



Original Date Reported  
 0 1 2 2 0 5

Case Reference **Baker Act**

On 02/01/05, I was given this case for investigative follow-up. Contact was made with Federal Bureau of Investigation Special Agent Matthew Foster on 02/02/05. S/A Foster advised that he responded to Florida Medical Center on [redacted] to interview [redacted]. S/A Foster stated that he could not legitimize or authenticate any information expressed by [redacted]. **S/A Foster didn't believe that [redacted] has been affiliated with any terrorist operatives, cells, or networks.** S/A Foster did state that [redacted]

A intelligence bulletin was completed on 02/02/05 for [redacted]. A copy of this case will be placed into the detective bureau's terrorism file.

ADMINISTRATIVE/CONTINUATION

Report Contains		Related Report Number(s)	
Officer(s) Reporting	<b>Visners</b> <i>SV</i>	ID. Number(s)	Date
Officer Reviewing (If Applicable)	ID. Number	3 5 1 7	0 2 0 2 0 5
Case Status	Clearance Type 1. Arrest 2. Exceptional	3. Unfounded	A-Adult J-Juvenile
Exception Type 1. Extradition Declined	2. Arrest on Primary Offense Secondary Offense Without Prosecution	3. Death of Offender 4. V/W Refused to Cooperate	5. Prosecution Declined 6. Juvenile / No Custody
		Arrest Number	Number Arrested
		OSTB Number	Page 1 of 1

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 - - -

4 UNITED STATES OF AMERICA : CRIMINAL DOCKET FOR  
5 -VS- : CASE NO. 16-28 -  
6 [REDACTED] : DISTRICT OF DELAWARE  
7 :  
8 : EASTERN DISTRICT CASE  
9 : NO. 16-365-1

8 - - -

9 PHILADELPHIA, PA.

10 SEPTEMBER 1, 2016

11 BEFORE HONORABLE MARK A. KEARNEY

12 PRETRIAL DETENTION HEARING

13 APPEARANCES:

14 FOR THE PLAINTIFF: US ATTORNEY'S OFFICE  
15 BY: JEANINE M. LINEHAN, AUSA  
16 ONE INDEPENDENCE MALL  
17 615 CHESTNUT STREET, SUITE 1250  
18 PHILADELPHIA, PA 19106  
19 (215)861-8514

18 FOR THE DEFENDANT: [REDACTED] - PRO SE

19 STANDBY COUNSEL: JEREMY H.G. IBRAHIM, ESQ.

20  
21 LYNN MCCLOSKEY, RPR  
22 OFFICIAL COURT REPORTER  
23 1234 US COURTHOUSE  
24 601 MARKET STREET  
25 PHILADELPHIA, PA 19106  
(856) 649-4774

1 Q. THE DETENTION HEARING IN WASHINGTON

2 D.C..

3 A. THEN THAT WOULD BE CORRECT, I DID  
4 NOT REVIEW ANY TRANSCRIPTS.

5 Q. YOU DID NOT REVIEW PAGES 9 TO 11 OF  
6 THAT TRANSCRIPT?

7 THE COURT: DIDN'T REVIEW A TRANSCRIPT,  
8 SIR. NEXT QUESTION.

9 BY MR. [REDACTED]:

10 Q. DID YOU SUBPOENA THE -- OR DID YOU  
11 OBTAIN IN ANY WAY THE E-MAILS FROM THE PRISON OR  
12 THE PHONE RECORDINGS BETWEEN MYSELF AND MY  
13 FAMILY?

