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Pro Se Plaintiff

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

JESSE C. TRENTADUE,

Plaintiff,

vs.

FEDERAL BUREAU OF
INVESTIGATION and FEDERAL
BUREAU OF INVESTIGATION'S
OKLAHOMA CITY FIELD OFFICE ,

Defendants.

**DECLARATION OF PETER
KEVIN LANGAN**

Case No.: 2:04 CV 00772 DAK

Judge Dale A. Kimball
Magistrate David Nuffer

Pursuant to 28 U.S.C. § 1746 and based upon personal knowledge, I, Peter
Kevin Langan, do hereby certify, verify and state under penalty of perjury as follows:

1. I am currently an inmate in United States Penitentiary Marion in Marion, Illinois. My federal registry number is 64023-061.
2. In April, 1995, at the time of the Oklahoma City Bombing, I was living at 1103 Elm Street, Pittsburg, Kansas, in a house I shared with Richard Lee Guthrie. How we came to be together was a highly unusual circumstance.
3. In 1993, while I was in jail in Georgia awaiting trial on armed robbery charges, the United States Secret Service offered me a deal: If I would find Guthrie, infiltrate those working with Guthrie and testify against him, the Secret Service would arrange immunity for me. I accepted the offer – under duress – after ten months in jail, six months in Ohio and four months in Georgia.
4. September, 1993, I was released from custody and became a Secret Service informant. Sometime around October 1993, I connected with Richard Guthrie.
5. By the time of the Oklahoma City Bombing, Richard Guthrie and I had lived in that house in Pittsburg, Kansas for about a year. I first heard about the Oklahoma City Bombing sometime on the morning of April 19, 1995, when returning to the house in Pittsburg from Joplin, Missouri.
6. At that time, Kevin McCarthy and Scott Stedeford – associates of Guthrie's and mine -- were overdue to arrive at the house in Pittsburg. Around April

1, 1995, McCarthy and Stedeford had driven to Oklahoma. They went to the Christian Identity compound of Elohim City, near Muldrow, Oklahoma. At Elohim City, McCarthy and Stedeford were staying at the residence of Andreas Strassmeir, where they had sometimes stayed in the past.

7. I watched TV coverage of the Bombing and its aftermath on the day and night of April 19, 1995. As I watched the Bombing coverage, I wondered as to the whereabouts of McCarthy and Stedeford and if they or their associates at Elohim City were involved in the Bombing. I was concerned about their involvement in the Bombing because it could jeopardize my security.

8. In the early morning hours of April 20, 1995 – between 1:00 AM and 2:00 AM – McCarthy and Stedeford arrived at the house in Pittsburg. They were driving a 1983 white Chevrolet Suburban, a vehicle I had never seen before. McCarthy and Stedeford said they had purchased it in Fort Smith, Arkansas on April 17, 1995. I would later learn that Andreas Strassmeir bought Stedeford's old 1976 maroon Suburban, which Stedeford and McCarthy had driven to Elohim City. The white Suburban they were driving had no license plates on it when they arrived in Pittsburg, Kansas.

9. I questioned McCarthy and Stedeford about the Bombing. They said they were not involved. McCarthy and Stedeford said that they were not even aware

of the Bombing, even though they had been on the road, driving through Oklahoma, amid intense media coverage on the Bombing, for at least six hours or more on April 19 and 20, 1995. They said they had not been listening to the radio on their drive, but instead, had listened to CDs and cassettes in the Suburban the whole time. My impression was that they were lying. McCarthy and Stedeford also volunteered that Strassmeir and the others at Elohim City were not involved in the Bombing.

10. We discussed the problem caused by the lack of license plates on the Suburban, which could easily draw the attention of law enforcement to us. We decided that McCarthy and Stedeford would travel immediately to Iowa to obtain tags for the new vehicle. They left Kansas, driving a blue Ford van that belonged to Guthrie and me, on the morning of April 20, 1995, at about 10:00AM.

