

Frederick Celani

Legal Document: Request for Discovery

Posted on [July 22, 2011](#)



DEFENDANTS REQUEST FOR DISCOVERY UNDER FEDERAL RULES OF CRIMINAL PROCEDURE RULE 12.3.; RULE 16 (a) (1) (E) (i) and CLASSIFIED INFORMATION PROCEDURES ACT §5, AND RESPONSE TO AUSA LUNGER S LETTER OF JUNE 1, 2011 (DKT. #127)

The defendant has filed a Notice of Public Authority [Hereinafter referred to as NPA“] Defense under Rule 12.3 of the Federal Rules of Civil Procedure. The United States, through Richard Lunger, Esq., Assistant United States Attorney, on June 1, 2011 [Dkt # 127] filed a letter denying the defendant acted pursuant to public authority. In that letter AUSA Lunger states that the defendant has not identified the agency member on whose behalf the defendant acted upon, pursuant to Rule 12.3 (a) (2) (B). A.U.S.A. Lunger appears to have misunderstood the defendant s filing. On the face page the defendant clearly identifies various individuals and John Does numbered one [1] to eleven [11]. In that regard the defendant had identified Condoleezza Rice, Naomi Goldstein, Kofi Annan, Daniel Furman, [deceased] Alireza Dilmaghani and John Does 1 to 10. A.U.S.A. Lunger, additionally requests the defendant give the names and addresses of all witnesses the defense will call.

The defendant clearly states at page two [2] of the NPA that the defendant is invoking the Classified Information Procedures Act (C.I.P.A.) 18 U.S.C.S.

The defendant requires additional discovery of classified material before any “reliable“ witness list with names and addresses may be assembled.

The denial of third party intelligence gathering by A.U.S.A. Lunger falls flat when the Barry Minkow portion of the defendant s NPA is examined. The government has brought the instant case, the foundation of which is based in upon the intelligence gathering of a third party, convicted conman named Barry Minkow. The Minkow connection in and of itself requires the release of all FBI, SEC and DOJ documents regarding Minkow.

In addition the defendant has set forth various individuals with whom the defendant interacted. The first is agents acting on behalf of Condoleezza Rice. Ms. Rice was the Secretary of State. The agents while unknown at this juncture are readily identifiable by issuance of a subpoena.

The defendant names Naomi Goldstein. Ms. Goldstein is a senior investigating attorney with the First Department Disciplinary Committee of the New York State Supreme Court. It is anticipated that the

government will claim Ms. Goldstein is a state actor and not part of a federal intelligence agency. The defendant contends that Ms. Goldstein acted on behalf of federal authorities in allowing the defendant, an unlicensed attorney, to operate a law firm for nearly a decade. The defendant additionally contends that Ms. Goldstein was authorized by the FBI/SEC/DOJ to allow other persons to continue the practice of law, even though they were unfit to do so. When a State Actor operates in conjunction with a federal law enforcement or intelligence agency, that state actor is operating under federal authority. [An example would be the New York City Police acting as federal deputies while working with the Joint Terrorism Task Force. [JTTF]

The defendant names Kofi Annan and Daniel Furman. Mr. Annan is the former General Secretary of the United Nations Security Council. Daniel Furman, a deceased New York Attorney also named in the NPA, claimed to be operating under UN authority with the State Department. It is well known that the UN has the authority to operate within the borders of the United States. Further, the UN has the authority to order the intelligence agencies of the United States and the Military branches of the United States to take actions against other sovereigns as recently seen in the bombing of Libya. These actions were ordered by the UN without the consent of the United States Congress.

The defendant names Alireza Dilmaghani, at the time a New York State license attorney. Mr. Dilmaghani claimed to have authority to act under what he termed "THE IRANIAN PARLIAMENT IN EXILE", which he claimed was based in Washington D.C. and managed by third parties in Washington D.C. with offices in the Department of State. The defendant has written proof wherein Alireza Dilmaghani discussed the fact he came to the U.S. for the sole purpose of working with Daniel Furman a UN operative, so that Dilmaghani could avenge the stripping of all of his mother and fathers assets and the parents forced removal from Iran.

The defendant has named John Does 1 to 10 in Washington DC and New York City. Upon discovery the court will see that the government has agents assigned to the defendant who came to the defendant's offices in NY/DC during the term of the events covered by the NPA.

To understand the use of Minkow and the use of the defendant by the government it is important to consider recent revelations as to how large the governmental and private sector (governmental contractors) intelligence operations have become since September 11, 2001.

In July of 2010 the Washington Post published "Top Secret America", a series of articles based upon a two year investigation by Dana Priest and William Arkin. The articles documented the growth of a vast explosion of government intelligence gathering organizations and private organizations contracting to government agencies. Since September 11, 2001 the government has established 1,221 new intelligence operations and 1,931 private firms who are under government contract.