14 THE COURT: SINCE YOUR ARREST?

15 MR. [REDACTED]: YES.

16 THE WITNESS: I HAVE NOT.

17 BY MR. [REDACTED]:

18 Q. OR ANY AGENT UNDER YOUR -- ARE YOU  
19 AWARE OF ANY AGENTS DOING IT?

20 A. I AM NOT AWARE OF ANY OTHER AGENTS  
21 SUBPOENAING ANYTHING. I AM JUST NOT AWARE.

22 Q. OR OBTAINING EVEN WITHOUT A  
23 SUBPOENA?

24 A. OR OBTAINING, CORRECT. I AM NOT  
25 AWARE OF ANYTHING LIKE THAT.

1 Q. OKAY. ARE YOU AWARE OF THE TERM  
2 PARALLEL CONSTRUCTION? HAVE YOU EVER HEARD THAT  
3 IN THE FBI?

4 MS. LINEHAN: OBJECTION, YOUR HONOR.  
5 RELEVANCE.

6 THE COURT: WHAT'S THE PROFFER? WHAT  
7 DOES THAT HAVE TO DO WITH THIS?

8 MR. [REDACTED]: PARALLEL

9 CONSTRUCTION IS WHEN THE FBI AND OTHER FEDERAL  
10 AGENCIES PUT FORTH AN INVESTIGATION OR A  
11 JUSTIFICATION FOR ARREST WHILE WITHHOLDING THE  
12 ACTUAL INFORMATION THAT WAS RELIED UPON TO MAKE THAT  
13 ARREST BECAUSE IT MIGHT BE SENSITIVE NATIONAL  
14 SECURITY INFORMATION.

15 THE COURT: ALL RIGHT. YOU MAY -- DO  
16 YOU UNDERSTAND THAT TERM, SIR? HAVE YOU EVER HEARD  
17 THAT TERM?

18 THE WITNESS: NO, I HAVE NOT HEARD OF  
19 THAT TERM BEFORE.

20 THE COURT: THANK YOU.

21 BY MR. [REDACTED]:

22 Q. OKAY. YOU WERE AWARE -- YOU WERE  
23 ABLE TO REVIEW MY PRIOR ARREST RECORD, CORRECT?

24 A. I WAS ABLE TO REVIEW AN NCIC ENTRY  
25 OF YOUR PRIOR ARRESTS. IT DOES NOT GO INTO

1 DETAIL.

2 Q. BUT IN ALL INSTANCES OF ANY CONTACT  
3 I HAVE HAD WITH LAW ENFORCEMENT, I HAVE NEVER  
4 ATTEMPTED TO FLEE, I NEVER ATTEMPTED TO EVADE.  
5 IS THERE ANYTHING IN THE FILE ALLEGING AN  
6 ATTEMPT TO FLEE OR EVADE LAW ENFORCEMENT IN ANY  
7 PRIOR CONTACTS OR ARRESTS, ANYTHING OF THAT  
8 NATURE?

9 A. THERE IS NOT.

10 Q. ANY MISSED COURT APPEARANCES?

11 A. NOT FROM WHAT I COULD SEE IN NCIC.  
12 THERE WERE NO CASES OR NO FAILURE TO APPEAR  
13 WARRANTS OR ANYTHING LIKE THAT THAT I SAW,  
14 CORRECT.

15 Q. IN ALL THE CASES THAT I HAVE  
16 RELATED TO JUDGE KEARNEY HERE TODAY?

17 A. THAT'S CORRECT.

18 Q. DID YOU REVIEW THE FILE, THE FBI  
19 FILE OF MY PROSECUTION IN MOROCCO?

20 A. I DID NOT KNOW YOU HAD ONE.

21 Q. THE FBI HAD NO KNOWLEDGE OF THE  
22 ONGOING PROSECUTION OF A U.S. CITIZEN IN  
23 MOROCCO, EVEN AFTER MY E-MAILS TO THE FBI AND  
24 ALL THOSE PEOPLE?

25 A. I CAN SPEAK ON BEHALF OF MYSELF, AS

1 AN FBI AGENT IN WILMINGTON, DELAWARE, NOT AS THE  
2 FBI AS A WHOLE. SO I AM PERSONALLY UNAWARE OF  
3 ANY CASES YOU HAVE OR INVESTIGATIONS IN MOROCCO.

4 Q. HAVE YOU EVER COME ACROSS IN THE  
5 FBI FILE TO THE EXTENT OF WHATEVER IS ACCESSIBLE  
6 BY YOU ANY EVIDENCE SUGGESTING THREATENING OF  
7 WITNESSES IN THOSE PROCEEDINGS, ANYTHING IN THAT  
8 REGARDS?

