UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

DEAN R. KIBBE,

Plaintiff,

Case:2:17-cv-12288
Judge: Roberts, Victoria A.
MJ: Davis, Stephanie Dawkins
Filed: 07-11-2017 At 10:24 AM
CMP KIBBE V. THE UNITED STATES ET A
L (DA)

VS.

THE UNITED STATES, et al,

Defendants.

COMPLAINT FOR INJUNCTIVE RELIEF

INTRODUCTION

- 1. This case involves the Plaintiff's attempt to obtain information and records concerning the "Combined Action Program". The "Combined Action Program" was officially and overtly a project under the jurisdiction of the Third Marine Amphibious Force in the Republic of Viet Nam, then commonly known as South Viet Nam.
 - 2. The Combined Action Program, referred to as "CAP", was a merger

of ground combat troops and spies, operating out of command posts known as "CAP units". (see exhibit A).

- 3. United States Marines were assigned by CAP to be military advisors to South Vietnamese Popular Forces troops, commonly called "PFs".
 - 4. The PFs shared combat duties with U.S. Marines, and also acted as spies.
- 5. The combat activities were operated under jurisdiction of the United States Marine Corps.
 - 6. Spy activities were run by the "intelligence community".
- 7. The official military objectives were part of what was titled the pacification program. The goals of the pacification program were to use counter-guerilla warfare tactics to overpower the enemy troops, as well as interact with South Vietnamese civilians in numerous ways to perform what is referred to as winning the hearts and minds of the people.
- 8. Because military and spy units were often highly compartmentalized, on a need to know basis, with the "intelligence community" placing zero value on any and all human life, and marines being trained and programmed to engage only well armed enemy troops, there were some conflicts between military troops and spies.
- 9.Ethnic Asians operating as assassins under the Central Intelligence
 Agency's "Phoenix" program sometimes killed South Vietnamese civilians who
 had a friendly relationship with the CAP program, which sometimes caused

conflicts between military personnel in the CAP program and the Central Intelligence Agency.

10. Although legally and overtly CAP was supposed to be under control of the Third Marine Amphibious Force, the ability of the CI.A. to obtain any information necessary for any type of conspiracy, while at the same time keeping most of what they did a secret, enabled them to have marines perform any necessary combat activities, while the C.I.A. completely subverted the lawful chain of command.

11. The Central Intelligence Agency used United States Marines to perform combat activities in the Combined Action Program; and then, when they were done with them, the Central Intelligence Agency assassinated said United States Marines, using, as well as other methods, The Central Intelligence Agency's "Crack and Splatter" method of assassination, which is the same fire pattern used in the assassination of then president John F. Kennedy, (see exhibit A).

PARTIES

- 12. Plaintiff, Dean R. Kibbe, hereafter me, myself, or I, is a layman with no legal training, acting in pro per. Because this is a case in which the laws are clearly in my favor, being a simple FOIA case in which I am clearly entitled to the relief sought, I should be able to prevail without the cost of an attorney, which is outside my budget and not eligible on a contingency, as there is no cash demand, but only injunctive relief asked. I am qualified to testify as an expert witness on findings of fact in this case. I am, to the best of my knowledge and belief, at the time of the writing of this Complaint, the only person alive openly admitting to being one of the world's foremost experts on The Central Intelligence Agency's "Crack and Splatter" method of assassination, as well as being a survivor, (the only one I know of), of said usually fool proof fire pattern, by an unusual circumstance in The Combined Action Program. Although the findings of fact in this case are very complex, none of the facts alleged herein have ever been disputed by anyone, despite the case, in regards to unlawful activities by the C.I.A., being passed around from one person/agency to another over a period of decades. Therefore, a jury is not necessary, since findings of fact are not in dispute.
- 13. Defendant is the United States, et al, inasmuch as there are numerous agencies involved, all acting under color of law within the U.S. government.

JURISDICTION AND VENUE

- 14. This Court has subject matter jurisdiction pursuant to 28 U.S.C. section 1331, 5 U.S.C. section 552(a)(4)(B) and 5 U.S.C. sections 701-706.
- 15. Venue lies in this district under 5 U.S.C. section 552(a)(4)(B) and 28 U.S.C. section 1391(e) because Plaintiff, Dean R. Kibbe, in pro per, resides in Port Huron, Michigan.
- 16. Plaintiff bas exhausted all available remedies in connection with my FOIA request.

FACTUAL AND HISTORICAL BACKGROUND

17. The facts described in the instant case are just the tip of the iceberg. I have been gathering information, evidence, and documentation to investigate the actions in "CAP", as well as other similar and/or related matters, for decades. I have a vast warehouse of knowledge in my own brain, many original, or first generation copies of, documents in bank vaults, with analog hard copy backups outside of the United States, and many persons who have received copies in various analog and digital versions, over a period of decades. There are many unresolved matters of terrible unlawful events, done by various agents of the U.S.

government, some covertly and unlawfully, and others done under color of law through fraudulent illegal means, which I can not discuss publicly because it might endanger the lives of other people, or the existence and/or accuracy of certain records.

- 18. The CAP issue, and the Central Intelligence Agency's "Crack and Splatter" method of assassination, are not a new set of facts. Many agents and agencies have been aware of these facts for many years.
- 19. The U.S. government seems to be more intent on covering up the illegal and heinous crimes committed by the defendants, rather than bringing the guilty parties to justice. Over the years, with limited exceptions, the defendants have, when I have sought answers to questions the public has a legitimate right to know, done everything ranging from unlawful actions in the previous mentioned categories which can't be discussed publicly at the present time, which have obstructed and sometimes endangered my life, in order to block me from gathering, and/or making public, information about crimes carried out by the Central Intelligence Agency; and, even though I have obtained all information by legal means, those agencies which I have requested information from often claim that no files exist, which would mean that "CAP" was just a figment of my imagination. Further, the defendants, have been hacking and/or trying to hack my computers since the George W. Bush administration through various servers

running through the Department of Defense's Network Information Center in Vienna, Virginia, (see Exhibit B).

20. When I am able to get some kind of response, it is usually a small piece of a very complicated jigsaw puzzle, rather than a complete elaboration of details necessary to collate information already obtained from other sources. Although I might be able to make a new request asking that the routine info sent be supplemented with logistical data related to the small piece, I have to consider the huge risk it is for me to probe the lines of communication in the military records, since files from "CAP" might reach into flagged data that might be incriminating to the C.I.A., which might trigger a response that could cause them to conduct certain activities which could endanger and disrupt my life. I am not afraid of them. I just don't want them to gain an advantage that might hinder or slow down my activities temporarily. My life has been like a cross between a chess game and a Roadrunner cartoon for many years; and, I have the anvil. I have recently discovered the FOIA online option. Since I haven't dealt with this situation before, I have to develop a strategy which leaves me prepared for all options. I noticed in the past when doing a recon of the world of information, that certain areas, such as getting close to the JFK assassination, can really strike a nerve with the Central Intelligence Agency. Then they have means to get by with activities which I have no control over. I think it was on my first ambush with Delta Company that I

completely lost what remaining fear of death I had. Because the agency hasn't been too successful in the past at trying to kill me, they have to consider it to be a very great risk to try again to get by with it. They know that if they ever tried to kill me, and I found out about it later, it would make me very angry. I think even the dumbest of people can understand that the last human you should ever want to piss off is an ex-marine Viet Nam veteran with PTSD, who has no fear of death and/or political incorrectness that you can't kill. They are not just paranoid; I really am out to get them. But, now that I am a civilian, I can't defeat them with the tactics and equipment I once used to wage war against those who would like to kill me. So, I use strategy and patience, in whatever format I am delving into. After all these decades, I am as salty as the Dead Sea. When you are the Elephant in the room, you often don't think about the fact that your footsteps crunching some of the furniture in the way just might wake the baby. The reaction to my second online FOIA request seemed much different from that of my first online FOIA request. If the Central Intelligence Agency is feeling desperate, they might use fraudulent means to subvert my activities under color of law, and/or some other means. My second online FOIA request was a simple request for the complete unit diaries for the month of November 1968 and December 1968 for: Combined Action Company 1-3, First Combined Action Group, Combined Action Program, Third Marine Amphibious Force, Republic of Viet Nam. If that was any other

combat unit from that time period, I would presume that it would be considered routine military records, which would be automatically unclassified by now. So, since they sometimes raise their own red flag whenever they get a Maggie's drawers, I have to consider that somebody might have figured out, like I have, that if you are following a trail, you shouldn't look back, but look forward. Sometimes I feel like a zombie, except I walk a little bit faster, (see Exhibit C).

RELIEF SOUGHT

WHEREFORE, Plaintiff, Dean R. Kibbe, in pro per, asks for the following:

21. An immediate Cease and Desist Order, stopping and/or preventing the defendants, through the Department of Defense's Network Information Center, the Central Intelligence Agency, and/or through or by any other persons or agents of any kind, or agency, or any persons, groups, and/or other entities operating as non-governmental contractors, from hacking, attempting to hack, intercepting, eavesdropping, blocking, redirecting, or substituting/switching for a fake website, I.P. address, email, sabotaging, connecting to or with, by any means, my internet connection, either wired or wireless, phone lines, wired or wireless, cable or wireless transmission of any kind, digital or analog, substituting fake broadcasts for any other type of transmission, installing in any way, by any means, any type of

Trojan Horse, keylogger, worm, virus, and/or other malware into any computer or network, attempting in any way to remove me from my home, preventing me from communicating in any way with any person or group, preventing me from obtaining supplies, causing slander which might elicit a negative action toward myself, using any monetary, or other actions to subvert my pursuit of information and justice, including, but not limited to, the instant case; and/or doing anything to abridge or deny Plaintiff's substantive due process right to privacy, the right to be secure in my home, my due process and equal protection rights through litigation or any other activity, in any manner, including, but not limited to, any acts of the same nature as those historically documented in this Complaint;

- 22. A Permanent Injunction mandating the same prohibitions and conditions detailed above for a Cease and Desist Order;
- 23. Grant the FOIA request stated above in paragraph 20. and the second FOIA request demonstrated in Exhibit C, with all fees waived;
 - 24. Any other relief deemed just and proper.

