

December 11, 2018

Honorable Judge José L. Linares, Ch. US DJ
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

2

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 Jauregui, 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".

3

② 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 CONTINUED 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, motions-certifications for Islanda 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 investigators 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 perjurious, discredited and now proven lying witness against me, Anthony Javny. The evidence presented against me, including a dispriver 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 Javny, 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. 70-74

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

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 perjurious certainty, witnesses were not testifying truthfully.

Saunders ingenuousness is consistent 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 Baskerville'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 gov't thumps its chest with righteous indignation, because they are terrified 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 Young's 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, Saunders, 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 Berger

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 Sessions v. Dimaya, 138 S.Ct. 1204, 200 L.Ed.2d 579 (2018).

December 16, 2018

Honorable Judge Jose' L. Linares, Ch. USDJ
U.S. District Court, D.N.J.
Martin Luther King Jr.
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Re: United States v. Bergin

Dear Honorable Chief Judge Linares:

Enclosed please find the original of the letter I submitted to this Honorable Court, with my Certification, in support of my motions pursuant to R.33 and 28 USC 2255.

Again, I sincerely apologize that my submissions are handwritten and at times contain cross-outs, corrections, etc... But there are no typewriters or word processors at this torture chamber. Moreover, it takes an act of God to go to the law library to even do any meaningful research.

I pray you are well. Enjoy the holiday season.

God bless,
Most respectfully,
Paul Bergin

7M-18-111-008-0

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