9 A. IN AN FBI FILE?

10 Q. YES.

11 A. I AM NOT AWARE OF ANYTHING LIKE  
12 THAT.

13 Q. THE ARREST IN -- IS THERE ANY  
14 INFORMATION IN THE FBI FILE CONCERNING THE  
15 ARREST IN 2005 AND '06?

16 A. IN THE FBI FILE? NO.

17 Q. NO?

18 A. NOT THAT I HAVE SEEN. ARE YOU  
19 ASKING IF I PERSONALLY OBSERVED OR SEEN ANY TYPE  
20 OF FBI FILE RELATED TO YOUR PRIOR ARRESTS,  
21 ESPECIALLY 2005? I HAVE NOT.

22 Q. ARE YOU AWARE OF FBI AGENT MATTHEW  
23 FOSTER, ANY REPORTS FROM HIM IN THERE?

24 A. SAY THAT NAME AGAIN.

25 Q. FBI AGENT MATTHEW FOSTER.

1 **A. I HAVE NEVER HEARD THAT NAME. I**  
 2 **HAVE NEVER SEEN ANY 302 OR ANY REPORT ON BEHALF**  
 3 **OF THAT AGENT.**

4 **Q. IS THERE AN AGENT MATTHEW FOSTER**  
 5 **IN --**

6 **MS. LINEHAN: OBJECTION.**

7 **THE COURT: SUSTAINED. NEVER HEARD OF**  
 8 **HIM. HE HAS NEVER HEARD THE NAME.**

9 **BY MR. [REDACTED]:**

10 **Q. DOES THE FBI GIVE FALSE NAMES?**

11 **MS. LINEHAN: OBJECTION, YOUR HONOR.**

12 **THE COURT: SUSTAINED. NOT NOW.**

13 **FOUNDATION AND RELEVANCE.**

14 **BY MR. [REDACTED]:**

15 **Q. OKAY. HAVE YOU EVER -- IS THERE**  
 16 **ANYTHING IN MY FBI FILE ALLEGING THAT I HAVE**  
 17 **WEAPONS OR THAT I HAVE USED WEAPONS IN CRIMES OR**  
 18 **ANYTHING OF THAT NATURE?**

19 **A. I HAVE NOT SEEN ANYTHING IN ANY FBI**  
 20 **FILE BECAUSE I HAVE NOT SEEN ANY FBI FILE**  
 21 **RELATED TO YOU PRIOR TO THE EVENTS THAT BRING US**  
 22 **HERE TODAY.**

23 **THE COURT: SO AGENT, YOUR ENTIRE**  
 24 **KNOWLEDGE ABOUT THE DEFENDANT IS BASED SOLELY ON**  
 25 **WHAT HAPPENED WITH THE ARREST WARRANT, LEADING TO**

1 **THE ARREST WARRANT AND THE ACTIONS THAT ARE ALLEGED**  
 2 **IN THE INDICTMENT, IS THAT CORRECT?**

3 **THE WITNESS: THAT'S CORRECT, YOUR**  
 4 **HONOR.**

5 **THE COURT: SO YOU WERE NOT PART OF ANY**  
 6 **INVESTIGATION BEFORE SAY 2016 -- OR TELL ME WHEN.**  
 7 **WHEN DID YOU GET INVOLVED IN THIS INVESTIGATION?**

8 **THE WITNESS: WITH REGARD SPECIFICALLY**  
 9 **TO WILMINGTON, DELAWARE, YOUR HONOR?**

10 **THE COURT: WHEN DID YOU GET INVOLVED?**

11 **THE WITNESS: I GOT INVOLVED FOR THE**

12 **ARREST PART IN 2016.**

13 **THE COURT: RIGHT.**

14 **THE WITNESS: BUT I WAS AWARE OF**  
 15 **E-MAILS TO THE WILMINGTON COURT, ET CETERA, PROBABLY**  
 16 **AS EARLY AS 2012.**

17 **THE COURT: OKAY. SO IN THAT TIME**  
 18 **FRAME, THOSE FOUR YEARS, YOU WERE NOT AWARE OF ANY**  
 19 **OTHER -- YOU DID NOT DO ANY INVESTIGATION OR PLAY**  
 20 **ANY ROLE IN CONNECTION WITH ANY OTHER ARREST THAT WE**  
 21 **TALKED ABOUT TODAY?**