11. I left Pittsburg later that day and traveled to the Kansas City, Missouri, area. I returned to Pittsburg on the afternoon of April 22, 1995, at around 4:00 PM.

12. McCarthy and Stedeford returned to Pittsburg sometime on April 22, 1995, with new Iowa tags for the Suburban. Guthrie, McCarthy, Stedeford and I then watched continuing TV news coverage of the Bombing, including early media speculation that bank robbers may have helped to fund that attack.

13. Several months later, in July 1995, Richard Guthrie traveled to Pennsylvania to visit McCarthy, Stedeford and another associate of ours, Mark Thomas, at Thomas's Pennsylvania home. Guthrie's visit lasted several weeks.

14. During this time, I was living in Kansas City, Missouri. It was not until later that I would learn of disclosures made by and to Guthrie about the Oklahoma City Bombing on that trip to Pennsylvania.

15. On that visit, Guthrie reportedly told Thomas that John Doe 2 – the unidentified Oklahoma City Bombing suspect who was never apprehended – was really Kevin McCarthy. Referring to McCarthy, Guthrie allegedly said: "Your young Mr. Wizard took out the Murrah Building."

16. In August 1995, I learned about a bank robbery that Guthrie, McCarthy and Stedeford had committed in St. Louis, Missouri while I was living in Kansas City. In this robbery, they left a newspaper article about Timothy McVeigh and the Oklahoma City Bombing on the seat of the getaway car. This caused me to suspect that they might be involved in the Bombing.

17. Sometime in the months that followed, Guthrie, McCarthy and Stedeford had a falling out, and no longer wanted to work together. McCarthy and Stedeford returned to Pennsylvania.

18. As a result of this falling out, Guthrie said to me that McCarthy and Stedeford were a danger to us because of their possible involvement in the Oklahoma City Bombing. Guthrie said he knew this because of discussions he had with Mark Thomas, McCarthy and Stedeford on his trip to Pennsylvania.

19. In December 1995, I had one last conversation with Kevin McCarthy in Columbus, Ohio. I told McCarthy that I was considering no longer having any dealings with him due to Guthrie's attitude and the allegations regarding him and Stedeford. I told McCarthy that the situation was causing too many problems for me.

20. McCarthy responded by saying that he understood my difficulty, but that he had overriding concerns. I asked him to elaborate. He told me that, contrary to his past statements, he and others unspecified did have legal "liabilities" concerning the Oklahoma City Bombing. I remember thinking: "Liabilities" is a big word. But sometimes McCarthy talked like that. I asked him to be more specific concerning who, what and when, but he declined to give me any details. He asked me not to mention this conversation to Stedeford or to anyone else.

21. McCarthy stated that he was only telling me this because he wanted me to know how badly he might need help in going underground if the Oklahoma City Bombing connection became a problem for him. I realized, too, that it might be a problem for me due to our association and past travels.

22. I listened to McCarthy, and agreed to continue our association. We made arrangements for me to be able to contact him and Stedeford at a later date – without involving Guthrie or letting Guthrie know. Then McCarthy and Stedeford left for Pennsylvania.

23. On January 18, 1996, I was arrested in Columbus, Ohio, while leaving Guthrie's house. During my arrest, I never fired or even pointed a weapon at anyone. Nevertheless, despite being an informant for the Secret Service, a SWAT Team comprised of FBI agents, Deputy United States Marshals and other law enforcement personnel fired 48 rounds at me that day. They never offered me an opportunity to surrender prior to shooting me.

24. After being stomped and kicked by arresting officers and undergoing surgery for gun shot wounds in a hospital emergency room, I was chained to a wall in a police station and questioned by FBI Special Agent Ed Woods. I did not want this interrogation. I wanted a lawyer, and I asked for one repeatedly. My requests for an attorney, however, were refused.

25. Instead of obtaining an attorney for me, Agent Woods insisted on playing phone messages from Guthrie's answering machine on a tape recorder. When Agent Woods taunted me with the inference that my associates had betrayed me, and would testify against me, I had had enough. I told him: "You're going to have

problems with your witnesses, because they have the blood of Oklahoma City on their hands." Agent Woods definitely took note. "You certainly have my attention now," he said. This turn of events put an end to the interrogation soon thereafter.