R Pabbe

Dean R. Kibbe

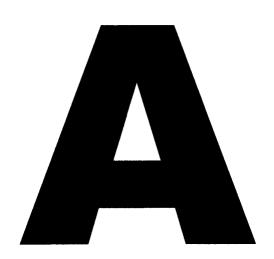
Plaintiff, in pro per

1223 Union Street

Port Huron, Michigan 48060

JULY 10,2617

EXHIBIT



THE CENTRAL INTELLIGENCE AGENCY'S "CRACK AND SPLATTER" METHOD OF ASSASSINATION

The CIA's "crack and splatter" method of assassination, used to murder U.S. Marines assigned to the "Combined Action Program" in Viet Nam, can be compared, in some ways, to the "smash and grab" method of robbery. In "smash and grab", a hard object is used to break glass, such as a glass car window or a glass display case in a jewelry store. Then the robber is free to reach in and grab the target previously protected by the glass enclosure. If a lead pipe was used to smash the glass, the velocities reached by propulsion from the intentionally hard force of the human arm would be sufficient to cause the glass to shatter into large enough pieces for the robber to reach in and grab the target. If, however, the same lead pipe was fired out of some type of cannon at a high enough velocity, the pipe might shoot through said glass, leaving only a hole slightly larger than the diameter of the pipe. If the objective was only to propel the lead pipe through the glass and out the other side, the higher speed might be suitable. If, however, the objective was to remove the glass, as a barrier to the "grab", a speed closer to natural human velocity capability might better allow energy time to be dissipated laterally through the glass, as the pipe passes through it, rather than using inertia to propel the force through the glass with a higher percentage of energy dissipated in a forward direction. Different types of "glass", such as ordinary window glass, safety-plate car windows, so-called bullet proof glass, or plexiglass, would each have their

own characteristics for "smashing". In the CIA's "crack and splatter" method of assassination, a relatively larger bore, lower velocity, less explosive type of round, the fracture round(s), is fired into the target skull first. This enters the skull at just the right combination of speed, shape, density, and other combination of ballistic characteristics to penetrate the skull, leaving an entrance hole slightly larger than the diameter of said projectile, and fracturing the skull plate, which is now held together by the scalp of the target

skull, into various cracks, where the fracture round(s), now having

dissipated most of its kinetic energy into cracking the bony plate of the skull, like cracking an egg, or scoring a brick or a piece of glass, lodges in the soft tissue of the brain. Then, immediately after the firing of the fracture round(s), a relatively smaller bore, higher velocity, more impact explosive type of round, the dispersion round(s), is fired into the target skull. This enters the scored, target skull, shattering into many smaller fragments, where the explosive impact reaction force splatters the soft tissue of the brain through sections of the skull previously scored by the fracture round(s), ripping away the scalp tissue holding the cracked edges of the bony scalp plate, as the soft brain tissue, scalp and skull plate sections, and possibly the lodged fracture round(s) are blown out of the target's head. This type of fire pattern has no practical use in legitimate ground combat. It is useful only for a carefully planned assassination, where the position or range of positions of the target skull can be pre-arranged and/or otherwise pre-determined. The objective is to make death as certain as possible, with as few rounds, and least noticeable damage to the surrounding environment and/or persons, as possible. Since people sometimes survive brain penetration of various types, knives, metal rods, etc. imbedded through the brain, the parameters of said fire pattern are set to blow out as much of the brains of the target skull as possible.

A successful example of the CIA's "crack and splatter" method is the JFK assassination. Although I had no part in planning and/or carrying out the JFK murder, and have not studied said case as extensively as many persons and agencies have, with the limited information I have about said case I will suggest a possible scenario, with the accuracy of the actual event depending on a certain number of unknown, (by myself), factors; although, regardless of the probable variation from the actual event in some aspects, the basic method and objective is the same; and, only the Central intelligence Agency had motive, method, and opportunity for said JFK assassination.

The location in Dallas is decided on as the site to set up the shooting gallery. The building kiddy-corner from the book depository is decided on as one of the firing lines for the shot(s). After the limo turns the corner, the target skull would be traveling in a direction which would cause little variation in windage after the target skull is sighted in for point of aim/point of impact. A firing position on the second floor would allow the round(s) to clear the crowd while keeping

elevation variations to a minimum. The CIA would have to get covert controlling interest, financially, legally, and/or functionally, of the building, to prevent interference and/or discovery during the shooting. That might require numerous covers and cover stories. That would depend on manipulation logistics; and, thus, would be a separate aspect not necessarily relevant to the "crack and splatter" firing pattern. A window facing the general direction of travel of the limo after it turned the corner would only have to be open several inches to allow sighting in of the target skull and clearance of the round through the open portion of the window as long as the window could be opened or closed with sufficient ease to prevent malfunction. A rigid mount would be used for stability of the sight picture. The firing position would be back far enough away from the window to prevent easy observation by the crowd. The height of the mount would be set to allow sighting in on the target skull when it is within the range of positions selected for time of impact. An optical sight would be used. At that range, an optical sight would be within effective range of accuracy for the desired shot. Sighting methods using any type of electrical and/or electronic component would add an unnecessary elevated risk of malfunction. The rigid mount would have to be designed to be user friendly for the range of positions for sighting in. That might require an A-gunner to help adjust the mount smoothly as the limo progressed toward the point of firing and then keep the sight picture up to the time of firing of the fracture round(s). The exact function of shooter and/or A-gunner would depend on the specific design of the mount, firing machine, and any other mechanism(s) used to control the firing of the fracture round(s). For the dispersion round(s), a firing position would be set up at a point which, if pointed to by a person seated in the rear seat, to the far right, of the limo, would be forward and to the right of the limo. The trajectory would have to clear any fences, vegetation, crowd, and/or any other mass, over, under, around, or through, on the way to impact with the target skull. Since the angle of fire, for an effective field of fire, for the traveling dispersion round(s), would cause an apparently larger variation in windage for sighting in on the target skull, a smaller magnification would be used, if optical sights were chosen, to compensate for that factor. However, although the timing of the release of the dispersion round(s) would be more critical than the release of the fracture round(s), for factors of accuracy, due to the lower windage variation of the latter, the fracture round(s) would need to make first impact on the target skull. Therefore, the sighting for the dispersion round(s) might be a timing mark, for release of a type of coded radio signal which would fire a radiocontrolled, solenoid-operated, trigger mechanism to fire the fracture round(s),

since the mount for the fracture round(s) would be adjusted for the target skull trajectory at the time of remote firing of said solenoid operated trigger mechanism. A solenoid-operated trigger mechanism could be used to fire the dispersion round(s) with the same coded radio signal, with a sufficient lag time electronically designed into the trigger mechanism of the dispersion round(s) to allow the fracture round(s) to crack the target skull just prior to the dispersion rounds blowing the brains, skull and scalp fragments, and/or any fracture round(s) lodged in the brain, out of the target skull. A lead time could be built into the sighting mechanisms and/ or methods, to compensate for the necessary lag time between time of impact for the fracture round(s) and time of impact for the dispersion round(s). Because the shooter, A-gunner, and/or any spotters and/or other personnel handling the release of the fracture round(s), as well as the rigid mount, firing machine, and/or other related equipment would be inside the room on the second floor of the building kiddy-corner from the book depository, and hidden from easy view by the crowd, as well as the factor of a lower apparent variation of windage, after the firing machine is sighted in on the target skull, a high degree of accuracy could be programmed for the fracture round(s). Therefore, only one fracture round would need to be fired to accomplish the objective of blowing the brains out of the target skull. Because the dispersion round(s) would be released from a firing position which would have a higher probability of being viewed by the crowd, which would increase the difficulty of concealing and/or camouflaging any mounting, firing, sighting, and/or triggering mechanism(s) and/or personnel, as well as the higher apparent windage variation as a result of the angle of fire for the dispersion round(s), a less positive degree of certainty of accuracy would be probable, all other factors being equal, for the release of the dispersion round(s). As a result of those factors, more than one round might be fired for the dispersion round(s), as supporting fire to increase probability of impact for the dispersion round(s), though not necessarily using the same firing position, and/or mounting, firing, sighting, and/or triggering mechanism(s) and/or personnel as the first firing dispersion round(s), which would be given priority for sequencing order of impact between fracture round(s) and dispersion round(s). If support fire was used for the dispersion round(s), it would require limitation to as few round(s) as practical to prevent the appearance of too well calculated of an ambush to pass for a civilian ambush. When the target skull reached the pre-determined position within the calculated range of positions, the release of the first (fracture) round(s) would be triggered, whereupon the round(s) would impact on the back of the target skull, leaving a slightly larger than bullet size opening in the back of the skull, along with numerous cracks in the skull, which would then be held together by the scalp of the target skull, and the fracture round(s) would then lodge in the brain or be

deflected through other soft tissue. The primary dispersion round(s) would then enter the right temple of the target skull, in the soft area just behind the right eye, where the dispersion round(s) would fragment into multiple irregular opaque metallic foreign bodies varying in size from minute flecks of metallic debris up to linear fragment(s) 3x1 mm. in size, dispersing in trajectory in multiple directions within the soft brain tissue, with a resultant of blowing the brains, skull and scalp fragments, and/or any fracture round(s) lodged in the brain, out of the target skull, causing certain death of the now assassinated person. a highly efficient variation of an L-shaped ambush. Any support fire to increase probability of impact of the dispersion round(s) would have a degree of accuracy, trajectory, point of impact and/or other parameter factors depending on the specific design of the program for that field of fire. The only reason more than two rounds might be required for said assassination is that the target skull was a moving target, traveling in a limo of undeterminable exact speed at time of aim/time of impact.