22 **THE WITNESS: THAT'S CORRECT, YOUR**  
 23 **HONOR.**

24 **BY MR. [REDACTED]:**

25 **Q. SO YOU HAVE NO INFORMATION**

1 **CONCERNING ANY INVESTIGATION OR ANY OTHER POLICE**  
 2 **REPORTS REGARDING THREATENING OF WITNESSES AND**  
 3 **WHATNOT?**

4 **A. I DO NOT.**

5 **Q. YOU REFERENCED E-MAILS, YOU SAID**  
 6 **THAT AN E-MAIL WAS SENT IN 2012 TO THE COURT?**

7 **A. MAYBE NOT TO THE COURT, BUT TO --**  
 8 **IF I CAN WORD THIS CORRECTLY, TO LITIGANTS**  
 9 **WITHIN THE WHOLE LITIGATION --**

10 **THE COURT: PARTIES IN THIS CASE?**

11 **THE WITNESS: THE PARTIES TO THE**  
 12 **LITIGATION, CORRECT, YOUR HONOR, THAT I WAS PRIVY**  
 13 **TO.**

14 **BY MR. [REDACTED]:**

15 **Q. ARE YOU REFERENCING MAYBE FILINGS**  
 16 **IN THE COURT?**

17 **A. NO. I HAVE RECEIVED THOSE FILINGS**  
 18 **AS A RESULT OF MY 2016 INVOLVEMENT, BUT THESE**  
 19 **WOULD BE E-MAILS THAT HAD CAUSED ALARM AND WAS**  
 20 **BROUGHT TO MY ATTENTION TO SEE IF THERE WAS**  
 21 **ANYTHING INCRIMINATING WITHIN THE E-MAILS THAT**  
 22 **WERE FROM [REDACTED] AT GMAIL.COM TO PARTIES**  
 23 **OF THIS LITIGATION AND THEY WERE SIMPLY PLACED**  
 24 **INTO AN FBI FILE WARRANTING NO FURTHER**  
 25 **INVESTIGATION.**

1 **Q. AND THESE ARE E-MAILS SENT AT A**  
 2 **TIME THEN IN WHICH SETTLEMENT NEGOTIATIONS**  
 3 **OCCURRED?**

4 **A. I WANT TO SAY IT WAS 2012, THAT'S**  
 5 **WHAT MY MEMORY IS. IT COULD BE 2013. THERE**  
 6 **WERE A FEW E-MAILS AND DID NOT GO BEYOND THAT.**

7 **Q. AND YOU ASSESSED THE LANGUAGE AS**  
 8 **NOT WARRANTING ANY FURTHER INVESTIGATION AT THAT**  
 9 **TIME?**

10 **A. CORRECT.**

11 **Q. WERE THERE ANY OTHER FBI**  
 12 **INVESTIGATIONS CONCERNING THE VISIT TO MY JOB --**  
 13 **I MEAN NOT MY JOB, BUT THE CRIMINAL COURT IN NEW**  
 14 **YORK DURING THE PROSECUTION IN NEW YORK?**

15 **THE COURT: IS THERE AN OBJECTION? I**  
 16 **DON'T UNDERSTAND THE QUESTION.**

17 **BY MR. [REDACTED]:**

18 **Q. WERE YOU INVOLVED IN ANY FBI**  
 19 **INVESTIGATION RESULTING IN THE DISPATCHING OF**  
 20 **MARSHALS TO NEW YORK CITY TO QUESTION ME WHEN I**  
 21 **WAS PENDING -- PENDING THE PROSECUTION ENGAGED**  
 22 **AGAINST ME IN NEW YORK?**

23 **A. YES, I WAS. AND IF THAT'S THE 2012**  
 24 **OR 2013 RELATED TO THESE, THIS TIME WHEN I HAD**  
 25 **REVIEWED E-MAILS THAT THE MARSHALS SERVICE AND I**

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 - - -

4 UNITED STATES OF AMERICA : CRIMINAL DOCKET FOR  
5 -VS- : CASE NO. 16-28 -  
6 [REDACTED] : DISTRICT OF DELAWARE  
7 :  
8 : EASTERN DISTRICT CASE  
9 : NO. 16-365-1

