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

UNITED STATES OF AMERICA

v.
PAUL W. BERGRIN

Criminal No: 09-369

Civil No: 16-3040

TO:

Honorable Marilyn Arleo
Judge, United States District Court
District of New Jersey
Martin Luther King Jr. Federal Building and
Courthouse
50 Walnut Street, P.O. Box 999
Newark, New Jersey 07101-0999

MOTION TO GRANT PETITIONER'S
MOTION PURSUANT TO JOHNSON V. UNITED
STATES, 135 S.Ct. 2551, SESSIONS V. DIMAYA,
138 S.Ct. 1204 and UNITED STATES V. DAVIS,
588 U.S. _____ (2019); AS WELL AS
TO PERMIT THE SWORN DEPOSITION-
TESTIMONY OF CRITICAL WITNESS

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SYED REHMAN, DUE TO EXIGENT CIRCUMSTANCES.

The Petitioner submits the enclosed Certification under the penalties of perjury in support of this motion and seeks emergent relief.

Respectfully submitted,
Paul W. Bergin
PAUL W. BERGIN

Dated: October 29, 2019.

Placed in institutional mail on this date.

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

PAUL W. BERGRIN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent

Criminal No.: 09-369

Civil No.: 16-3040

CERTIFICATION OF PAUL W. BERGRIN

I, Paul W. Bergin, am the Petitioner in the above captioned matter and submit this Certification under the penalty of perjury. Every word contained herein is the absolute truth.

1. As Petitioner in the above captioned matter I am wholly familiar with the facts I hereby submit
2. I most respectfully implore the Honorable Court's forgiveness and indulgence for this submission being handwritten. Under my conditions of confinement I do not have the use nor benefit of a word processor nor a typewriter and have handwritten this motion, certification, notice of motion, with a

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flexible pen and while leaning over a cement block.

3. On or about July, 2019 I submitted a formal motion pursuant to the Supreme Court's monumental decisions of Johnson, Dimaya and Davis. I was confident as to its applicability to the case sub judice and that a multitude-plethora of my convictions should be vacated. The Davis motion transmitted-filed electronically by Lawrence Luthberg, Esquire and on my behalf, supplemented a motion-legal submission I had filed relevant to Dimaya, Johnson and its progeny of cases.

4. The government replied to my Dimaya - Johnson motion, but HAS REFUSED TO RESPOND-REPLY TO my DAVIS MOTION. (Emphasis added).

I submit wholeheartedly that four (4) months have passed since the Government received my Davis motion and in accord with F.R. Civ. P. 8(b)(6) has conceded to the facts, law I argued. Their failure to respond which is now profusely untimely and to which I vociferously object they be given this opportunity, is an admission-concession as to the merit of my motion. They thereby have no legal basis to object to the Court's granting of my motion. Their failure to respond is a blatant agreement to the merits of my cause of action.

SYED REHMAN

5. There is an objective-independent-unbiased

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witness named Syed Rehman. (Hereinafter Rehman).
 6. Rehman has absolutely no relationship to me, no connection whatsoever to me or my case and no motive-reason to assist me in any manner.

Rehman is a devout Muslim and extremely close friend-confidant of Government witness, Abdul Mutallie Williams. They consider each other Muslim brothers, prayed together and confided in each other, as brothers do. He is an extraordinarily important witness.

7. Rehman was incarcerated at the Hudson County Jail, Kearny, New Jersey together and along with Government witness Abdul Mutallie Williams (Williams).

Rehman knows to an absolute certainty that I am innocent of the drug trafficking crimes I was wrongfully convicted of and was sentenced to multiple life sentences for. Rehman and Williams contrived, fabricated and schemed Williams perjured testimony against me and he knows that this manufactured testimony of my involvement in drug distribution was wholly false. He is a critical witness in my "actual innocence" motion, claim and justice, on my behalf. His testimony must be preserved.

Rehman's Testimony must be heard by this Honorable Court and preserved.

8. It has recently come to my attention that Rehman plead guilty and was sentenced for a

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federal crime. There may be immigration-deportation issues with Rehman. I cannot afford to lose him.

9. In order for this Court to make an informed, just and the right decision on my pending motions you must (emphasis added) hear Rehman's sworn testimony. It will be a game changer and decisive.

I am willing to waive my personal appearance for this proceeding and be present at my institution via closed circuit.

I am truly innocent and was wrongfully convicted. I know that if this Honorable Court hears Rehman and other witnesses my case will be reversed.

10. I begged, pleaded and implored that the government polygraph Anthony Young and other vital cooperating witnesses as to whether they were truthful in their testimony - cooperation but to no avail.

This Court is my only chance to ever seek justice. Once this Court reads my motions along with Luthberg's submissions, (especially the Young recordings) you will know why I shed so many tears of innocence.

Thank you,
Most respectfully,
Paul Luthberg