

40. Peltier trial transcript at p. 3790 cited in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at p. 313.

41. "Submissions on Circumstantial Evidence; Extradition Exhibits 18
"J", "H", "M", "L", "P", "K".

IN THE MATTER OF THE EXTRADITION
ACT, R.S.C. 1970, Chap. E-21

AND IN THE MATTER OF LEONARD
PELTIER, also known as Leonard
Little Shell, Leonard Williams,
John Yellow Robe, Erwin Yellow
Robe, Leonard John Peltier

SUBMISSIONS ON CIRCUMSTANTIAL EVIDENCE -
SOUTH DAKOTA - CRIME OF MURDER - JUNE 26,
1975

.223 calibre cartridge cases

Thirty-six (36) .223 calibre cartridge cases were examined by ballistics specialist Evan Hodge (Exhibit 18J). His conclusion was that they had all been loaded into and extracted from the same semi - automatic rifle of a model and type known to him as a Colt AR-15 which is a weapon of high velocity.

The sources of these thirty-six cases were as follows:

1. One (1) .223 cartridge case recovered from 1966 Chevrolet Suburban by Cortlandt Cunningham (Exhibit 18H). Peltier's fingerprints found in this vehicle by Winthrop Lodge (Exhibit 18M).
2. Thirty-four (34) .223 cartridge cases found in 1967 Ford Galaxie by Cortlandt Cunningham. This car sold to Peltier under the name of John Yellow Robe by Leonard W. Schumacher (Exhibit 18L).
3. One (1) .223 cartridge case recovered from the trunk of deceased agent's automobile by Cortlandt Cunningham.

Exhibit A to the Affidavit of Donald G. Wiley is a photograph of an FBI automobile with the trunk open and beside the vehicle are two dead bodies lying face down. The theory of the United States Government is that one

2.

of the .223 shell cases was ejected from the weapon of high velocity into the open trunk. The deposition of Dr. Robert D. Bloemendaal (Exhibit 18P) is that Ronald A. Williams exhibited a gun shot wound from a high velocity missile.

Deceased agent's Smith & Wesson .357 revolver

1. This weapon is issued and delivered to Special Agent Jack R. Coler - see Affidavit of Dean A. Ray (Exhibit 18K).
2. This weapon is found in a paper "sack" (paper bag) in Dodge Motor Home by Sgt. William P. Zeller. Sgt. Zeller developed the fingerprint of Leonard Peltier on the brown paper sack. His evidence was given viva voce. The basis of the fingerprints were from fingerprints taken by Staff Sgt. Gerald Young on February 19, 1976.
3. The fingerprints of Leonard Peltier are found on a microphone in the same Motor Home by Sgt. William P. Zeller.
4. Not mentioned in argument but apparent from the evidence of Cortlandt Cunningham (Exhibit 18H) were two (2) .38 special calibre cartridge cases found in the front seat of the Jack R. Coler automobile. Both cartridge cases were examined by ballistics expert Evan Hodge (Exhibit 18J) who subsequently received the said revolver and his opinion was that the two special cartridge cases had been fired from that revolver.

The revolver was identified by William P. Zeller by the photograph attached as Exhibit B to the Affidavit of Evan Hodge.

IN THE MATTER OF THE EXTRADITION
ACT, R.S.C. 1970, Chap. E-21

AND IN THE MATTER OF LEONARD
PELTIER, also known as Leonard
Little Shell, Leonard Williams,
John Yellow Robe, Erwin Yellow
Robe, Leonard John Peltier

SUBMISSIONS ON CIRCUMSTANTIAL
EVIDENCE - SOUTH DAKOTA - CRIME
OF MURDER - JUNE 26, 1975

UNITED STATES OF AMERICA)
CITY OF WASHINGTON)
DISTRICT OF COLUMBIA)

IN THE MATTER OF THE EXTRADITION
ACT. R.S.C. 1970 Chap. E-21

AND IN THE MATTER OF LEONARD
PELTIER also known as Leonard
Little Shell, Leonard Williams,
John Yellow Robe, Erwin Yellow
Robe, Leonard John Peltier

1112

A F F I D A V I T

Evan Hodge, being first duly sworn upon his oath, deposes and
says:

1. That I am a Peace Officer and am employed by the Government
of the United States of America as a Special Agent of the Federal Bureau
of Investigation, and am assigned to the Federal Bureau of Investigation
Laboratory, Firearms Identification Section, in the City of Washington,
in the District of Columbia, United States of America.