8 - - -

9 PHILADELPHIA, PA.

10 SEPTEMBER 8, 2016

11 BEFORE HONORABLE MARK A. KEARNEY

12 PRETRIAL DETENTION HEARING

13 APPEARANCES:

14 FOR THE PLAINTIFF: US ATTORNEY'S OFFICE  
15 BY: JEANINE M. LINEHAN, AUSA  
16 ONE INDEPENDENCE MALL  
17 615 CHESTNUT STREET, SUITE 1250  
18 PHILADELPHIA, PA 19106  
19 (215)861-8514

18 FOR THE DEFENDANT: [REDACTED] - PRO SE

19 STANDBY COUNSEL: JEREMY H.G. IBRAHIM, ESQ.

20  
21 LYNN MCCLOSKEY, RPR  
22 OFFICIAL COURT REPORTER  
23 1234 US COURTHOUSE  
24 601 MARKET STREET  
25 PHILADELPHIA, PA 19106  
(856) 649-4774

1 TO TELL YOU THAT I WERE -- IF I WERE TO RESPOND  
2 TO ANY THREATS THAT YOU COULD LOSE YOUR HOUSE  
3 OVER IT, WOULD YOU STILL PUT UP YOUR HOUSE TO  
4 SECURE MY RELEASE WITH THE UNDERSTANDING THAT I  
5 WOULD NOT VIOLATE ANY COURT PROCEDURES?

6 A. YES, I WOULD.

7 MR. [REDACTED]: OKAY. I HAVE NO  
8 FURTHER QUESTIONS AT THIS TIME.

9 THE COURT: THANK YOU.

10 MS. LINEHAN, IS THERE ANYTHING AT ALL  
11 ON THAT LIMITED SCOPE?

12 MS. LINEHAN: NO, YOUR HONOR.

13 THE COURT: MR. [REDACTED], THIS IS  
14 JUDGE KEARNEY. I WANT TO EXPRESS THE COURT'S  
15 APPRECIATION FOR YOU TAKING TIME OBVIOUSLY FROM A  
16 BUSY SCHEDULE. THIS IS A VERY IMPORTANT MATTER, I  
17 APPRECIATE, FOR YOUR [REDACTED] AND YOUR [REDACTED] AND  
18 CERTAINLY YOU. SO I APPRECIATE YOUR TIME TODAY TO  
19 APPEAR TODAY BY TELEPHONE FROM [REDACTED]. YOU  
20 ARE FREE TO GO. YOU MAY STEP DOWN FROM YOUR  
21 TESTIMONY. WE ARE NOW GOING TO CUT OFF THE LINE,  
22 SIR.

23 THE WITNESS: THANK YOU.

24 THE COURT: THANK YOU.

25 OKAY. UNDER OUR DIRECTION, THAT CLOSES

1 -- WELL, LET ME ASK MR. [REDACTED]. I DON'T HAVE  
2 ANYBODY ELSE HERE. I ONLY SAID I WAS GOING TO OPEN  
3 IT UP BECAUSE THE ONLY OTHER PERSON YOU WANTED TO  
4 TALK TO WAS YOUR [REDACTED]. IS THERE ANYBODY ELSE --  
5 REMEMBER, IT'S THE UNITED STATES' BURDEN, NOT YOURS  
6 -- THAT YOU WISH ME TO CONSIDER IN THE NEXT COUPLE  
7 OF MINUTES BEFORE WE CLOSE TODAY.

8 MR. [REDACTED]: I WOULD LIKE TO  
9 SUBMIT TO THE COURT SOME DOCUMENTATION THAT REFUTES  
10 SOME OF THE TESTIMONY --

11 THE COURT: FINE.

12 MR. [REDACTED]: -- PROVIDED BY  
13 SPECIAL AGENT.

14 THE COURT: WOULD YOU SHOW IT TO  
15 COUNSEL FOR THE UNITED STATES.

16 MR. [REDACTED]: YES. THIS IS THE  
17 -- THIS IS A FILING MADE IN -- I NEED IT BACK SO I  
18 CAN REFERENCE IT DIRECTLY ON THE RECORD.

