power players had to depict their loyalty to Bush and guard his administration's integrity or they would also potentially fall with him and be exposed. More importantly, they had to protect the criminal actions and conduct of our nation from being revealed.

.....

Upon my retention in the Abu Ghraib in or about April of 2004, I lived the war on terror. There was not an investigation that was endorsed and conducted that remained unread. There was not a federal law enforcement or intelligence agency that I did not scrutinize. I incessantly read thousands and thousands of reports and evidence, included, but not limited to, from the Schlesinger report, Taguba report, Central Intelligence Agency, Federal Bureau of Investigation, Army Criminal Investigation Division, Inspector General's Office, International Red Cross reports and memorandum, Iraq's Survey Group, Special Operation's Command, Naval Intelligence Agency, Defense Intelligence Agency, State Department, United States Senate reports, Fay-Jones report, Task Force 121 reports, Army secret e-mails system messages in Washington, D.C. I ordered depositions of vital and seminal military commanders, and more. Additionally, I interviewed every accused soldier in Abu Ghraib and Iron Triangle copiously and befriended them. They believed in me and confided their inner most thoughts and knowledge to me. I repeatedly made trips to Iraq, despite threats of death, capture, torture, severe bodily injury, and incapacitation by my own government under the guise of a hold-harmless letter. The soldiers knew I risked my life and liberty for them and would never betray them. They opened up to me. I travelled to the Abu Ghraib prison site on multiple occasions with an interpreter and both interviewed

and video-taped prisoners. I observed first-hand the torture facilities and spoke to an undisclosed number of soldiers and civilians with intelligence, all the while gathering knowledge and first-hand knowledge of what was occurring in Iraq and Afghanistan. I lived in the field with the soldiers to gain their confidences and even spent multiple days in the Green Zone, Iraq, where I confronted and spoke to unidentified government intelligence agents, who ended up warning me that there would be retaliation against me and that my name and actions are known by the highest levels of our government, who did not want what I learned disclosed. These intelligence officers disclosed the murder of Iraqi General Manadel al-Jamadi at Abu Ghraib and told me that they also feared being scapegoated because they were ordered to extract intelligence information from Jamadi at all costs. They physically beat him to death.

During my trips to Washington, D.C., I and my investigator Sgt. Richard Russell read thousands of e-mails sent to the highest levels of our government, civilian and military, advising them of the worst scenarios of torture, war crimes, and crimes against humanity. So, I was acutely and innately aware that our government habitually lied about not condoning torture and being unaware it was occurring. I was the attorney who found and called Major David Dinenna as a witness and learned that as a commander at Abu Ghraib he had pleaded for a cease or halt to the war crimes. He witnessed inhumane treatment of men, women, and children detained at Abu Ghraib. Dinenna complained about the contractors the United States hired that provided worm infested food, spoiled meals, and six (6) spot a pots of portable toilets for over a thousand prisoners, insufficient water, the imprisonment of children and women in order to potentially gain intelligence from a target, not interviewing detainees for years, killing of detainees, sweep and imprisonment of innocent civilians, the monitoring of the outside camps and its deplorable living conditions, including over-crowding, rapes, and much more. I confirmed all the messages I read as I personally viewed and witnessed the Abu Ghraib facility and interviewed a plethora of individuals, including prisoners. My jaw dropped repeatedly as countless horror stories were revealed of rape conditions to which our government subjected men, women, and children. These conditions had to be endured. I knew I had opened a can of worms and Pandora's box and why the International Red Cross was refused access to the prison and prisoners by the Bush administration. Now, I made myself a witness to conditions and treatment of human beings similar to the Nazis during World War II. Words cannot describe our mistreatment of human beings.

My relationship with the accused six soldiers in the Abu Ghraib case, my viewing of thousands of photographs, my covert conversations with intelligence officers, both civilian and military, made me a threat to our government.

Subsequent to Abu Ghraib, I played a major role in our soldiers' defense in the case known as Objective Iron Triangle; the 101st Airborne assault on the Island of Samarra and an unlawful Rule of Engagement to kill every single military age male on the Island. In addition, I participated in liberating First Armor Division tank commander Leon Parker, who was accused and eventually convicted in the friendly fire death of young American soldiers. I knew our government was scapegoating all the accused soldiers and that the orders in the Objective Iron Triangle also came from the White House. My efforts to reveal the origination of the orders was stymied by the Commander, who revealed them while asserting his Fifth Amendment privilege to remain silent. Our democratic and just government refused

to grant him immunity; so I could interrogate him and prove Bush, Cheney, and Rumsfeld hands were dirty again.