2. That I have been employed in the Firearms Identification
Section of the Federal Bureau of Investigation for approximately thirteen
years. I have earned a Baccalaureate from the University of Maryland
in the State of Maryland, United States of America. My undergraduate
studies were in the fields of engineering and Business Administration.
I have also earned a Masters of Science Degree from the George Washington
University in Washington, D.C. As a part of my preparation to become a
Firearms Identification Specialist, I studied for approximately one (1)
year under the twelve (12) Firearms Identification Specialists in the
Federal Bureau of Investigation Laboratory. During this year I examined
thousands of bullets and cartridge cases, hundreds of weapons, read all
the available literature in the field of firearms identification, toured
several of the eastern United States gun factories and conducted other
tests related to firearms identification.

I have testified in a court of law more than 100 times in the United
States and once in Nassau, Bahamas.

3. That on December 29, 1975, I received a .357 magnum Smith & Wesson revolver with the serial number obliterated from the butt from the Portland, Oregon division of the Federal Bureau of Investigation. I examined the said .357 magnum Smith & Wesson revolver and was able to obtain the serial number "622056" from another part of the weapon. On this model of .357 Smith & Wesson revolver the serial number is always preceded by the letter "K" and in my opinion, the full and correct serial number of this revolver would be "K622056". That when I received the revolver I noticed the initial "Z" scratched on the butt of the said revolver and that there was also attached to the revolver an identifying tag. That attached hereto marked Exhibit "A" to this my affidavit is a photograph of the butt of the said revolver marked with the letter "Z" (See directional arrow). That also attached hereto and marked Exhibit "B" to this my affidavit is a photograph of the said revolver and tag attached.

4. That on July 5, 1975, I received one (1) .38 special caliber cartridge case in a container marked:

"Items obtained from front seat-
Jack R. Coler automobile".

That on July 24, 1975, I received another one (1) .38 special caliber cartridge case in a similar container marked:

"Items obtained from front seat-
Jack R. Coler automobile".

5. That by test firing and examinations conducted by me of the said .357 magnum Smith & Wesson revolver referred to in paragraph 3 hereof and the two (2) .38 special caliber cartridge cases referred to in paragraph 4 hereof, I am of the opinion that the said two (2) .38 special caliber cartridges cases were fired from the said .357 magnum Smith & Wesson revolver, serial number "K622056".

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6. That on the 24th day of July, 1975, I received one (1) .223 caliber cartridge case in an envelope marked:

"Items recovered from trunk -
Jack R. Coler automobile".

On July 5, 1975, I received thirty-four (34) .223 cartridge cases in an envelope marked:

"Items recovered from 1967
Ford Galaxie:

and also received one (1) .223 cartridge case in an envelope marked:

"Items recovered from
1966 Chevrolet Suburban"

After examining all thirty six .223 caliber cartridge cases, I am of the opinion that they all had been loaded into and extracted from the same semi-automatic rifle of a model and type known to me as a Colt AR-15 which is a weapon of high velocity.

7. That I further depose and state that the cartridge cases received by me on July 5, 1975 were from Special Agent Cunningham in a locked trunk. The cartridge cases received by me on July 24, 1975 were forwarded to me from Special Agent Ronald E. Brugger and received by me at the Firearms Section, Federal Bureau of Investigation, in the City of Washington aforesaid.

Subscribed and sworn to before
me this 6th day of April, 1976.