marine was assigned to alternate bunker watch with another American who used the alias "Alphabet". There was a cot on one side of the bunker for sleeping while it was the other person's turn on watch. This night, however, the cot had been purposely ripped so bad that it was impossible to sleep on, so that said target "CAP" marine would try, when it was his turn to sleep, to use the regular bottom floor to sleep. The bunkers in the "CAP" units had an unusual feature that was different from guard bunkers at the rifle company command posts; that is, there was an elevated floor on one side reaching nearly to the top of the bunker. All of the bunkers in the "CAP" units had been uniformly designed with an elevated floor so that "CAP" marines who were used to

perform legitimate combat duties could be set up for a kill; and then, after they were murdered, labeled as killed in action to keep the assassination, psychological operation, and intelligence gathering covers and activities of the Central Intelligence Agency through "CAP" a secret from the people back in the states. Although it had no military value, even being a hindrance, since it took up space that could have been used for ammo, weapons, and/or personnel, target "CAP" marines did not dwell on thinking about it, especially since all of the bunkers in the "CAP" units were uniformly built in the same form. Since said target "CAP" marine couldn't sleep on the cot, when it was his turn to sleep, because it was suddenly ripped so bad, he tried to sleep on

the floor. Bait and/or other methods were used to lure cockroaches into inhabiting the regular bottom floor of the bunker, instead of the closed type ammo bunkers. Since the target couldn't sleep on the floor with roaches crawling all over his body, he would have no place left in the guard bunker to sleep except the elevated floor, which is where he would choose to sleep. Said elevated floor should have been theoretically safe, since the bunker was on a hill; and, any enemy fire from outside the perimeter would be uphill and would at the most strike the inside roof of the bunker instead of the target "CAP" marine. Although anybody firing from the center of the "CAP" compound, where the "squad leader's" quarters were, would be able to strike the target "CAP" marine with a bullet or bullets, it should have been theoretically safe from that direction because the target "CAP" marine would not expect to be shot at by those who are supposed to be on the same side that said target "CAP" marines had volunteered to fight for. Since it had been plotted, planned, and very elaborately pre-meditated ahead of time, all the CIA had to do was adjust the windage on the sights of the weapons they were using, after mounting the weapons in a pre-determined position, so the rounds would impact according to the particular sandbag the target skull was resting on as their body laid on the elevated floor, and then squeeze the trigger of their weapons, causing the head of the victim to be destroyed upon impact. Through what would be called by some a freak accident, and by others at least a minor miracle, the above-stated target "CAP" marine, an exception to what would usually be classified as a perfect crime, managed to survive his turn to be slaughtered in said manner. Between the time of aim and time of impact, the target skull dropped to the left, causing the rounds to pass by the spot where the target skull had been positioned and strike the target "CAP" marine in the right calf instead. The fracture round(s) entered the target "CAP" marine's leg first; and, after impacting at the fibula bone, absorbed the impact force of the dispersion round(s) following, thus acting, in effect, as a shield, and preventing the dispersion round(s) from tearing the target "CAP" marine's right leg off to the knee, as would have been the case if the dispersion round(s) would have been the first round(s) to strike the target "CAP" marine's unprotected limb. How the above-stated target "CAP" marine got out of CAP *-*-* alive, and eventually made it back to the states is a matter of circumstantial logistics, and is not necessarily relevant to the "crack and splatter" firing pattern described above.

A QUOTE FROM THE INTERNET:

"Of the 5,000 Marines/Corpsmen who served in CAP,

the best estimate we have heard is that fewer than

2,500 of us survived."

HEADQUARTERS lst Combined Action Group III Marine Amphibious Force FPO, San Francisco, California 96602

5 November 1968

Dear Mr. & Mrs. Kibbe:

I should like to take this opportunity to introduce myself as your son's new Commanding Officer, and to explain briefly what his duties will be while a member of this Command. First, however, please accept my apologies for using a form letter. The heavy administrative burden of a Command of over 400 Marines precludes a personal letter at this time. I assure you that any future correspondence in response to questions you may have about your son will receive my personal attention, and will not be by form letter.

Your son will be assigned to a Combined Action Platoon (CAP). A CAP is the joining of U. S. Marines and local Vietnamese Militia, called Popular Forces, to form a village security force. This force consists of 35 Vietnamese Popular Force soldiers, a 14 man Marine rifle squad and one U. S. Navy Corpsman. The Popular Forces personnel are local villagers armed, equipped, and trained primarily for the role of village security. The Marines act as military advisors and provide the experience and know-how for adequate village security. A most important member of this team, the Corpsman, provides medical aid to Marines, Popular Forces and local villagers alike.

As the CAP trains, works and conducts counter-guerrilla operations, the Vietnamese contingent becomes more proficient and is finally capable of assuming full responsibility for the mission of insuring the security of their village. The squad leader has trained his counterpart and the individual Marine has assisted in instilling the team spirit in the PF. The Corpsman, likewise, has brought one or more Vietnamese to an acceptable level of medical proficieny. With this accomplished, the Marines are then able to move on to another village which does not enjoy the freedom from Viet Cong harassment, and the cycle begins again.

Home to your son for his tour with the CAP will be a well defended living area located in or near the village requiring CAP security. Food, water, clothing, health and comfort items (toilet articles, etc.) and all other required supplies are provided daily through American sources. The compound has adequate living, bathing and sanitary facilities.

This is the program your son will be associated with for the remainder of his tour in Vietnam. It is an important program. Indeed, it is the answer to ending the wars that have plagued the people of Vietnam for over 20 years. Your son in conjunction with his Vietnamese teammates is responsible for the lives and property of hundreds and sometimes thousands of people. They depend upon him for their freedom to live free of Viet Cong reprisals, to harvest their rice without enemy taxation, and to send their children to school each day knowing the teacher was not kidnapped or murdered during the night. A more fulfilling mission could be found nowhere in Vietnam today.

Please feel free to correspond with me on any problems or questions you may have regarding your son, his health, well-being or his mission with this Command.

Sincerely,

E. F. PIERSON

Lieutenant Colonel, U. S. Marine Corps Commanding

PATHOLOGICAL EXAMINATION REPORT

A63-272

Page 4

Situated in the posterior scalp approximately 2.5 cm. laterally to the right and slightly above the external occipital protuberance is a lacerated wound measuring 15 x 6 mm. In the underlying bone is a corresponding wound through the skull which exhibits beveling of the margins of the bone when viewed from the inner aspect of the skull.

Clearly visible in the above described large skull defect and exuding from it is lacerated brain tissue which on close inspection proves to represent the major portion of the right cerebral hemisphere. At this point it is noted that the falx cerebri is extensively lacerated with disruption of the superior saggital sinus.

Upon reflecting the scalp multiple complete fracture lines are seen to radiate from both the large defect at the vertex and the smaller wound at the occiput. These vary greatly in length and direction, the longest measuring approximately 19 cm. These result in the production of numerous fragments which vary in size from a few millimeters to 10 cm. in greatest diameter.

The complexity of these fractures and the fragments thus produced tax satisfactory verbal description and are better appreciated in photographs and roentgenograms which are prepared.

The brain is removed and preserved for further study following formalin fixation.

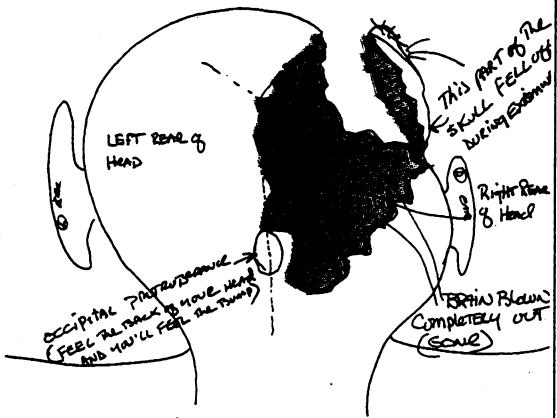
Received as separate specimens from Dallas, Texas are three fragments of skull bone which in aggregate roughly approximate the dimensions of the large defect described above. At one angle of the largest of these fragments is a portion of the perimeter of a roughly circular wound presumably of exit which exhibits beveling of the outer aspect of the bone and is estimated to measure approximately 2.5 to 3.0 cm. in diameter. Rountgenograms of this fragment reveal minute particles of metal in the bone at this margin. Roentgenograms of the skull reveal multiple minute metallic fragments along a line corresponding with a line joining the above described small occipital wound and the right supra-orbital ridge. From the surface of the disrupted right cerebral cortex two small irregularly shaped fragments of metal are recovered. These measure 7 x 2 mm. and 3 x 1 mm. These are placed in the custody of Agents Francis X. O'Neill, Jr. and James W. Sibert, of the Federal Bureau of Investigation, who executed a receipt therefor (attached).

2. The second wound presumably of entry is that described above in the upper right posterior thorax. Beneath the skin there is ecchymosis of subcutaneous tissue and musculature. The missle path through the fascia and musculature cannot be easily probed. The wound presumably of tait was that described by Dr. Malcolm Perry of Dallas in the low anterior cervical region. When observed by Dr. Perry the wound measured "a few millimeters in diameter", however it was extended as a tracheostomy incision and thus its character is distorted at the time of autopsy. However, there is considerable ecchymosis of the strap muscles of the right side of the neck and of the fascia about the trachea adjacent to the line of the tracheostomy wound. The third point of reference in connecting

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	LEFT ANKLE: No arthritic or bony chang RIGHT LEG; INCLUDING KNEE AND ANKLE REG oblique fracture of the proximal right f position with slight displacement of app No arthritic changes at the knee or ankl opaque metallic foreign bodies varying i debris up to a linear fragment 3xl mm. i the middle third of the right leg adjace	ges. GION AND ENTIRE TIBIA AND fibular shaft well united proximately 3 mm. and wit le visualized. Multiple in size from minute flec in size in the soft tissu	, in excellent h no angulation. irregular ks of metallic e laterally in	
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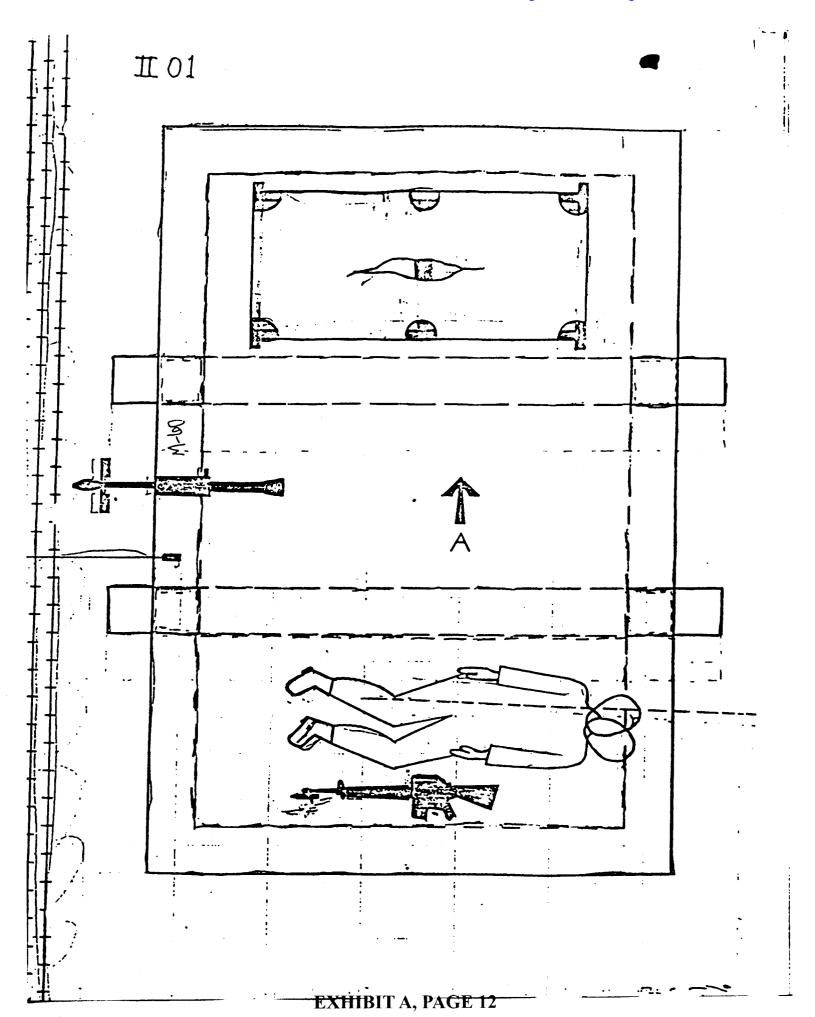
REAR OF HEAD SHOWING Approximately How much of the Skull is missing