For three years, my life was placed on hold to prove my theory that the United States government was scapegoating the young and low level soldiers, while the government escaped responsibility. *I knew from contact with high level intelligence officers that the government intended to falsely allege they discovered weapons of mass destruction at the chemical plant;*

I was the attorney who incessantly spoke with Al-Jazeera news and attempted to bait our government into accepting responsibility for war crimes. I repeatedly challenged White House policy and the Bush legacy. *and this was why they gave the ROE to kill all males on the island. I foil this plan.*

Through my efforts, I was able to ascertain that Israeli agents were involved in the torture and interrogation of detainees at Abu Ghraib. This fact would have driven the Muslim community ballistic and compelled our government to intentionally lie to key and strategic allies in its alleged war on terror. I was able to confirm the fact as I was the only Abu Ghraib attorney to depose Brigadier General Janis Karpinski Commander of the 372nd MP Company and an Abu Ghraib scapegoat. She personally spoke to Israeli agents at Abu Ghraib, but was warned to keep her mouth shut.

As I personally witnessed the dried blood in the torture chambers at Abu Ghraib, I literally cried myself to sleep as I envisioned and re-envisioned hysterical persons pleading for their release and my help. I uncovered the gory details of how United States agents beat to death General Manadel al-Jamadi and the indignant manner of how he was treated even in death. I spent hours with Army Specialist Sabrina Harman at Victory Base, Baghdad and in the Green Zone as she recounted his physical condition in a black body bag filled with ice as he was dumped at Abu Ghraib in the early summer morning hours. His blood soaked and badly beaten face and body cried for assistance as he pleaded for mercy. I later determined that the agents who criminally caused Jamadi's death were being investigated by our government and federal prosecutor John Durham. I pleaded with standby attorney Larry Lustberg to ask if I could testify, but my efforts were thwarted. What a grave miscarriage of justice! I witnessed as Army Specialist Sabrina Harman was prosecuted for preserving evidence and photographing General Manadel al-Jamadi while the government agents, who beat him to death and the same White House officials who ordered and approved the torture escaped prosecution and punishment.

As my experiences in Iraq developed, I learned about Ghost Detainees and hiding captured or seized prisoners and detainees by throwing them into Abu Ghraib unnoticed under a false number or by number. I was able to put together how this violated international law and exposed it during my depositions of Major General Barbara Fast, who was in charge of intelligence in Iraq and General Geoffrey Miller, who was personally sent and ordered by Rumsfeld to Abu Ghraib and Iraq to teach torture and inhumanity in the name of intelligence gathering. I mistakenly revealed my knowledge of war crimes as I took the lead in deposing the highest levels of our military command. The extent of my confirmations made during interrogations of our strategic commanders in Iraq opened me up to retaliation. I should have never demanded copies of torture memos. I made my knowledge public. Furthermore, my public revelation of Objective Iron Triangle's Rule of Engagement opened me up to contempt and scorn by our government.

I further connected the dots when my visit to Abu Ghraib and Iraq revealed that Rumsfeld had been repeatedly visiting the Abu Ghraib prison, while our government continued to deny knowledge and involvement in abuse and torture. I learned from soldiers themselves that Rumsfeld was inspiring torture and abuse and motivating soldiers to violate international laws of war.

As I delved deeper and deeper into what had gone wrong in Iraq and Afghanistan, and as my compassion to save the life and liberty of our young soldiers increased, my old friend, Michael Chertoff's name repeatedly popped up. I had known that Addington and Gonzales had redefined torture to only include permanent disfigurement and injury, but Central Intelligence agents informed me that it was Chertoff, who condoned inhumanity, while advising their Director. I read Chertoff's confirmation hearing testimony for Secretary at Homeland Security, and now knew he lied under oath about his involvement and knowledge of war crimes in Iraq. I could also now see the intricate connection between the Department of Justice headed by Bush ally Ashcroft and then Gonzalez, Addington, Alito, and Chertoff. I could see how the FBI, who had agents at Abu Ghraib and throughout Iraq torturing prisoners and committing war crimes against humanity, and eventually Chris Christie, all had similar motives to thwart my integrity, existence, and scorn me as a public source of information. My demand for Albert Gonzales as a witness at Javal Davis' court martial made my knowledge of the vicious circle and cycle apparent.

As Ascroft left his position as United States Attorney General, he would use his strong connection to Bush and their devout friendship to get Chris Christie selected as United States Attorney. He would pass his baton of being the head federal prosecutor to Albert Gonzales, who continued to mislead the American public about America's awareness and involvement in war crimes and international law violations; even if it meant false testimony under oath at hearings. But, I knew the truth and demanded accountability, as I repeatedly called for the testimony of these individuals.

Christie's allegiance to Ashcroft and Bush would be repaid in his pursuit of me and in his political patronage and reward of Missouri attorney Ashcroft with a forty (40) million dollar, no bid, no compete contract for legal work in New Jersey. At the time of my indictment, I had to further suffer Christie's insolence as a powerful New Jersey governor, with ties to the FBI, DOJ, and the White House; and aspirations of someday living on Pennsylvania Avenue. Christie had to lend love and support to the Bush administration for their confidence in appointing him. If he is to ascend to the White House, this component of American history must never be revealed.