Chief Deputy Clerk
District of Columbia
United States District Court for the
District of Columbia

Evan Hodge
Evan Hodge

I, CHARLES R. RICHEY United States District Court Judge for the District of Columbia, do hereby certify that attached hereto is the affidavit of Evan Hodge, sworn to before HERBERT N. WALLER, Chief Deputy Clerk of the United States District Court for the District of Columbia, whose signature appears on said affidavit, and that the said HERBERT N. WALLER was when the said affidavit was sworn, and now remains, a person duly authorized to administer oaths for general purposes, and that the said affidavit is in due form of law. In testimony whereof I have hereto signed my name and caused the seal of the said Court to be affixed at the City of Washington, District of Columbia, this 6th day of April, 1976.

Charles R. Richey
United States District Court Judge
United States District Court for the District of Columbia

U.S. DEPARTMENT OF JUSTICE
DISTRICT OF COLUMBIA

ACT. 2. S. C. 1975 Chap. F-21

AND IN THE MATTER OF LEONARD
BELTIER, also known as Leonard
Little Shell, Leonard Williams,
John Yellow Robe, Erwin Yellow
Robe, Leonard John Beltier

1102

AFFIDAVIT

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Portlandt Cunningham, being first duly sworn upon his oath,
deposes and says:

1. That I am a Special Agent of the Federal Bureau of Investigation and was employed as such on the 27th day of June, 1975, attached to the Federal Bureau of Investigation Laboratory, Firearms Section, Washington, District of Columbia, in the United States of America.
 2. That on the said June 27, 1975, I attended the area of Jumping Bull Hall on the Pine Ridge Indian Reservation in the State of South Dakota, in the United States of America.
 3. That at that place I examined a 1967 Ford Galaxie automobile bearing South Dakota license number 65-2355 and found therein thirty-four (34) .223 cartridge cases which I took into my possession and placed in an envelope marked: "Items recovered from 1967 Ford Galaxie"
 4. That at the same time and place I located a 1966 Chevrolet Suburban Van bearing South Dakota license plate number 65T572 and found therein one (1) .223 cartridge case. I took the said cartridge case into my possession and placed it in an envelope marked: "Items recovered from 1966 Chevrolet Suburban Van"
 5. That on June 29, 1975, I attended at the Fall River County Jail, Hot Springs, South Dakota, United States of America, where I met Deputy Sheriff Michael Lynn Jenniges, who directed me to a garage where I located a 1972 Chevrolet Biscayne automobile bearing Colorado License KE1194 which I recognized to be a vehicle belonging to the Federal Bureau of Investigation. On the front seat of this vehicle I found two (2) .38 special caliber cartridge cases. I took one of said cartridge cases into my custody and placed it in an envelope marked: "Items obtained from front seat - Jack E. Coler automobile"
- the other .38 special cartridge case discovered on the front seat was taken into my possession and subsequently delivered to Special Agent

I found one (1) .223 cartridge case in the trunk which I took in my possession and placed in an envelope marked:

"Items recovered from trunk -
Jack R. Coler automobile"

and subsequently delivered said .223 cartridge case to Special Agent Ronald E. Brurger.

7. That I delivered the following items, namely,

(a) thirty-four (34) .223 cartridge cases;

(b) one (1) .223 cartridge case;

(c) one (1) .38 special caliber cartridge case;

said items being locked in a sealed trunk and forwarded to the Federal Bureau of Investigation Laboratory, Firearms Section, in the City of Washington, District of Columbia, United States of America, where the trunk and its contents were received by Evan Hodre, who I knew to be assigned to the said Federal Bureau of Investigation Laboratory.

Subscribed and sworn to before
me this 11th day of MAY, 1976

Thomas F. Dwyer
Deputy Clerk
District of Columbia
United States District Court

Cortlandt Cunningham
Cortlandt Cunningham

for the District of Colorado, United States District Judge

do hereby certify that attached hereto is the Affidavit of

James F. Davy, sworn before

James F. Davy, Deputy Clerk of the United States District Court for the District of Colorado, whose

signature appears on said Affidavit, and that the said James F. Davy

was when the said Affidavit was sworn, and

now remains, a person duly authorized to administer oaths for general

purposes and that the said Affidavit is in due form of law.