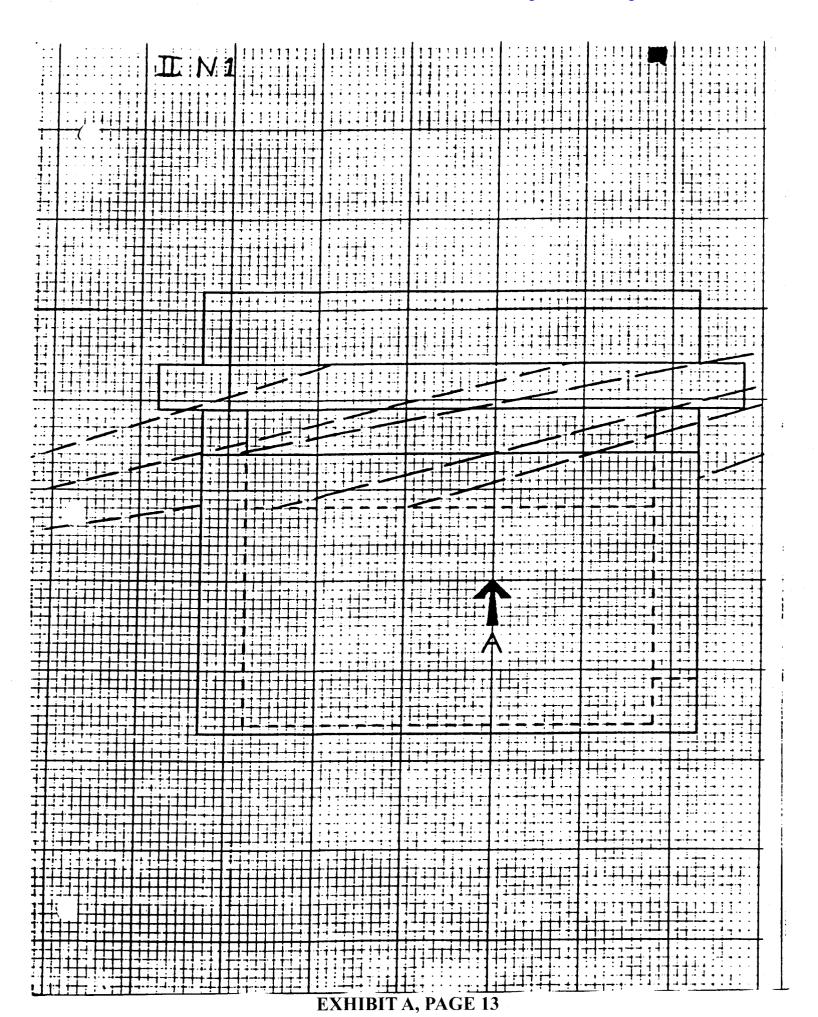


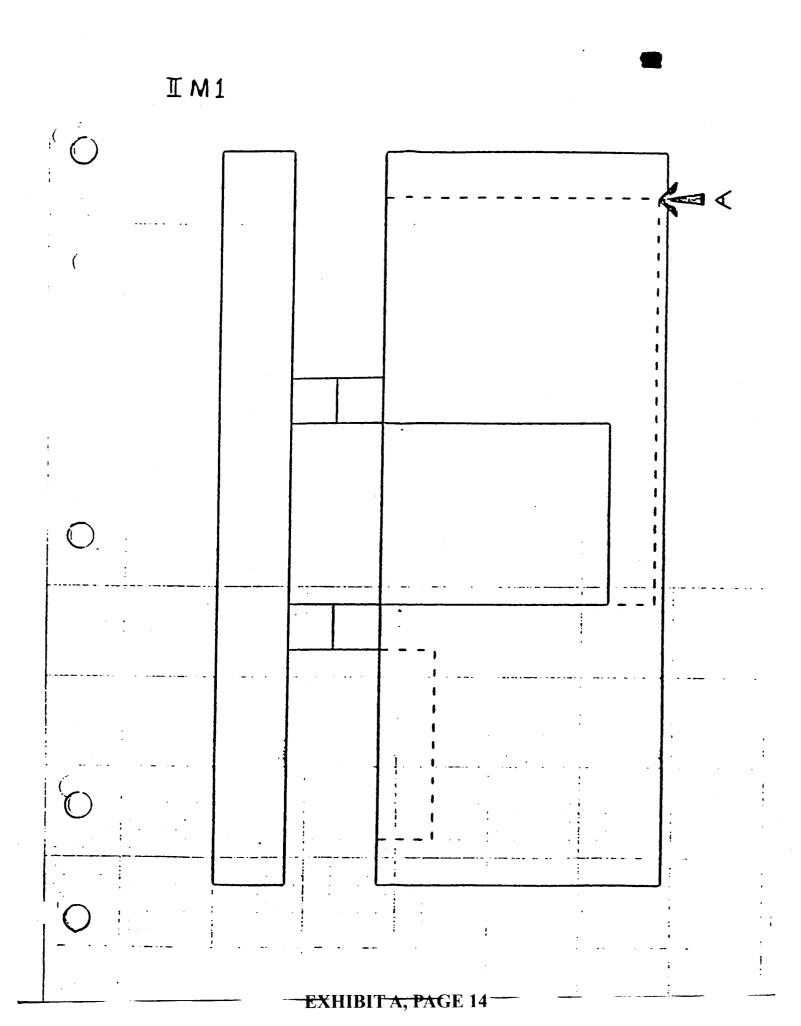
The word in the Right side of the skull was thughe But not big enoug to Remove the BRAIN without Tenering the ORGAN APPART

BETHESDA lab technician Paul O'Connor, who helped at the autopsy, drew this illustration depicting the exact condition of the wound to the president's head when he saw it the night JFK died.

O'Connor says the government's photos are not what he saw. In his illustration he clearly shows that the top and the rear of Kennedy's head were missing — blown apart by a bullet. O'Connor, who calls the wound "huge," says: "Brain blown completely out."







```
KEYS TO SCHEMATIC DIAGRAMS LABELED .....
 U=up, D=down, L=left, R=right, 1=one major grid square,
  .1=one minor grid square
 Key to:
                      of bunker.
    :interior wall of bunker.
 :point on wall (exterior)
  :point on vertical roof pillar.
        :point on horizontal roof pillar.
   :point on roof of bunker.
    :point on doorway threshold.
:point on wall (interior).
point on
 Key to:
 :point on roof of bunker.
   :point on horizontal roof pillar.
:point on vertical roof pillar.
:point on
 :point on doorway threshold.
:improvised
 :point on wall (exterior).
 The last of diagram (slightly
                shorter dashes and the state of the state of
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from the

ORIGINAL UNREDACTED VERSION

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KEYS TO SCHEMATIC DIAGRAMS LABELED II M 1, II N 1, II 0 1
 U=up, D=down, L=left, R=right, 1=one major grid square,
 .1=one minor grid square
Key to: II M 1=
      from point A:
to D 4.5:bottom floor of bunker.
to L 3.0: interior wall of bunker.
D 1.0, L2.0: point on wall (exterior)
D 2.2.L 3.2:point on vertical roof pillar.
D 2.2.L 3.7:point on horizontal roof pillar.
D 2.2.L 4.4: point on roof of bunker.
D 4.0.L .5:point on doorway threshold.
D 4.0.L 2.0:point on wall (interior).
D 6.0.L 2.4: point on raised floor.
Key to: II N 1:
     from point A:
U 3.0:point on roof of bunker.
U .8.L 2.8 to U .8.R 1.8: raised floor.
U 2.0:point on horizontal roof pillar.
U 1.6.R 2.0: point on vertical roof pillar.
D 1.6:point on bottom floor.
D.1.1.R 2.0:point on doorway threshold.
U .8.R. 1.0:improvised pillow area.
point A:point on wall (exterior).
Three dashed lines beginning at left of diagram (slightly
     shorter dashes and raising upward to right: potential
    field of fire from direction of outside of perimeter.
```

ORIGINAL UNREDACTED VERSION

```
of diagram (slightly
                         larger dashes) and
                         Attached fire from
  Key to .:
                  : point on in bunker
 point on horizontal roof pillar
      point on M-60 machine gun
      : point on wall toward perimeter
 point on claymore trigger
point on
 MARKET STATE OF THE PARK STATE
     : point of aim, point on
         (bull's eye).
                                     turned head, point on
        me ; (maggie's drawers, close only counts in boot
camp).
```

(as seen from above)

ORIGINAL UNREDACTED VERSION

```
Four dashed lines beginning at right of diagram (slightly
     larger dashes) and lowering downward to left:potential
     field of fire from direction of center of compound.
Key to II 0 1:
     from point A:
U 2.0: point on ripped cot in bunker
U 1.0.R. 2.5: point on horizontal roof pillar
D.1.L 3.0: point on M-60 machine gun
D .7.1 3.0: point on wall toward perimeter
D .9.L 3.1: point on claymore trigger
D 3.4: point on bayonet fixed M-16 rifle
D 2.55.R. 2.95 to D 2.40.L.95: functional trajectory
D 2.40.R 1.80 to D 3.0.R 1.8: pillow area
D 2.50.R 1.95: point of aim, point on position of head at
time of aim; (bull's eye).
D 2.90.R 1.80: turned head, point on position of head, time
of impact.
D 2.40.L .95: point of impact, point of position of leg at
time of impact; (maggie's drawers, close only counts in boot
camp).
```