26. Subsequently my attorney, Kevin Dirkin, informed me that the government wanted to talk to me about the Oklahoma City Bombing. My attorney referred to this as a "proffer" or "prelude" to a plea agreement. I was amicable to such a discussion, but I wanted ironclad assurances of the terms or details of any type of deal. My attorney later told me the offer had been withdrawn.

27. I was subsequently indicted for charges relating to my arrest and allegations relating to bank robberies in 1994.

28. The others eventually charged along with me in cases stemming from the FBI's mid-west bank robbery investigation known as "BOMBROB" were: Richard Guthrie, Kevin McCarthy, Scott Stedeford, Mark Thomas and Michael Brescia. Although involved in the robberies, Shawn Kenny was not prosecuted. I later learned that he, too, was an FBI informant.

29. Through the pretrial discovery process in *United States of America v. Peter Kevin Langan*, United States District Court for the Southern District of Ohio, No. 2:96CR015-JDH, and through case-related media reports, I learned more

information confirming my suspicions regarding Kevin McCarthy's involvement in the Oklahoma City Bombing.

30. One such disclosure was that on April 5, 1995, Timothy McVeigh telephoned Elohim City and asked to speak to Andreas Strassmeir. At the time, Kevin McCarthy was staying with Strassmeir.

31. I also learned of an FBI 302, in which McCarthy stated that he was with me, in Pittsburg, Kansas, on April 19, 1995. The 302 states as follows:

"MC CARTHY advised at April, 1995, he was residing at Elohim City, Oklahoma at an associate's residence by the name of ANDY STRASSMEIR. Also residing with STASSMEIR were MC CARTHY'S close friends, MICHAEL WILLIAM BRESCIA and SCOTT ANTHONY STEDEFORD. Approximately three days prior to the bombing, MC CARTHY and STEDEFORD left the STRASSMEIR residence and traveled to Pittsburgh, Kansas, where they stayed with PETER LANGAN and RICHARD GUTHRIE. While in Pittsburgh, Kansas, MC CARTHY [said that he] learned of the Oklahoma City Bombing when it was announced on the television news.

A true and correct copy of that 302 is attached hereto as Exhibit A. However, McCarthy was not with me on April 19, 1995 in Pittsburg, Kansas. Nor was he, to my knowledge, anywhere that day other than in the State of Oklahoma.

32. Also during the discovery process in *U.S. v. Langan*, I became aware of a pattern and practice on the part of the government of destroying evidence and presenting false or biased testimony – especially in regards to anything related to the Oklahoma City Bombing. This included the destruction of blasting caps the

government seized from Richard Guthrie's residence -- blasting caps that were given to us by Kevin McCarthy.

33. In July, 1996, I was informed that Richard Guthrie had killed himself, reportedly after threatening to reveal new facts about events outside our case, including the Oklahoma City Bombing. At the time of his suspicious hanging in his jail cell, Guthrie was under subpoena by my attorney to testify at a hearing in my case just days later.

34. In 1997, I was convicted of five bank-robbery related charges in federal district court in Columbus, Ohio. I was sentenced to life without the possibility of parole, plus 35 years.

35. Kevin McCarthy was facing a mandatory-minimum sentence of 105 years on bank-robbery related charges, unless he made a deal with federal prosecutors to testify against me and others. McCarthy made that deal. In exchange, McCarthy received a sentence of five years in prison.

36. An appellate court affirmed my conviction. Thereafter, in 2002, I made allegations in a 2255 *Motion to Vacate Sentence* regarding McCarthy's involvement in the Oklahoma City Bombing, and prosecutorial misconduct to cover up the above facts.