In testimony whereof I have hereunto signed my name and caused

the seal of the said Court to be affixed at the City of Denver, CO

in the State of Colorado, this 11th day of

April, 1976.



Judge
United States District Court
for the District of Colorado

UNITED STATES OF AMERICA)
CITY OF WASHINGTON)
DISTRICT OF COLUMBIA)

IN THE MATTER OF THE EXTRADITION
ACT. R.S.C. 1970 Chap. E-21 1129
AND IN THE MATTER OF LEONARD
PELTIER also known as Leonard
Little Shell, Leonard Williams,
John Yellow Robe, Erwin Yellow
Robe, Leonard John Peltier

A F F I D A V I T

Winthrop Dale Lodge, being first duly sworn upon his oath,
deposes and says:

1. That I am employed by the Government of the United States
of America as a Fingerprint Specialist for the Federal Bureau of
Investigation and was so employed on June 27, 1975.

2. That I commenced my employment with the Federal Bureau of
Investigation on November, 1950. Upon completion of an extended period
of training I began classifying, examining and searching fingerprints
through the voluminous Identification Division files of the Federal
Bureau of Investigation, Washington, D. C., United States of America.
I served in various capacities in fingerprint identification, including,
but not limited to, as a supervisory fingerprint examiner. In 1967, I
was promoted to Fingerprint Specialist in the Latent Fingerprint
Section. I continue to attend additional classes, and training sessions
to keep current in the science of fingerprint analysis. I have con-
ducted advanced latent fingerprint schools and training sessions
throughout the United States of America for local police departments,
identification officers and Federal Bureau of Investigation Special
Agents and at the Federal Bureau of Investigation National Academy
Training Center, Quantico, Virginia. During the time I have been a
Fingerprint Specialist, I have made millions of fingerprint comparisons
for identification purposes and have testified as a fingerprint expert
in numerous cases in Federal and State Courts in the United States
with regard to my findings based on comparisons of fingerprints.

3. That on June 30, 1975, I attended at the Bureau of Indian
Affairs maintenance garage compound, Pine Ridge Indian Reservation,
State of South Dakota, United States of America. At that location a
1966 Chevrolet Suburban Van, license number 65T572 red and white in
color was examined. From the inside rearview mirror of the said 1966
Chevrolet Suburban Van, license number 65T572, one latent fingerprint

supervision. A photograph of said latent fingerprint is attached hereto and marked Exhibit "A" to this my Affidavit.

4. That on the 3 day of March, 1976, I received a RCMP C-216 fingerprint form dated February 19, 1976, entitled "PELTIER, LEONARD," the same being attached hereto and marked Exhibit "B" to this my Affidavit.

5. That I compared the latent fingerprint referred to in paragraph 3 herein with the fingerprints shown on Exhibit "B" and it is my opinion that the person who made the impression on the inside rearview mirror referred to in paragraph 3 hereof is one and the same person who made the fingerprint impressions on the fingerprint form, Exhibit "B" hereof.

Subscribed and sworn to before
me this 7 day of March, 1976

Herbert A. Ashler
Deputy Clerk
District of Columbia
United States District Court

Winthrop Dale Lodge
Winthrop Dale Lodge

I, George L. Hart, Jr., United States District Judge
for the District of Columbia - 1131

do hereby certify that attached hereto is the Affidavit of Winthrop Dale Lodge, sworn before Herbert N. Haller, Deputy Clerk of the United States District Court for the District of Columbia, whose signature appears on said Affidavit, and that the said Herbert N. Haller, was when the said Affidavit was sworn, and now remains, a person duly authorized to administer oaths for general purposes and that the said Affidavit is in due form of law.