(as seen from above)

ORIGINAL UNREDACTED VERSION

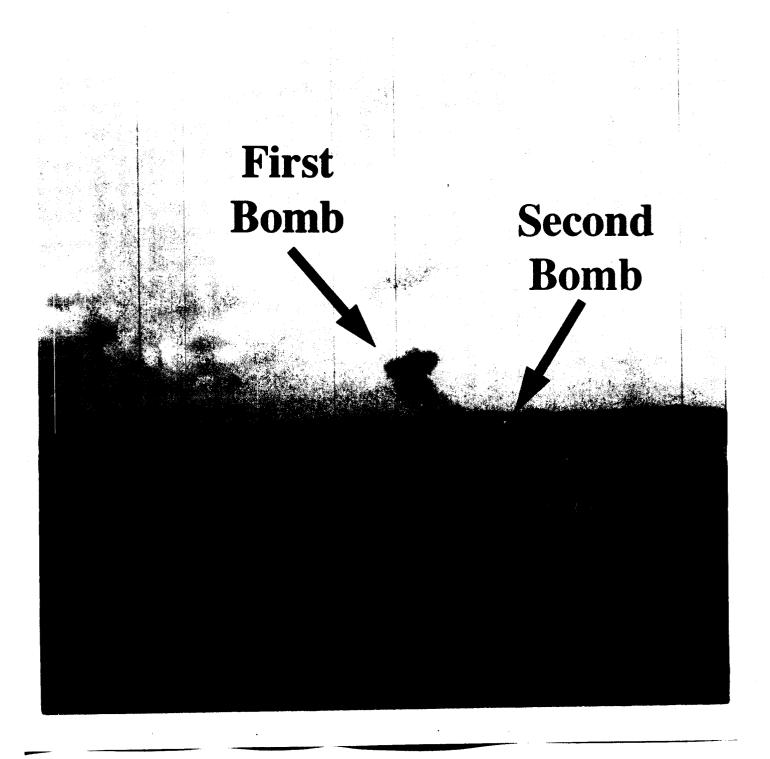


Photo One of Bunker of Impact, taken by an Instamatic camera prior to the shooting, and developed over one year later after I finally got my belongings back from the "CAP" unit I was assigned to. At the time I was photographing two Willy Peter rounds dropped by a jet fighter in the distance. The first bomb dropped was already dissipating from the mushroom-shaped cloud it produced; and, the second bomb was just starting to produce the standard mushroon shape formed from the explosion. The bunker just happened to be in the view while I was photographing the air strikes by the jet...

ORIGINAL UNREDACTED VERSION

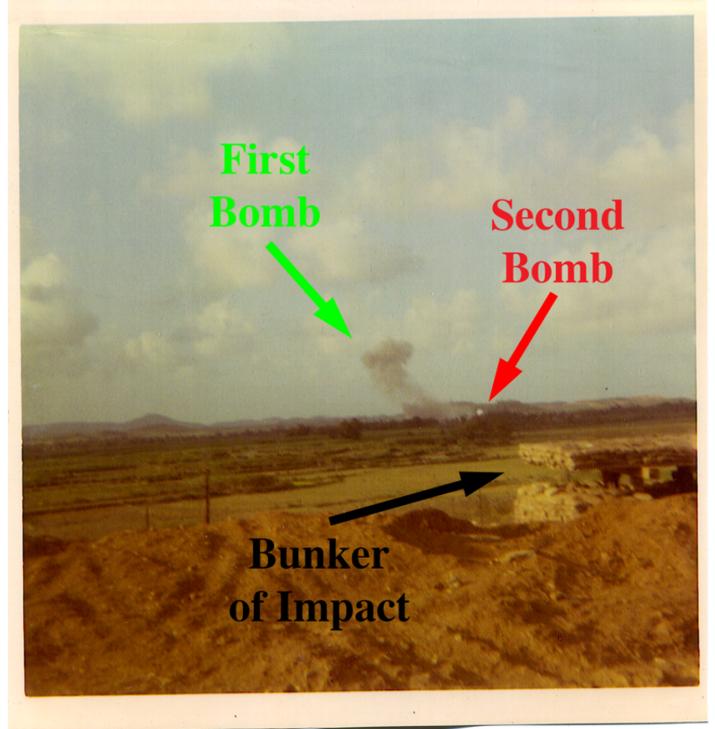


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ORIGINAL UNREDACTED VERSION



Photo Two of Bunker of Impact, taken by an Instamatic camera prior to the shooting, and developed over one year later after I finally got my belongings back from the "CAP" unit I was assigned to. At the time I was photographing two Willy Peter rounds dropped by a jet fighter in the distance. The first bomb dropped was almost completely dissipated from the mushroom-shaped cloud it produced, (which is seen in an earlier view in Photo One); and, the second bomb was partially dissipated, (also seen in an earlier view in Photo One), from the standard mushroom shape formed from the explosion. The bunker just happened to be in the view while I was photographing the air strikes by the jet...

ORIGINAL UNREDACTED VERSION

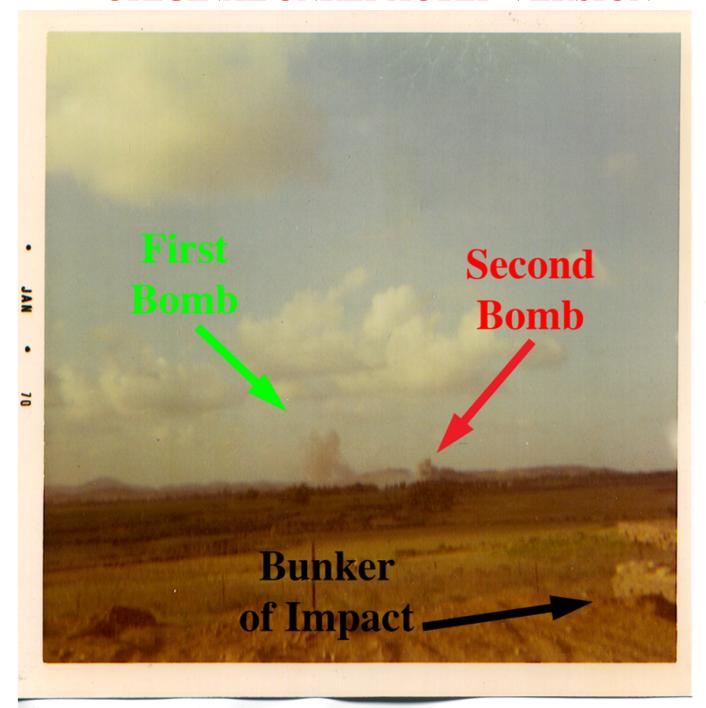


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ORIGINAL UNREDACTED VERSION

ORIGINAL UNREDACTED VERSION

And this is the Fracture Round:...

(See following pages.)

ORIGINAL UNREDACTED VERSION

HEADQUARTERS 1st Combined Action Group III Marine Amphibious Force FPO, San Francisco, California 96602

11 December 1968

Mr. and Mrs. Cecil Kibbe 1223 Union Street Port Huron, Michigan 48060

Dear Mr. and Mrs. Kibbe:

I have received your letter of December 2, 1968, and I understand your concern. I hope this letter will answer your questions and relieve some of your worry.

First, I want to assure you that Dean was not seriously or permanently injured. He received a **constant serious** to his **right calf**, causing a fracture of the fibula. He was evacuated immediately by helicopter to the 27th Surgical Hospital in Chu Lai. His condition and prognosis were listed by the doctor as good. I visited him in the hospital, and he was resting comfortably and was cheerful. He was receiving excellent care.

He was transferred the next day, on November 28, to the 249th General Hospital, Camp Drake, Japan. The address is 249th General Hospital, APO, San Francisco, California 96267. I will request the hospital there to send you a welfare report, since my information is a little out of date now. I will also ask them to notify you if Dean is likely to be transferred to the United States. You were not informed of Dean's wound by the Marine Corps because he requested that you not be notified. He is a thoughtful person and made this request in order to avoid unnecessary worry for you. I am very sorry that it caused concern. A Marine has the option of requesting that his next of kin not be notified when he is wounded if his condition is good or excellent. If the Marine's condition is less than good, notification is mandatory and automatic.

Please be assured that your son is receiving the best possible care. If this letter and the welfare report from the hospital do not answer all your questions, please do not hesitate to write me again.

Dean had gotten off to a good start here and is highly thought of by the men in his unit. They ask me to send you their best regards.