Since September 11, 2001 the government has added 854,000 individuals with top secret clearance. Authors Priest and Arkin (supra) wrote that government controlled or sponsored intelligence operations have become so large, so unwieldy and so secretive, that they are not only unaccountable, but have morphed into being practically unknowable to the government officials charged with administering them.

The material support law enacted as part of the 1996 Antiterrorism and Effective Death Penalty Act and expanded by the 2001 Patriot Act, gives the Secretary of State authority to classify terrorist groups by careful examination, intelligence gathering and infiltration of the terrorist groups.

The facts supra are paramount when related to the Furman Law Firm, the Rain Maker organization, Daniel Furman and the Joint Terrorism Task Force [JTTF]. The following short narrative gives the court a brief sketch of how vast the New York City intelligence gathering community has grown.

The following is a description of the JTTF. Joint Terrorism Task Force, New York City.

JTTF is Responsible for the safety and security of upwards of twelve million Americans living in New York City, Long Island, and the five counties immediately north of the city, the New York Field Office, housed for the past forty years in the massive Jacob Javits Federal Building at 26 Federal Plaza, has more than two thousand FBI personnel and some five hundred officers from other agencies assigned to its joint task forces. The Long Island Resident Agency alone, one of the five New York sub-offices spread out across its territory, is larger than nearly half the field offices in the country.

Today the New York JTTF encompasses some 500 personnel from 44 different local, state, and federal agencies, including approximately 130 NYPD detectives as well as agents and analysts from the CIA, NSA, ATF, Immigration and Customs Enforcement (ICE), TSA, Secret Service, Defense Intelligence Agency, Department of State Diplomatic Security Service, U.S. Park Police, U.S. Marshalls, Port Authority Police, even the New York City Fire Department. By 2001, the JTTF model had spread to 35 cities. Today, in the wake of 9/11 and after a directive from Mueller to expand further, there are more than 100 FBI JTTFs nationwide.

These facts on the record, it appears that A.U.S.A. Lunger is of the opinion that the defendant should be able to identify three faces out of thousands of agents. Obviously this cannot be done without EXTENSIVE“ discovery of materials in possession of the government, materials concerning events and persons out of New York, Washington, D.C. Virginia and Los Angeles.

The defendant is of the opinion that the court should inquire of A.U.S.A. Lunger if he or anyone associated with the investigation of this case is aware that the Joint Terrorism Task Force [JTTF] was ever at the office of the Furman Law Firm no matter how many times or for whatever reason. If the court makes a request of A.U.S.A. Lunger and/or FBI Agent Mathew Gialoto to swear under oath based upon their investigation thus far or immediate inquiry of the JTTF as to this sole question, the answer may surprise the court.

The defendant respectfully requests the court consider the matter of United States v. Rebecca Abcasis, 45 F.3d 39 (2d Cir) and United States v. Fernandez 913, F.2d 148 (4th Cir 1990). In these cases the defendants prevailed under CIPA and/or combined CIPA and 12.3 matters.

Pursuant to CIPA as well as the Ethics in Government Act 28 USC §§591 and 594 the defendant is entitled to EX-PARTE“ hearings on the proof the defendant has to date and what proofs the defendant expects to require under 12.3 and CIPA.

In the defendant s most recent motion the defendant requested appointment of a special prosecutor, also known as an independent counsel. Under the Ethics in Government Act the defendant may ask for the appointment of an Independent Counsel (See: 28 USC §§591-594 and see also: Fernandez, supra., 913 F.2d 148).

The United States Department of Justice through its employees, agents and assigns has caused untold misery on hundreds of African-American and Latino-Spanish inmates by obstruction of justice in these peoples cases. The court is being drawn into the obstruction DOJ effort by utilization of lies, deceits and half truths perpetrated by FBI Agent Mathew Galioto, and A.U.S.A. Lunger.

REQUESTS FOR ISSUANCE OF COURT-ORDERED SUBPOENAS

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[A] Subpoena to produce all ICE/INS records on Alireza Dilmaghani s "Green Card" application.

[B] Subpoena to produce all recordings of the defendant under the alias ANTHONY "TONY" ANDOLINO from WMET Radio in Washington D.C.

[C] Subpoena to produce all employment records and clients lists of the Butler Law Firm in Washington, D.C.

These records are required to ascertain the names of clients and associates who were federal agents.

Additionally the defendant states upon information and belief that the attorneys working in the

Firm are important to this case based upon what the attorneys observed.

[D] Subpoena for production of Daniel Furman autopsy report.