In testimony whereof I have hereunto signed my name and caused the seal of the said Court to be affixed at the City of Washington, in the ~~State of~~ District of Columbia, this 5th day of March, 1976.



GEORGE L. HART, JR.
Judge, U. S. District Court for
the District of Columbia

One latent fingerprint developed on the rearview mirror of a 1966 Chevrolet Suburban Van, license number 65T572, identified as a finger impression of Leonard Peltier.

This is Exhibit A referred to in the Affidavit of Winthrop Dale Lodge subscribed and sworn to before me this 5 day of March, 1976.

Herbert R. Haller
Deputy Clerk
District of Columbia
United States District Court

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UNITED STATES OF AMERICA)
)
STATE OF SOUTH DAKOTA)
)
COUNTY OF PENNINGTON)

IN THE MATTER OF THE EXTRADITION
ACT. R.S.C. 1970 Chap. E-21

1122

AND IN THE MATTER OF LEONARD
PELTIER also known as Leonard
Little Shell, Leonard Williams,
John Yellow Robe, Erwin Yellow
Robe, Leonard John Peltier.

A F F I D A V I T

Leonard W. Schumacher, being first duly sworn upon his oath
deposes and says:

1. That I am an automobile salesman employed by Rice Cycle &
Motor Co., City of Rapid City, State of South Dakota, United States
of America, and was so employed on May 19, 1975.

2. On May 19, 1975, a male person attended at the said premises
of Rice Cycle & Motor Co. and introduced himself to me as
John Yellow Robe.. He was a male Indian, approximately 6 feet tall,
approximately 200 lbs., black shoulder length hair, and 25 to 30 years
of age. I sold that person a 1967 Ford Galaxie with vehicle
identification number (VIN) 7G55231756.

3. That in completing this transaction on a Rice Cycle &
Motor Co. Sales Order, I questioned that person and he told me
that his name was "John Yellow Robe" and told me that his address
was "Box 73, Oglala, South Dakota". In my presence that person
signed the name "John Yellow Robe" on the document. That
attached hereto and marked Exhibit "A" to this my Affidavit is
a true copy of the said Rice Cycle & Motor Co. Sales Order.
The signature "John Yellow Robe", was signed in my presence and
my initials "L.W.S." appear on this document.

4. That attached hereto and marked Exhibits B , C, and D
respectively to this my Affidavit are three photographs, each
marked: "Leonard Peltier
Photographs Taken February 12, 1976
Vancouver, B.C."

and I testify and depose that the person shown in the three
photographs is the person to whom I sold the 1967 Ford Galaxie
on May 19, 1975, and who identified himself to me as
"John Yellow Robe".

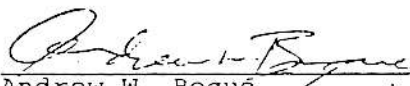
Subscribed and sworn to before
me this 22nd day of February, 1976.

I, Andrew W. Bogue, United States District Judge for the
District of South Dakota, do hereby certify that attached hereto
is the Affidavit of

1123

sworn before Betty B. Berry, Deputy Clerk of the United States
District Court for the District of South Dakota, whose signature
appears on said Affidavit, and that the said Betty B. Berry was
when the said Affidavit was sworn, and now remains, a person duly
authorized to administer oaths for general purposes and that the
said Affidavit is in due form of law.

In testimony whereof I have hereunto signed my name and caused
the seal of the said Court to be affixed at the City of Rapid City,
in the State of South Dakota, this 27th day of February, 1976.