Sincerely,

E. F. PIERSON

Lieutenant Colonel, U. S. Marine Corps
Commanding

ORIGINAL UNREDACTED VERSION

HEADQUARTERS

lst Combined Action Group

III Marine Amphibious Force

FPO, San Francisco, California 96602

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Sincerely,

E. F. PIERSON

Lieutenant Colonel, U. S. Marine Corps
Commanding

07151 225

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P 010211Z DEC 68 -

FM 26TH CASSIFLT CAM RANH HAY AB RVN

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RUMHLA/CG FIRST MARDIV DANANG RVN RUMHVP/CG THIRD MARDIV PHU BAI RVN RUABOL/CG NINTH MAB CAMP HANSEN OKI

RHMMAFA/CG III MAF DANANG RVN

RUMLMPA/CG FORLOGCOMD DANANG RVN

RUMHLA/SECOND BN FIFTH MAR FIRST MARDIV DANANG RVN

RHMMAFA/FIRST CAG III MAF DANANG RVN

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RUMUFGA/COMNAVSUPPACT DANANG RVN

BT

UNCLAS SGCSF

FOR MARLN STAHOSP

PAGE 2 RUMLJAAS784 UNCLAS
222-68

MCO 3040.3C

1. REF A REFERS FOR TWO PATIENTS EVACUATED 290800H NOV 68

A. ELMORE JIMMIE L PFC 2453210/0311 RTD DEC 68

B. E/2/5/1

C. USNH MEMPHIS, TENN

D. HOSTILE YES

E. TRT GSW RT THIGH RT SHOULDER W/INJURY TO SCIATIC NERVE INJURY

A. RTD SEP 69

B. W. A. SELECTION

C. 249 DRAKE, JAPAN

D. HOSTILE

E. CARLETTE W/ CARLETTE

BT

#5784

010211

EXHIBIT A, PAGE 21

ORIGINAL UNREDACTED VERSION

07151 7 PTTUZYUW RUMLJAA5784 3360405-UUUU--RUEBHOA. ZNR UUUUU P 0102112 DEC 68 -FM 26TH CASSIFLT CAM RANH BAY AB RVN TO RUEBHOA/CMC WASH DC INFO RUHHFINA/CG FMFPAC CAMP SMITH HAWAII RUABOL/CAS COORD CAMP SMEDLEY D BUTTLER OKI RUMHLA/CG FIRST MARDIV DANANG RVN RUMHVP/CG THIRD MARDIV PHU BAI RVN RUABOL/CG NINTH MAB CAMP HANSEN OKI RHMMAFA/CG 111 MAF DANANG RVN RUMLMPA/CG FORLOGCOMD DANANG RVN RUMHLA/SECOND BN FIFTH MAR FIRST MARDIV DANANG RVN RHMMAFA/FIRST CAG III MAF DANANG RVN RUCLEMA/USNH MEMPHIS TENN RUADKTA/TWO FOUR NINTH GEN HOSP CAMP DRAKE JAPAN RUWMMDA/MARKS II CALIF RHMMAFA/III MAF POSTAL DIRECTORY DANANG RVN RUMUFGA/COMNAVSUPPACT DANANG RVN BT UNCLAS SGCSF FOR MARLN STAHOSP

PAGE 2 RUMLJAA5784 UNCLAS REPORT OF CASUALTY EVACUATION 222-68 MCO 3040.3C 1. REF A REFERS FOR TWO PATIENTS EVACUATED 290800H NOV 68 A. ELMORE JIMMIE L PFC 2453210/0311 RTD DEC 68 B. E/2/5/1 C. USNH MEMPHIS, TENN D. HOSTILE YES E. T&T GSW RT THIGH RT SHOULDER W/INJURY TO SCIATIC NERVE INJURY A. KIBBE DEAN K PPC 2420574/0311/8651 RTD SEP 69 B. 1STCAG/IIIMAF C. 249 DRAKE, JAPAN . D. HOSTILE NO E. GSW RT CALF W/FX FIBULA BT #5784

010211

MEDICAL CERTIFICATE

(NQTE TO-EXAMINING PHYSICIAN—History, symptoms and physical findings must be recorded in sufficient detail to support clearly the diagnosis. If additional space is needed, use reverse side.) 46. BRIEF HISTORY, SYMPTOMS AND PHYSICAL, LABORATORY, X-RAY, ECG AND OTHER FINDINGS (Assach reports if available) Desir of Sag. -. RFB-CHECK X-RAYS & LAB ORDERED IN ADMITTING 123 Chest X · Ray Other X Ray Urinaly. CBC & Serology Blood Sugar Serum Amalyse old 65 in to 8 Til Other Lab Theated Ft of prox shaft of B fibula & metalic RECORD FINDINGS IF AVAILABLE silk #5 to 47. DIAGNOSIS (See note to examining physician above) 49. ESTIMATED NUMBER OF DAYS HOSPITALIZATION WILL BE REQUIRED 48. SURGICAL PROCEDURE REQUIRED YES ЖÇ CHECK EACH OF THE FOLLOWING YES ЖG CAN APPLICANT DO THE FOLLOWING 54. IS APPLICANT INCONTINENT? 50. DRESS AND USE LAVATORY WITHOUT ASSISTANCE? 55. IS APPLICANT AMBULANT? 51. ASCEND AND DESCEND STAIRS? 56. IS APPLICANT MENTALLY COMPETENT? 52. FEED HIMSELF WITHOUT ASSISTANCE? 57. IS ATTENDANT NEFDED DURING TRAVEL? 53. OPERATE A WHEEL CHAIR WITHOUT AID? (Leave blank if not applicable) 58. IS ATTENDANT A RELATIVE OF THE APPLICANT? 60. NAME AND ADDRESS OF PROPOSED ATTENDANT 59. METHOD OF TRAVEL RECOMMENDED TRAIN OR ☐ MBU-PRIVATE

NAME AND IDENTIFICATION NO

CONVEYANCE

INSTRUCTIONS-If phis application is to be referred from VA Station to subsich originally submitted, stdmp name of referring VA station in the margin below.

63. ADDRESS OF EXAMINING PHYSICIAN

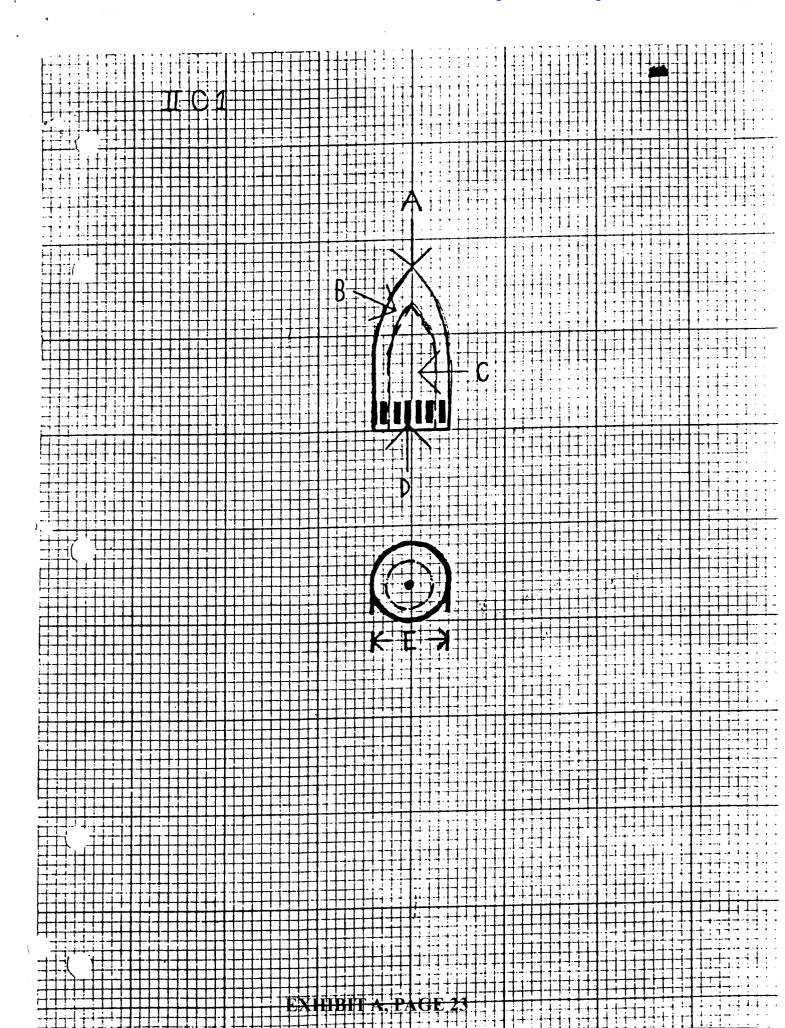
64. TELEPHONE NO.

KÍBBE, DEAN R.

61. SIGNATURE OF EXAMINING PHYSICIAN

62. DATE OF

EXAMINATION



IIC2

(Not to scale; side view [top diagram] constucted from partial tracing of sketch of church window, top view [lower diagram] from tracing of smaller round objects).

- A: Forward leading point of projectile.
- B: Relatively higher viscosity--lower density projectile jacket.
- C: Relatively lower viscosity--high density projectile core.
- D: Tail end indentational feathering band of projectile (3 rip marks)
- E: Bore size of projectile.

IIE1

- referred to in IIB2:
- A. The forward leading point of the was
- B. The projectile closer to point B than to point A in schematic diagram one.
- of which had been displaced or separated from the projectile and was either attached to or lying beside one of the other larger sections in the surgeon's hand, the larger two sections of the projectile having separated at a point closer to point C than to point A or point D and on a plane closer to travel of the arrow pointing to point C than to a line extending from point A to point D; all of separation crystalline
- D. The section of the projectile had a of the projectile had a of the circumference of the ring as indicated at point D.
- E. The (not to scale); by symmetrical reconstruction of geometric form circled to the right of printed initials "F.B." in subunit IIB2 (initials and circle red in color on original received; subunit number toward left corner added; all other features photocopied from original as

ORIGINAL UNREDACTED VERSION

IIE1

- 1. Characteristics of bullet fragments removed from leg
- A. The forward leading point of the projectile was bent toward one side.
- B. The projectile jacket acquired a dimple closer to point B than to point A in schematic diagram one.
- Smaller chip of jacket material which had been displaced or separated from the projectile and was either attached to or lying beside one of the other larger sections in the surgeon's hand, the larger two sections of the projectile having separated at a point closer to point C than to point A or point D and on a plane closer to travel of the arrow pointing to point C than to a line extending from point A to point D; all edges of separation demonstrating sharp crystalline breakage.
- D. The tail end section of the projectile had a ring of nonspiraling lands and grooves, which lands and grooves ran approximately perpendicular to the circumference of the ring as indicated at point D.
- E. The bore size, illustrated by E in schematic diagram one (not to scale); by symmetrical reconstruction of geometric form circled to the right of printed initials "F.B." in subunit IIB2 (initials and circle red in color on original received; subunit number toward left corner added; all other features photocopied from original as

ORIGINAL UNREDACTED VERSION

received), and memory of projectile at time of surgical removal, indicates a weapon;

- 2. of round as used in 1968:
- A. The high of the resulting relatively in the size, the during flight designed into the projectile cause the round to in various directions with an object as thin as the canvas targets used in training.
- B. If an arround is the to to to an unprotected in, it
- C. The property of the pround is a second of the pround is the property of the property of the pround is the property of the property of the property of the pround is the property of the property
- 3. Mathematical

by above data;

"accident" report if intact;

ORIGINAL UNREDACTED VERSION

received), and memory of projectile at time of surgical removal, indicates a full bore weapon; relatively non-exploding on impact.

