

[REDACTED]

January 23, 2010

Federal Bureau of Investigation
Office of Professional Responsibility
Attn: Assistant Director Candice M. Will
935 Pennsylvania Ave. NW
Washington, D.C. 20535

Re: Special Agent Applicant File #67B-HQ-[REDACTED]
[REDACTED] [DOB [REDACTED]]

Subject: Addendum to Complaint

Dear Assistant Director Will,

Applicant respectfully references his complaint to the Assistant Director dated 1/3/2010.

The enclosed declaration of witness [REDACTED] provides the information that would have been developed had Special Agent Graham Coder pursued the lead he asked for to its logical conclusion as required in the Manual of Investigative Operations and Guidelines.

As the Assistant Director can see, [REDACTED]'s account completely contradicts SA Coder's FD-302:

SA Coder's FD-302	Declaration of [REDACTED]
"He said that he was involved in the decision to travel to the house to buy the drugs"	"Mr. [REDACTED] was not involved in the decision to make the purchase. Mr. [REDACTED] was not involved in the decision to travel to the house; he simply agreed to go."
"He stated that he assisted in negotiating the price of the marijuana purchase between the friends."	"Mr. [REDACTED] was not involved and did not assist in the 'negotiation' of the purchase price between me and [REDACTED]"
"He stated that he acted as a 'representative' of the buyer of the marijuana to the seller."	"Mr. [REDACTED] did not act as my representative or attorney."

Mr. [REDACTED] continues: "No one with any knowledge of drugs would consider Mr. [REDACTED] to have been involved in this transaction, and he should have asked me before reporting this."
"Mr. [REDACTED] was not involved in the transaction. Neither I nor [REDACTED] considered Mr. [REDACTED]"

to be involved.” “Mr. [REDACTED] was, at worst, comic relief to me and [REDACTED] due to Mr. [REDACTED]’s ignorance of drugs.” “Mr. [REDACTED] excused himself and was not present when [REDACTED] and I actually came to our agreement and exchanged the marijuana.”

This Applicant is calling out Special Agent Grahm Coder for making false statements to the FBI and manipulating the process to ensure this Applicant’s disqualification.



Sincerely,

[REDACTED]

cc: Applicant Coordinator

[REDACTED]

Federal Bureau of Investigation

) Case No. 67B-HQ-[REDACTED]
)
) DECLARATION OF [REDACTED] IN
)
) SUPPORT OF APPLICANT APPEAL OF
)
) [REDACTED]
)
)
)
)
)
)

United States Department of Justice,
Agency.

1 I, [REDACTED], declare as follows:

2 1. [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]

6 **BACKGROUND**

7 2. [REDACTED] and I have been friends for 10 years—since [REDACTED]
8 [REDACTED]
9 [REDACTED]

10 **MAY 2008 INCIDENT**

11 3. From May 2-4, 2008, Mr. [REDACTED] stayed with me for the weekend for a [REDACTED]
12 [REDACTED]

13 4. In the evening of May 2, 2008, Mr. [REDACTED] accompanied me to our mutual friend
14 [REDACTED] house. I intended to [REDACTED] a small amount of marijuana (less than \$100) from [REDACTED] and
15 Mr. [REDACTED] and I both intended to visit with our friend [REDACTED]

16 5. [REDACTED] was not a drug dealer, but he did keep extra marijuana around to share with
17 friends. I know that [REDACTED] has a Medical Marijuana license, but I do not know what the terms of
18 [REDACTED] license are.

19 6. Mr. [REDACTED] advised me on the way over to [REDACTED] house that he could not be my
20 attorney in any transaction that violated the law. I understood that he could not be my attorney
21 in this transaction. Mr. [REDACTED] was not my attorney, and did not act as my attorney in this
22 transaction.

23 7. When we got to [REDACTED] house, Mr. [REDACTED] initially made a few comments about
24 [REDACTED] and what I was willing to offer [REDACTED] but he was not taken seriously at all. Mr.
25 [REDACTED] was, at worst, comic relief to me and [REDACTED] due to Mr. [REDACTED]'s ignorance of drugs. After
26 embarrassing himself, Mr. [REDACTED] excused himself and was not present when [REDACTED] and I actually
27 came to our agreement and exchanged the marijuana.

1 8. Mr. [REDACTED] did not use any of the marijuana. Mr. [REDACTED] did not contribute in
2 any fashion to the [REDACTED], financially or otherwise.

3 9. Mr. [REDACTED] has informed me that he reported this incident in his FBI application
4 as him being "involved" in a drug transaction. This was a mistake, because Mr. [REDACTED] was not
5 involved in the transaction. Neither I nor [REDACTED] considered Mr. [REDACTED] to be involved. When Mr.
6 [REDACTED] contacted me about this incident in July 2009 and November 2009, I told him he should
7 never have reported this incident because he was not involved.

8 10. In my opinion from knowing Mr. [REDACTED] for 10 years, he reported this incident
9 because [REDACTED]. No one with any knowledge of drugs
10 would consider Mr. [REDACTED] to have been involved in this transaction, and he should have asked
11 me before reporting this.

12 11. Here, Mr. [REDACTED] was not involved in the decision to make the purchase. Mr.
13 [REDACTED] was not involved in the decision to travel to the house; he simply agreed to go.

14 12. Mr. [REDACTED] was not involved and did not assist in the "negotiation" of the
15 [REDACTED] between me and [REDACTED]. Mr. [REDACTED] did not act as my representative or attorney.
16 Mr. [REDACTED] did not contribute in any fashion, financially or otherwise, to the [REDACTED].

17 13. Until July 2009, I had never spoken with Mr. [REDACTED] about this incident.

18 14. No one was investigated or charged with any crime arising out of this incident.

19 15. Mr. [REDACTED] has not asked me to "cover" for him in any fashion.

20 16. As of this writing, no one from the FBI has ever contacted me about this incident.

21 I declare under penalty of perjury [REDACTED] that the
22 foregoing is true and correct.

23 Date: 1/20/10