Andrew W. Bogue
United States District Judge

Financed by: _____
Lien _____
Price 300
Accessories _____
Total Price _____
Down Payment _____
Trade _____
Balance 300.00
O. A. _____
Comm. 15.00 Date _____
Year _____ Payoff (132)
State _____ Place _____
Shipped _____ Warranty _____ Title 5-19-75
Sale approved by: Wilson
EXHIBIT "A"

ITE J. L. Dab ZIP 57164 11
Ford
Model Mustang Color Green
1967
V.I. # 7C55231756 Std. Trans. _____
Auto. Trans. Aut
Sold 5-19-75 Salesman L. J. Dab
Title # None

STATE OF AMERICA
OF COLORADO
COUNTY OF DENVER

IN THE MATTER OF THE EXTRADITION
ACT. R.S.C. 1970 Chap. E-2 1118
AND IN THE MATTER OF LEONARD
PELTIER also known as Leonard
Little Shell, Leonard Williams,
John Yellow Robe, Erwin Yellow
Robe, Leonard John Peltier

A F F I D A V I T

Dean L. Ray, being first duly sworn upon his oath, deposes and
and says:

1. That I am the Custodian of Records of the Denver Division,
Federal Bureau of Investigation, in the City of Denver, in the
State of Colorado, United States of America, a branch of the said
Federal Bureau of Investigation of the Government of the United States
of America.
2. That in the usual and ordinary course of the conduct of
the operation of the said Federal Bureau of Investigation there
appears in the said records a Duplicate Property Record containing
information pertaining to property of the Government of the United
States of America issued to special agents of the said Federal
Bureau of Investigation.
3. That attached hereto and marked Exhibit "A" to this,
my Affidavit, is a copy of the said record of information of the
United States Government property issued to Jack R. Coler, a special
agent of the Federal Bureau of Investigation. That I personally
compared the copy of the said record marked Exhibit "A" with the
original record and attest the same to be an authentic, full, true
and correct copy of the said Duplicate Property Record, the source
of which being records under my custody at the Denver Division,
Federal Bureau of Investigation, Denver, Colorado.
4. That it is not possible to produce the original record
as the same is required for court proceedings in the United States
of America.
5. That the said record indicates that a .357 caliber magnum
Smith & Wesson Model 19-2 revolver, serial number K622056 was issued
and delivered to Special Agent Jack R. Coler.

Subscribed and sworn to before
me this 4th day of March 1976)

Deputy Clerk
District of Colorado
United States District Court

Dean L. Ray
Dean L. Ray

Commission Card with Case No. 5553 ✓

FBI Handbook No. 4340 ✓

Agent's Brief Case ✓

GTR's No. A2, 100, 0000 - 11, 9, 0000 ✓

0,235,011-020

Firearms

Coll. Official Police Revolver No. ✓

S & W Military & Police Revolver No. D204279 ✓

S&W M19-2 .357 Mag. ✓ K622056

Hip Holster and Adapter for above ✓

Non-Agent Property

FBI Identification Card No. _____

Credential Card (Non-Agent) No. _____

U. S. Government Operator's Ident Card No. _____

Handbook for FBI Employees _____

Authority Granted to Carry Personally Owned Firearms as Listed Below:

Date of Approval	Date Bureau Advised	Description (Indicate make, type, caliber and serial number)	Approving SA
9-3-71	9-3-71	Smith & Wesson .38 SN 401493 ✓ (SA Bunch has on 7/11/75) ✓	WIALEY

Coler

18K

EXHIBIT "A"

18K

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

IN THE MATTER OF THE EXTRADITION
ACT. R.S.C. 1970 Chap. E-21

AND IN THE MATTER OF LEONARD PELTIER also known as Leonard Little Shell, Leonard Williams, John Yellow Robe, Erwin Yellow Robe, Leonard John Peltier

1143

A F F I D A V I T

Robert D. Bloemendaal, being first duly sworn upon his oath, deposes and says:

1. That I am presently a medical doctor duly licensed and entitled to practice in the State of South Dakota, United States of America.