- 2. Characteristics of M-16 round as used in 1968:
- A. The high ratio of the cartridge to projectile size, the resulting relatively high velocity, and a tumbling effect during flight designed into the projectile cause the round to explode into smaller fragments in various directions upon impact with an object as thin as the canvas targets used in training.
- B. If an M-16 round is the first round to strike an unprotected limb, it will cause the loss of that limb to the nearest joint above that limb.
- C. The bore size of the M-16 round is 5.56 millimeters, a small bore rifle.
- Mathematical summary:
 - 1 person firing (or more) weapon not an M-16, verifiable by above data;
- 1 person firing (or more) M-16 rifle by admission in "accident" report if intact;
- = 2 persons firing (or more)

1. long borrel rifled weapons:

1. ond browning automatic rifle, mounted on a toupod.

B. one or more standard m-14 rifle(s).

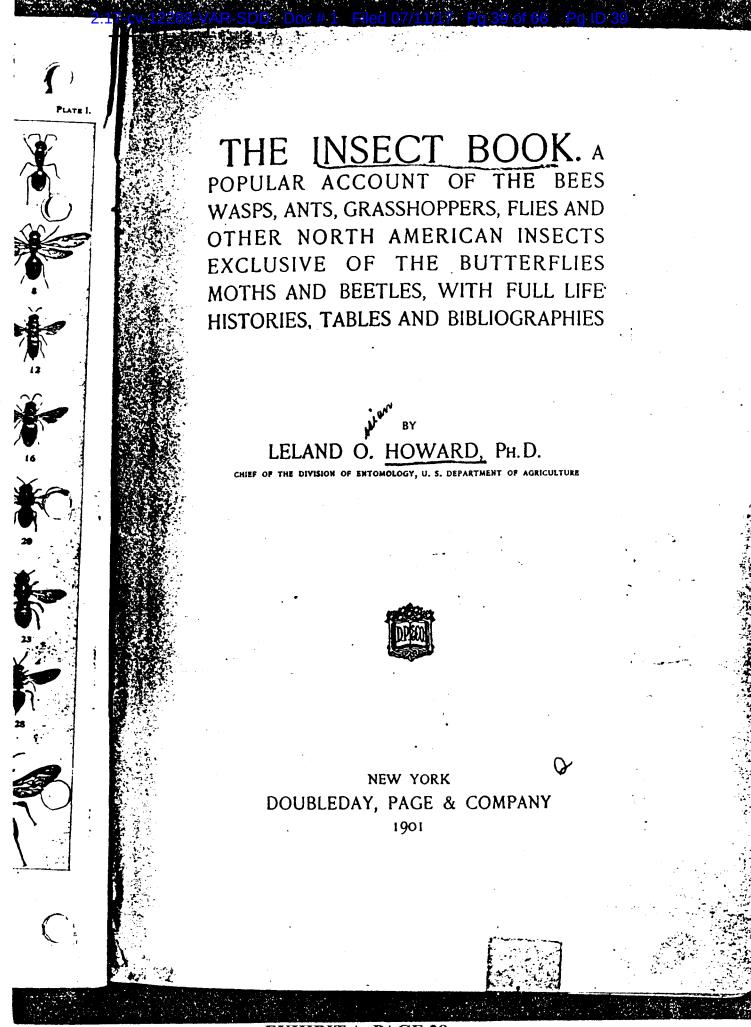
c. one m-14 rifle converted to full automatic with stock reduced to pistol grip.

of more than one m-1 rifles, positioned at various points in trench surrounding center of compound approximately, concentric with outside perimeter having a radius less than the distance from each brunker to the center of the compound with branch trenches to each brunker approximately perpendicular to the main trench.

E'. more than one m-60 machine guns, positioned on brunker wall closest to outside perimeter when not being used on patrol(2)/ambrush(22).

F. more than one m-16 rifles, standard weapon for machinegunners when on bunker watch and marine rifleman at all times.

EXHIBIT A, PAGE 27



COCKROACHES

(Family Blattidæ.)

The insects of this family, known commonly as cockroaches, form the old group Cursoria, or runners. The body as a rule is oval and flat, all the legs being similar in form. The head is deflexed or bent under and generally concealed by the prothorax.

The hind wings are slightly folded. The insects of this group

but several species have become domesticated and are very abundant in the colder parts of the world. The cockroach type is a very persistent one, and insects of this family existed in great numbers in geologic periods prior to the tertiary. They are found in considerable number in carboniferous rocks and one form has been found in Silurian sandstone.

The eggs are laid in egg cases as with

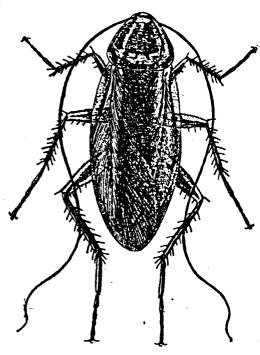


Fig. 217.—Periplaneta americana. (Redrawn from Marlatt.)

the Mantidæ but the subsequent life history is little known, It is supposed that they grow very slowly. Most of them are nocturnal in their habits. They feed on a great variety of 329

substances, especially those forms which inhabit houses, but it is Dr.

Sharp estimates that there are five thousand species in existence. The species found in American houses are the American cockroach (Periplaneta americana), the German cockroach or croton bug (Ectobia germanica), the European cockroach or "black beetle" as it is known in England (Periplaneta orientalis) and the Australian cockroach (Periplaneta australasiæ). The egg cases of the German cockroach is shown in accompanying illustrations.

The female carries the egg case with her until she finds a proper place to leave it or until the eggs are nearly ready to hatch. The young roaches grow slowly and pass through a variable

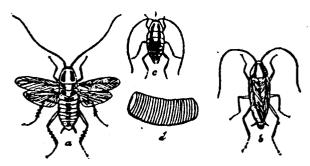


Fig. 218.—Ectobia germanica. (Redrawn from Insect Life.)

number of molts, sometimes as many as seven. The time required for the development from the egg to the adult may be prolonged by absence of food or low temperature. Four or five years have been said to have been occupied in this growth. The German cockroach has been shown to reach full-growth in from four and one-half to six months and the American cockroach has been raised from the egg to the adult in about twelve months. No sufficiently careful observations on the life history of the common species appear to have been made, hence the "Typical Life History" must be omitted with the insects of this family. The anatomy of *Periplaneta orientalis* has been carefully studied by Miall and Denny.* and the American household cockroaches have been treated at some length by Marlatt.**

- The Anatomy of the Cockroach.
- •• Bull. 4, N. S., Div. Entomology, U. S. Dept. Agric., pp. 84-95.

330

Cockroaches

The cockroaches which have just been mentioned are practically domesticated animals in so far as they have accommodated themselves to the environments of civilization. They appear to eat almost everything, whether animal or vegetable in its nature, and they are household pests of the highest rank. They are also all of them cosmopolitan, or practically so, and have been carried in ships to almost all parts of the world. Our native cockroaches are, most of them, out-door feeders and are exceptionally cleanly insects. In fact, any one of the domestic cockroaches, if watched, will be seen constantly to make efforts to beautify its person, licking its legs and its antennæ in much the same manner in which a cat washes its paws. A curious observation which the writer once made indicates that it is possible for cockroaches to acquire the tobacco habit. A croton bug of the usual inquisi-

tive turn of mind inhabited my office desk, and as soon as I laid down my cigar upon the edge of the drawer the little fellow invariably came out of his hiding place and worked vigorously at the moist end. At first he was after the moisture but later the tobacco taste grew and he became as much addicted to the habit as the most inveterate human tobacco user. It may be worth mentioning that it seemed to have no appreciable effect on its health.

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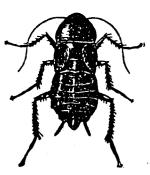


Fig. 219.—Periplaneta orientalis.

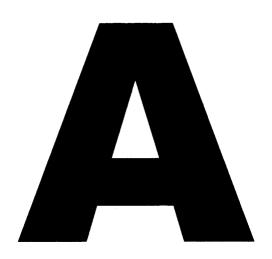
Cockroaches are fond of darkness.

They roam about houses at night, and new houses become stocked with roaches through migrations at night time from over-supplied adjoining establishments. On

I once saw a incalculable in number, crossing the street from a dirty restaurant toward buildings opposite. The majority of the individuals composing the army were females carrying egg cases, and the observation thus became one of psychological interest since the migratory instinct seemed to have been developed by an appreciation of the fact that while the restaurant might support the mothers there would not be food enough for the coming children.

END OF

EXHIBIT



EXHIBIT



DEPARTMENT OF THE NAVY HEADQUARTERS UNITED STATES MARINE CORPS 2 NAVY ANNEX WASHINGTON, DC 20380-1775

5720 MREPLY REFER TO ARAD 991027105431 28 Jan 2000

Mr. Dean R. Kibbe P.O. Box 611066 Port Huron, MI 48061-1066

Dear Mr. Kibbe:

This letter responds to your Freedom of Information Act (FOIA) request of October 21, 1999, for a copy of the Solds from the Solds from the Solds Action Program, for the month of November, 1968. Your Registered Mail Number is R 818 201 454.

A thorough search of records at this Headquarters has filled to locate any records responsive to your request.

If you believe that an adequate search of records was not accomplished at this Headquarters, you may file an appeal with the Office of the Judge Advocate General (Code 34), Washington Navy Yard, 1322 Patterson Avenue, SE, Suite 3000, Washington, DC 20374-5066. You must submit the appeal to that office postmarked within 60 calendar days from the date of this letter to be considered.

The enclosed copy of this letter should be attached along with a statement as to why you believe an adequate search has not been conducted. I recommend that the letter of appeal and the envelope both bear the notation "Freedom of Information Act Appeal."

I waived the fee for processing your request under the current provisions of the FOIA. Should you have any questions concerning this reply, you may contact the undersigned at (703) 614-4008.

Sincerely,

Head, Freedom of Information

and Privacy Act Section

Administrative Resources Branch

Administration and Resource Management

By direction of the

B. L. THOMPSON

Commandant of the Marine Corps

ORIGINAL UNREDACTED VERSION



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

5720 IN REPLY REFER TO: ARAD 991027105431 28 Jan 2000

Mr. Dean R. Kibbe P.O. Box 611066 Port Huron, MI 48061-1066

Dear Mr. Kibbe:

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A thorough search of records at this Headquarters has failed to locate any records responsive to your request.