Through my efforts, I proved that the six (6) rogue Military Police officers as cried out by Bush on national television were not solely responsible for the inhumanity and crimes in Iraq. The photos clearly established that every intelligence agency under the command of our White House was superiorly responsible. Yet, the magnitude of the lies committed before our United States Senate Committee hearings, to the American and international communities, our allies and even foes were unchecked and undeterred. I tried to do this and make the difference. No other attorney in the entire Abu Ghraib or Iron Triangle case ever came close to my revelations, demand for discovery, and efforts.

what was frightening, is Chief U.S. Attorney John Fahy was found with a bullet in his head, after he agreed to testify on my behalf; an alleged suicide?

The spirit of Abu Ghraib carried over to my legal representation in Objective Iron Triangle, as three (3) young enlisted men were being accused of premeditated murder. The military and the White House were seeking to imprison them for life. If I had not used the media to portray this grave miscarriage of justice, they would all be serving life imprisonment with no opportunity to ever be paroled. Factually, they were ordered to kill every military aged male on the Island Samarra upon contact. When they took prisoners, they were chastised and accused of disobeying orders. When they shot and killed the prisoners they took, they were called murderers. The White House again used the life again of the low level soldier to appease the Muslim and international community because Iraq's soldiers were on the mission and cried out about the conduct. My legal work proved the soldiers were following orders and that they were scapegoated. We accepted minimal pleas of guilty to avoid the potential consequence of life in prison. The message we got out was the insurmountable amount of scapegoating against those incapable of defending themselves against the White House and the lies and fallacy about the cooperative military efforts between American troops and Iraqi soldiers. This blatant lie was proven as our soldiers refused to go on mission with Iraqi soldiers and the level of malfeasance and distrust was evident. In the Article 32 Hearing of the three Iron Triangle soldiers, I proved how our soldiers hated working with and going on missions with Iraqi Soldiers, proof the Bush administration especially lied to the entire world.

I opened eyes with my vigorous defense of our soldiers and brought the issues out in the open. Even attempts to deter me through the New York indictment did not hinder my representation of these kids. When the New York indictment did not slow me down, the Feds took action. When a million dollar bail in New York for non-violent accusations of prostitution and money laundering did not keep me incarcerated, the Feds stepped in to detain me without bail. I learned that New York authorities, specifically New York Police Detective Myles Mulady and FBI agent Shawn Brokus, were working hand in hand and communicated daily. A fact that remains uncontroverted even to today.

The attempts by our government to conceal the Rule of Engagement (R.O.E.) on Objective Iron Triangle would have been accomplished if not for my zealousness. This revelation lead to the liberation of these young soldiers and prevented a life of misery. All remain free as of today.

Leon Parker was a veteran soldier on his second tour of Iraq and an exceptional combatant and leader by all standards. When a fellow tank crew man accidentally died during a combat mission, Bush had to blame someone and he became the scapegoat. When I visited him in imprisoned in Mannheim, Germany and met his wife and seven infant children, I scorned with contempt the White House and our military for what they had done to this young hero; who was willing to die for his country. I called upon Stars and Stripes, the newspaper read world-wide by all American soldiers, to publicize our plight. They gave me front page photo and coverage and I excoriated Bush and his evil administration. That was the nail in my coffin of success as I followed it with the United States v. Dente acquittal and they followed with life imprisonment for Paul.

My final links in connecting the dots was accomplished throughout my tours in luxurious Iraq. I spoke to at least fifty employees of Halliburton and their subsidiary contractors on all the outposts and military bases. I visited Victory Base, the Green Zone, Abu Ghraib, Fallujah, and Forward Operating

Base, Mosul. Additionally, I staged several nights with civilian contractors and Halliburton employees. I met at Baghdad Airport, in their luxury facility at the Marriott Hotel, Kuwait. I learned that the average salary paid to them was over \$130,000 per year, tax free, while the American soldier averaged about \$30,000. It was rare when a civilian employee risked life or limb, but common for the soldier.

Halliburton contracted with foreign nations such as the Philippines, for employees to work on American bases, paid these foreign nationals peanuts, yet billed the American taxpayer extraordinarily. It was one big joke to the civilian and comical as they put it. The money being paid by taxpayers made Cheney's and Bush's cronies wealthy, while the young soldier died, suffered severe Post Traumatic Stress Disorder or was maimed by bombs and small arms fire. When it was revealed that there never were weapons of mass destruction, we had no out strategy. The whole objective behind the Iraq war came to light. I was someone who could put into perspective all the profits made by the politicians and the elevations in states achieved by them. I also realized how powerful the indignant, self-proclaimed righteous men who rose to the highest levels of our society, Bush, Cheney, Rumsfeld, Alito, Chertoff, Christie, Fishman, amongst others, were.

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