19 THE COURT: WE WILL REFERENCE IT AFTER  
20 THE UNITED STATES TAKES A LOOK AT IT.

21 THANK YOU.

22 MR. [REDACTED]: IT'S DOCKET NUMBER  
23 11-CV-23492 IN THE SOUTHERN DISTRICT OF FLORIDA.  
24 IT'S DOCKET NUMBER 16. IT WAS A MOTION AND SOME  
25 EXHIBITS. IF YOU RECALL, YOUR HONOR --

1 THE COURT: DON'T READ IT. DON'T  
2 DESCRIBE A WRITTEN DOCUMENT. I CAN READ IT.

3 MR. [REDACTED]: IN THE LAST

4 TESTIMONY PROVIDED BY SPECIAL AGENT DUFFEY  
5 CONCERNING A DISCOVERY REQUEST I SUBMITTED TO THE  
6 GOVERNMENT ALREADY, WHICH IS DOCKET NUMBER 65, I  
7 BELIEVE, IN THIS CASE, I BELIEVE IT'S PARAGRAPH 6, I  
8 HAD ASKED FOR INFORMATION REGARDING AN FBI AGENT BY  
9 THE NAME OF MATTHEW FOSTER WHO WAS RESPONSIBLE FOR  
10 HOSPITALIZING ME IN FLORIDA BASED ON FALSE  
11 INFORMATION.

12 SPECIAL AGENT DUFFEY APPEARED ON THE  
13 STAND AND STATED THAT HE DOES NOT HAVE ANYTHING IN  
14 MY FBI FILE WRITTEN BY ANY SPECIAL AGENT NAMED  
15 MATTHEW FOSTER.

16 THE COURT: I THINK HE SAID HE NEVER  
17 HEARD OF SPECIAL AGENT MATTHEW FOSTER.

18 MR. [REDACTED]: YES. AND THEN HE  
19 SAID THERE IS NOT EVEN AN FBI AGENT BY THAT NAME.  
20 THAT REPORT RIGHT THERE IS A REPORT FROM SUNRISE  
21 POLICE DEPARTMENT CONCERNING THE HOSPITALIZATION  
22 WHERE THEY DOCUMENT NUMEROUS CONTACTS WITH THIS  
23 SPECIAL AGENT FOSTER, WHO IS RESPONSIBLE FOR GETTING  
24 ME THROWN IN THE HOSPITAL AT THAT TIME BASED ON  
25 FALSE INFORMATION. THEY STATED THAT THIS GUY DOES

1 NOT EXIST. THERE IS NO PAPERWORK IN MY FILE  
2 REGARDING HIM, AND THEY HAVE ALLEGED OVER AND OVER  
3 IN ALL OF THEIR PLEADINGS THAT I SUFFER FROM A  
4 MENTAL DEFECT. AND EVEN IN THEIR DETENTION MEMO  
5 THEY SPECIFICALLY STATED THAT THE HOSPITALIZATIONS  
6 TOOK PLACE FROM 2001 TO 2003, AND THEY DID NOT  
7 MENTION THE 2005 HOSPITALIZATION BECAUSE I DID DO A  
8 VERY GOOD JOB OF DOCUMENTING HOW THESE  
9 HOSPITALIZATIONS OCCURRED.

10 THE COURT: AGAIN, SIR --

11 MS. LINEHAN, IS THERE ANY EVIDENTIARY  
12 AUTHENTICITY OR OTHERWISE OBJECTION TO THIS EXHIBIT.

13 MS. LINEHAN: NO, YOUR HONOR.

14 THE COURT: THEN YOU MAY PROFFER IT AS  
15 DEFENSE 1.

16 MR. [REDACTED]: AND SO THAT REPORT  
17 DOES --

18 THE COURT: NO, SIR. YOU DON'T DO  
19 THAT. I WILL READ IT. WE DON'T CHARACTERIZE  
20 WRITTEN DOCUMENTS. YOU CAN ARGUE FROM IT, BUT WE  
21 ARE DONE ARGUING NOW. I WILL READ THE EXHIBIT.

22 MR. [REDACTED]: THE REASON I OFFER  
23 IT --

24 THE COURT: I JUST TOLD YOU I WILL READ  
25 IT.