37. Within this time frame – from 2002 to present – I have received still more relevant material/evidence from various sources about the Oklahoma City Bombing case. Most of this material is in the form of official government documents from the FBI, including teletypes, electronic communications, FD 302s, etc. These documents detail a systematic attempt by the government to link my case (FBI case designation: BOMBROB) to the Oklahoma City Bombing (FBI case designation: OKBOMB). This is in direct contradiction to the government's stated position denying this investigation – and this linkage.

38. In 2003, I was contacted by an attorney representing Terry Nichols in his state murder case. Nichols' attorney, Mr. Mark Ernest, and I discussed the linkage between the Oklahoma City Bombing investigation known as "OKBOMB" and the Midwest Bank Robbery investigation known as "BOMBROB." Through these discussions, I learned of still more suppressed evidence: an FD 302 containing a second, and contradictory, statement by Kevin McCarthy concerning his whereabouts on April 19, 1995, when he first heard about the Bombing.

39. In this later statement, McCarthy says that he was in Iowa – not Pittsburg, Kansas, with me – when he first heard about the Bombing. He also changed the date from April 20, 1995 to a day later, April 21, 1995. This contradictory 302 was never turned over to my defense attorney. McCarthy's alleged presence in Iowa

when he first learned of the Bombing was also the subject of testimony in the *Nichols* case.

40. During the time I was meeting with Nichols' attorney, I likewise learned about statements made by Mark Thomas, another defendant in the BOMBROB case, to his girlfriend, prior to April 19, 1995, implicating himself in a future attack on the government.

41. Due to my being named as a potential defense witness in Nichols' state trial, the State of Oklahoma requested a hearing to air its objection. At this hearing FBI Special Agent John Hersley, the Oklahoma City Bombing case agent, stated under oath that McCarthy was in Iowa when he first heard about the Bombing. Hersley vouched for McCarthy's Iowa alibi statement even though it conflicted with what McCarthy said earlier, and even though it conflicted with the customary same-day time frame for tagging vehicles in Iowa.

42. Still, the government succeeded in its goal of putting Agent Hersley on the stand. The judge accepted Agent Hersley's support for McCarthy's alibi, and rejected me from testifying at Nichols' trial.

43. In effect, the government's move buried the truth by barring Nichols' attorneys from exploring evidence from me of Kevin McCarthy's involvement in the Oklahoma City Bombing.

44. In April, 2005, the petition to vacate my sentence was denied.

45. In August, 2005, I was denied a certificate of appealability. I am currently in the U.S. Supreme Court on this case, seeking a *Writ of Certiorari*.

46. My experience in trying to defend my case clearly shows that there is more evidence out there that is being withheld or suppressed in my case – and also in the Oklahoma City Bombing case.

47. Most or all of the defendants in the BOMBROB case had knowledge of aspects of the Oklahoma City Bombing. But as my case demonstrates, the federal government has gone to extreme lengths to keep those fragments of the truth from coming out and coming together into a coherent story.

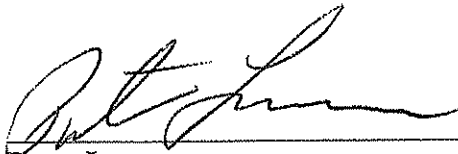
48. Despite compelling evidence linking Kevin McCarthy to the Oklahoma City Bombing, no known record exists of the government investigating or even questioning McCarthy about that crime.

49. Another BOMROB defendant, Mark Thomas, was also silenced by the federal government. During my trial, Thomas agreed to testify in my defense as to what he knew about Kevin McCarthy's connection to the Oklahoma City Bombing. But at the 11th hour, the government indicted Thomas, effectively

canceling his appearance at my trial. Thomas' indictment also set the stage for him to become a FBI informant and protected federal witness.

50. Richard Guthrie's mysterious death by hanging, while he was in jail cooperating with federal prosecutors, also helped the government bury the truth about the Oklahoma City Bombing. Despite Guthrie's claim that he would soon reveal information about the Bombing, I know of no other record related to the government investigating Guthrie's possible link to the Bombing, or even questioning him about that matter.

Executed and signed under penalty of perjury this 9th day of April, 2007, at Marion, Illinois.



Peter Langan