[E] Subpoena for production of all records in possession of the First Department Disciplinary Committee and notes of

Naomi Goldstein as to Daniel Furman; Alireza Dilmaghani; Sid Levine; Sara Goldman and Antoinette Wooten.

[F] Subpoena for Production of All records in the possession of the New Jersey disciplinary commission.

[G] Subpoena for production of all emails, letters, notes, records and communications between any Federal agency including but not limited to the FBI/SEC/DOJ and all DOJ agents, assigns and contractors including but not limited to Mathew Galioto, Richard Lunger, All FBI employees, All DOJ Employees, all SEC employees and any federal agency, as to the Fraud Discovery Institute, Documents supporting the reduction of Minkow s Federal Sentence and post release supervision between any federal agency and the Hon. Dickran Torvozian USDCJ.

[H] Subpoena for production of All files located in any FBI/SEC/DOJ/ or other government agency nationwide

that in any manner relate to Barry Minkow and the Fraud Discovery Institute, including complaints from third parties whom Minkow investigated via the FDI at the behest of the FBI.

[I] Subpoena for production to Yahoo.Com of all Emails, and to Google.com and/or Yahoo.com for production of all searches conducted by account holder Ji Yeon Han between June 1, 2007 and June 1, 2011.

[J] This is a preliminary list and will be expanded upon review of the full universe of documents in this case.

DEFENDANTS REQUEST FOR DISCOVERY UNDER FEDERAL RULES OF CRIMINAL PROCEDURE RULE 12.3.; RULE 16 (a) (1) (E) (i) and CLASSIFIED INFORMATION PROCEDURES ACT §5

The defendant requests the following from the United States Department of State, The Central Intelligence Agency; The Federal Bureau of Investigation, President George Bush,

President Barrack H. Obama; Former Secretary of State Madeline Albright and Condoleezza Rice, U.N. General Secretary Kofi Annan and the United Nations Security Council.

Under Fed. R. Crim. Proc. Rule 16 (a) (1) (E) (i); 12.3 and CIPA § 5:

All documents, letters, reports, notes, video, audio and tape records either to or from the above relating to:

[1] Presidential Daily Briefings of George Bush or Barrack Obama on Iran and Israel referring to those entities and persons listed infra at [3] through [11].

[2] National Security Council records referring to those entities and persons listed infra at [3] through [11].

[3] Iranian Parliament in Exile. (IPE)

[4] National Council of Resistance to Iran. (NCRI)

[5] Mujahedin e Kalag (MEK)

[6] Daniel Furman

[7] Alireza Dibaughani, Sr.

[8] Alireza Jafarzadeh

[9] Maryam Rajavi

[10] Massoud Rajavi

[11] Reza Pahlavi, Jr and/or D

THE DEFENDANT RESPECTFULLY REQUESTS THAT THE REQUESTS AND MATERIALS HERIN BE

REVIEWED BY THIS HONORABLE COURT IN CAMERA AND EX PARTE

The defendant has requested that all pleadings be filed under seal. The United States has violated SEAL in this matter by posting Docket Entry 127. It is the defendant's opinion that the United States has engaged in violation of the SEAL in this case as a means of informing their witnesses as to what is taking place in this matter, and is a continuing demonstration of an attitude that they will manipulate the information in this case in any manner they can.

CIPA 5 permits the defendant to engage in an ex-parte hearing if the court so permits. Such an ex-parte hearing is prayed herein. The defendant is submitting this motion in camera to the court only, with a copy in a sealed envelope for the government. The defendant respectfully requests the court order the government to treat the contents as sealed material before the court releases the material to the government.

IT IS RESPECTFULLY REQUESTED THAT THE INFORMATION IN THIS MOTION BE WITHHELD FROM AUSA RICHARD LUNGER, THE FBI, AND ALL INVESTIGATORS WORKING ON THIS CASE, INCLUDING BUT NOT LIMITED TO RANDALL COX, INVESTIGATOR FOR THE U.S. ATTORNEY'S OFFICE, AS MR. LUNGER HAS ACTED IN A QUESTIONABLE MANNER IN THIS COURT REGARDING THIS CASE

WHEREFORE ALL PREMISES CONSIDERED an EX-PARTE hearing on the §12.3. CIPA materials and motion for an INDEPENDENT COUNSEL/SPECIAL PROSECUTOR is respectfully requested.

Dated 15th June, 2011

Respectfully submitted;

By: FREDERICK GEORGE CELANI

Frederick George Celani

Electronic Signature

Pursuant to Electronic Signatures in Global and National Commerce

E-SIGN ACT 15 U.S.C. §§ 7001 et seq.

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MDC Brooklyn

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Brooklyn NY 11232

Signature

Yvonne

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