

May 13, 2009

The Honorable Eric Holder
United States Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

FM: Celerino Castillo, 3rd

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Re: Prosecutorial Misconduct
USA vs. Celerino Castillo, III
SA: 08-CR-00193 (1) – WRF
No. 08- 51144 USA vs. CASTILLO

Dear Attorney General Holder:

I have recently read in the news media about your unprecedented reversal of conviction in the corruption case concerning Senator Ted Stevens, and I applaud your action. It was very apparent that there was prosecutorial misconduct that did indeed take place in that case.

Sir, my name is Celerino "Cele" Castillo, 3rd. My case (above) has become cognizant of a similar - and quite possibly even a far worse - example of prosecutorial misconduct, and as a veteran of several wars, I am urgently requesting your assistance in getting to the bottom of this ugly situation.

I am Vietnam combat veteran (100% disable), and former DEA agent. I became a whistleblower during the Iran-Contra investigation and submitted my testimony to the House Select Committee for Intelligence. I also went before a federal grand jury in Washington D.C, to testify to CIA involvement in murder, torture, drug trafficking, and arms smuggling.

After my retirement from the DEA, I became an educator and an activist for several civil rights organizations, such as People for Peace and Justice, Veterans for Peace, and Law Enforcement Against Prohibition. I've been on several protests all over the country with Martin Luther King III, Dick Gregory, and the Rev. Joseph Lowery.

On March 06, 2008, I was arrested by ATF agents in San Antonio, Texas. The charges were filed by U.S. Attorney Johnny Sutton for the Western District of Texas. As you are well aware, this district has previously been involved in several civil rights violations against its citizens. After eight months, the charges were dismissed by U.S. Attorney Johnny Sutton citing *Poke v. U.S.*

However, prior to my charges being dismissed, I was instructed to plead guilty to new charges of "Selling Guns without a License and Aiding and Abetting." I was instructed by AUSA Mark Roomberg that if I did not take the plea, that he would re-indict me on numerous charges. However, he also promised that if I took the plea, that I would not lose my disability benefits, which turned out to be another lie to the court. These promises are evident in the transcripts of my plea. My attorney convinced me to plead guilty and was sentenced to 37 months of incarceration. Some tactics in my case, especially on the parts of the ATF agents in question were at best, disgusting - and at worst, even criminal. That is, the tactics certainly appear to be felony extortion in my personal view, and I cannot see any other interpretation at this time.

I was initially ordered to self-surrender for my term of incarceration on March 05, 2009, but I discovered soon after my sentencing that my attorney, Robert "Eddie" de la Garza, had been under investigation by the state bar throughout my case - and Mr. de la Garza had failed to advise the court that he was in the process of being suspended. There was also a massive issue of conflict of interest on the part of Mr. de la Garza, because the same agents involved in my case were also involved with another case involving Mr. de la Garza's son, Andrew de la Garza, who had been arrested by ATF prior to my arrest.

The judge in my case has extended my required surrender date until July 20, 2009; so that I may have ample time to prepare my case with my new public defender.

On April 10, 2009, I filed a nine count indictment of Prosecutorial Misconduct and Outrageous Government Conduct related to my case. The complaints were filed with the Office of the Inspector General and the Civil Rights Division at the Department of Justice, and therefore should be readily available for your review. However, it has been over a month and have yet to hear from the DOJ as to have receiving my complaints. This complains were hand carried to your office by several members of two veterans' organizations.

I do strongly believe that the prosecutorial misconduct involved in my case was even more severe than that which was involved in Senator Ted Stevens' case, as I do very strongly suspect that Mr. de la Garza's son's predicament was actually used by the ATF agents involved in both cases to allegedly blackmail Mr. de la Garza, my defense attorney, into giving me the worst possible legal advice - in other words, pressuring to my attorney to advise me in the strongest terms to

plead guilty even though it was never in my best interest to do so. Put still another way, this situation certainly does make it appear that this was felony extortion again, which I am sure you will agree is never acceptable conduct for anyone, let alone someone in the legal or law enforcement professions.

In light of these facts, I am respectfully requesting an immediate, thorough, and very urgent inquiry into the manner in which my case was prosecuted, and I also feel that time is of extremely crucial importance in this matter. I am one of the last surviving credible witnesses to the government agency abuses that took place during the Iran Contra years, and as a former deep undercover DEA agent, the very unfortunate reality is that I will be placed in extremely grave personal danger from the moment I enter the U.S. prison system on July 20th, 2009.

I hope to hear from you concerning this matter at your very earliest convenience.

Respectfully yours,

Celerino Castillo, 3rd