2. That I attended the University of South Dakota and received a Bachelor of Science in Medicine in 1956. I completed my preliminary education at the Jefferson Medical College, Philadelphia, Pennsylvania in 1958. I interned with the Minneapolis General Hospital, Minneapolis, Minnesota, from 1958 to 1959. From 1959 to 1961 I was a resident in anatomical pathology at the Minneapolis General Hospital. From 1961 to 1963 I secured a residency in clinical pathology at the Charles Miller Hospital, St. Paul, Minnesota. During these periods of residency I served for two years as the Deputy Coroner for Hennepin County, Minnesota. From 1963 until the present I have been in private practice in the communities of Sioux Falls, South Dakota; Cody, Wyoming; and Rapid City, South Dakota. That I am a member of the following societies: American Society of Clinical Pathology; College of American Pathologists; Minnesota Society of Clinical Pathology; South Dakota Society of Pathology; American Medical Association; South Dakota Medical Association; and the Black Hills District Medical Society. I am licensed to practice medicine in the States of Wyoming and South Dakota in the United States of America. I have examined approximately 1500 dead bodies.

3. That on June 27, 1975, in the presence of J.P. Hufford, Special Agent of the Federal Bureau of Investigation and others, I performed autopsies on the bodies of two male persons identified to me by the said Special Agent Hufford as Jack R. Coler and Ronald A. Williams.

[Handwritten signature]

I examined the body of Jack R. Coler further identified to me by Special Agent Kenneth I. Parkerson of the Federal Bureau of Investigation. It appeared that this body had sustained three gunshot wounds. One wound having originated from the right side and involving the flexur area of the right arm and forearm with the missile continuing through the soft tissue in that area creasing the subcutaneous tissue of the right side of the back. I further observed what appeared to be two wounds to the head of Jack R. Coler: a right to left wound involving the top of the head; the second wound entered the body with a slight angle from right to left commencing beneath the chin and fragmenting when hitting the hyoid bone and mandible. This latter gunshot wound would have been instantly fatal.

5. I examined the body of Ronald A. Williams, said body evidencing what appeared to be three gunshot wounds. A high velocity missile had penetrated the face and skull; a second gunshot wound was present which appeared to have gone through the triceps muscle on the left arm, with what appeared to have possibly been the core of the missile striking the lateral chest but not penetrating the body. This wound appeared to be the product of a low velocity missile. The third gunshot wound was observed on the great toe on the left foot. My gross provisional diagnosis was death due to the gunshot wounds involving the face, head, left arm, left chest and flank, right hand and left foot.

6. In my opinion the deaths of Special Agents Ronald A. Williams and Jack R. Coler were direct consequence of the bullet wounds exhibited by said bodies.

Subscribed and sworn to before me
this 27 day of February, 1976.

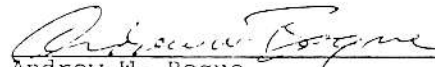
Julius P. Zanger
Deputy Clerk
District of South Dakota
United States District Court

Robert D. Bloemendaal, Jr.
Robert D. Bloemendaal

15P

I, Andrew W. Bogue, United States District Judge for the District of South Dakota, do hereby certify that attached hereto is the Affidavit of Robert D. Bloemendaal sworn before Judy L. Harvey, Deputy Clerk of the United States District Court for the District of South Dakota, whose signature appears on said Affidavit, and that the said Judy L. Harvey was when the said Affidavit was sworn, and now remains, a person duly authorized to administer oaths for general purposes and that the said Affidavit is in due form of law.

In testimony whereof I have hereunto signed my name and caused the seal of the said Court to be affixed at the City of Rapid City, in the State of South Dakota, this 19th day of March, 1976.


Andrew W. Bogue
United States District Judge

(15P)

42. Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 309-10.

43. Peltier trial transcript at 2114, cited in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 309-10.

44. Peltier trial transcript at 3012-13 in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 309-10.

45. Peltier trial transcript at 3137-38 in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 309-10.

46. Jim Messerschmidt, The Trial of Leonard Peltier, p.89 cited in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 309-10.

47. Peltier trial transcript at 3163 cited in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 309-10.

48. Peltier trial transcript at 3235 and 3247 cited in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 310.

49. Peltier trial transcript at 3248 cited in Ward Churchill and Jim Vander Wall in Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement, South End Press, Boston, at pp 310.