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Sincerely,

B. L. THOMPSON / Head, Freedom of Information

and Privacy Act Section

Administrative Resources Branch

Administration and Resource Management

By direction of the

Commandant of the Marine Corps

The text below is posted as a text file, word for word, from a self-explanatory letter to then Senator Levin. The portion of the letter which is underneath the bottom of the text below, which is in the original letter, was not included in this post because it could jeopardize the lives and/or accurate records of several persons, until other matters have been resolved. The images following are cropped versions of the screenshots referred to in said letter...

August 18, 2005 To: Office of Senator Carl Levin:

I am sending this email in regards to a letter I sent by registered mail, and have received the return receipt for, to the Armed Services Committee, regarding reports involving the Combined Action Program, ("CAP"), which were assigned to Armed Services by the Senate Investigations subcommittee. To clarify the matter, I am copying a text file copy of said letter to my computer clipboard and pasting it into this letter below, after which I will continue the content of the instant letter with details of the present circumstances.

(SENT LETTER):

General Counsel, Senate Armed Services Committee, and/or other jurisdictionally related parties:

in re: The "Combined Action Program"

TO WHOM IT MAY CONCERN:

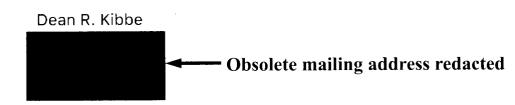
I hereby request, as a reasonable courtesy, and/or as a Freedom of Information Act request, if necessary, all information available by any military, intelligence, and/or any other type(s) of files and/or sources, including, but not limited to, any information and/or conclusions obtained and/or otherwise acquired, by the Senate Armed Services Committee, regarding said incidents, for the two incidents listed below, for the sample month submitted in my report involving the Combined Action Program, referred from the Senate Investigations Subcommittee to the Senate

Armed Services Committee, and originally assigned to Peter Levine, General Counsel, Senate Armed Services Committee, (legally recorded phone conversation available if necessary), as stated below:

- (1.) A listing of the longitude and latitude for the assassination of the village of 28 unarmed Vietnamese civilians, by the Central Intelligence Agency ,on 22 November, 1968, under jurisdiction of CAP 1-3-5, First Combined Action Group, Combined Action Program, Third Marine Amphibious Force, at 14:54 Hours, in the Republic of Viet Nam, and all other recorded information regarding said incident.
- (2.) The name, rank, serial number, military occupational specialty, last assigned job title, last assigned job function, including military specifications of said job function, last assigned unit, longitude and latitude of incident, and all other related data for said incident, for the United States Marine officer assassinated by the Central Intelligence Agency, after leaving CAP 1-3-8, First Combined Action Group, Combined Action Program, Third Marine Amphibious Force, at 17:00 Hours, on 11 November, 1968, in the Republic of Viet Nam, and all other recorded information regarding said incident.

Although the above two incidents are only two of many, even for just the sample month, one thing I learned even before being assigned as a military advisor to the "Combined Action Program", is that policies which are carried out in a given tactical area of responsibility gifted with ground combat are usually carried out the same way over and over, in certain parameters. I think it might be easier to find the patterns which would require consistency, by analyzing a smaller number of samples in greater detail, and then investigating similar incidents, such as terminal silencing of dissident villages, early retirement for U.S. Marine officers, etc., to catalogue the consistent patterns.

If you think there is anybody not admitting to being a direct employee of the Central Intelligence Agency, who is still alive, that could figure out the assassination patterns of the Central Intelligence Agency, through their cover in the "Combined Action Program", better than I can, I would like you to keep them as far away from me as possible...



Dated: April 29, 2005

(END OF SENT LETTER)

The above letter, sent in hard copy paper form, is a simple request for information which should be accessible by cross-referencing military files which could be verified by unclassified documents. After allowing much time for the matter to be investigated/resolved, I wrote said letter to Armed Services about reports I filed, and documents obtained through then Congressman David Bonior's Port Huron office, and similar sources, which indicated patterns demonstrating routine assassinations of Vietnamese civilians, and U.S. marine military advisors, officers, and in the bush, enlisted, American personnel, by the Central Intelligence Agency. A copy was also sent to the White House. The only response I've got so far is the top domain of the Department of Defense's Network Information Center, and the Department of the Navy, trying to hack into my computer, and threats concerning myself at my home made by the Central Intelligence Agency. I live at 1223 Union Street, Port Huron, Michigan; and, at this point I have nothing left to lose.

I have software on my internet computer which allows me to track anyone trying to hack into my computer. See the JPEG images attached, of screenshots of somebody with a secure line connecting to a hub near Dallas, with a high enough clearance to tap into the DoD computer hacking agency in Vienna, Virginia, (nic.mil), and another instance by the Department of the Navy, and using their IP address to try to hack into my computer. I was able to get enough information from the attempted hack by the computer linking through the Dallas area to get the actual physical address and nine digit zip code etc., of nic.mil's secret servers. I hope they liked the flowers I had sent, along with a card that said: "These are for your sister...". I didn't get near as much information from the Department of the Navy's attempted hack, although I still got enough to identify the source, and their IP address etc.; which probably means that, unless the Joint Chiefs of Staff have a ranch in Texas, the President of the United States probably has less experience trying to hack into computers of civilians than the Department of the Navy...

I don't keep anything of any significance on my internet computer, except for occasional files I might type up and/or transfer temporarily from one of my other computers to send in an email, or something similar. I have people from here to China, literally, including DoD, that try to break into my internet computer whenever I'm online. Sometimes I get several more port scans when I'm tracing an IP address; so, I have to look at the maps and network info from several hackers, from all over the world, before I can get back to what I was trying to do. When I'm on the internet, I feel like somebody inside a Land Rover, driving through an African wildlife preserve, with the windows rolled up, watching the monkeys climb

all over the car, trying to figure out how to get in. If the Department of the Navy, and/or any other branch/agency, etc., wants any information from me about "CAP", or other related data, it would be a lot easier if they just asked me. Most of the specific hard copy data I have from "CAP", etc., was obtained from some government agency or another, or obtained routinely by myself through unclassified sources, and I could just point out folder categories to look under to find even more data they should have access to. Information somebody else might consider trivial and/or irrelevant to showing patterns of ordered assassination might be the most crucial, because irrelevant patterns often accompany seemingly unrelated actions for reasons that are secondary to procedures taken in certain actions.

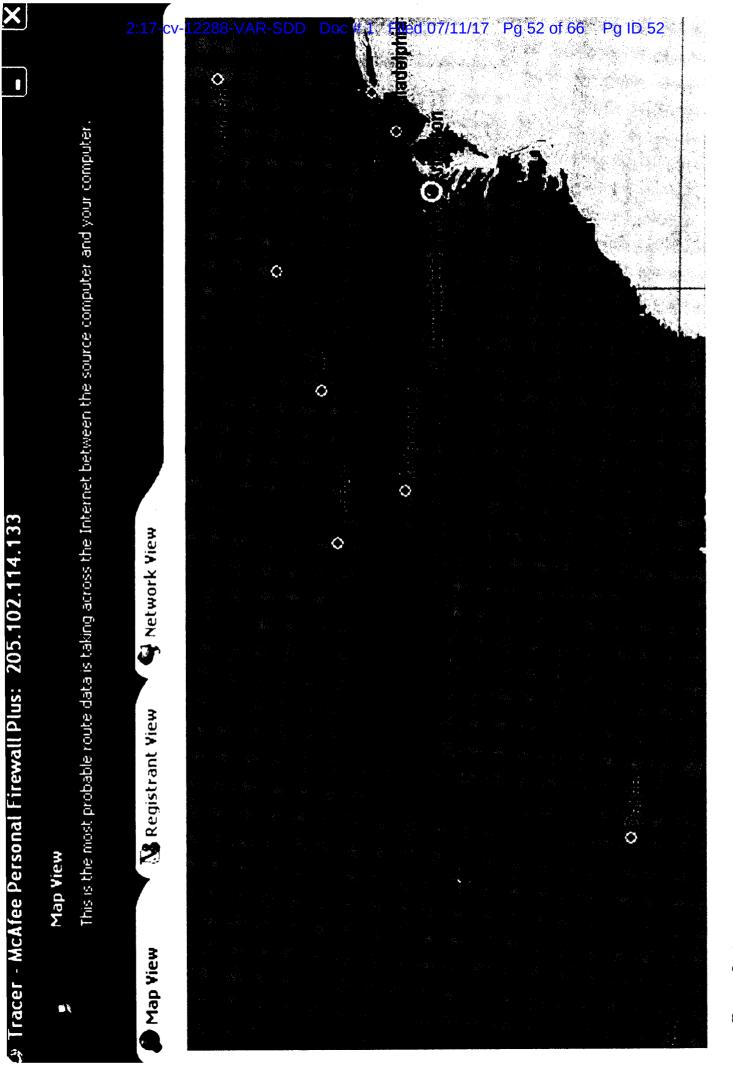
Even though I had a secondary m.o.s. of recon, a third m.o.s. for "CAP", and finally a fourth m.o.s. of range coach, my primary m.o.s. was rifleman. If a lawyer needs to remember something essential to winning their case, they can just have a research clerk run to the local law library; and, if they lose, they still get paid, unless it's on a contingency, in which case they'll probably hope to settle out of court. If a rifleman doesn't remember everything they need to know when on a patrol or ambush, they might blow themselves up before they even encounter the enemy; and, if they encounter the enemy and lose, the best they can hope for is a closed casket so it doesn't make people puke. The human mind in combat has to go into a mode which will allow them to assess their present situation in an instant in order to survive. While officers were drawing circles and squares around tactical areas of responsibilities, assigning basic objectives, sticking pins on maps, and trying to figure what the relationship is between four, five, and six, riflemen would hear a major chord, and know it was probably time for a cymbal crash. I think most people don't realize that the world lived in by riflemen in combat, no matter what side they're on, is a secret society, with it's own traditions, passed on by other riflemen in combat. In Viet Nam it would have been easier to get by with murder out in the bush, than to get by with saying dirty words over the radio, if the other members of the squad or fireteam were willing to go along with it. Once a squad left the command post, what a squad did, and where they were actually at, was between the members walking in the squad at that time, and anybody they informed over the radio, if their radio reports were true and accurate, which was not always the case. It was common for marine rifle squads leaving the command post to indulge in a practice known as "bagging the bush into CAP", by entering the nearest CAP unit instead of heading to their assigned ambush sight. It was a tradition handed down in rifle companies isolated from each other, as well as those sharing the same command post. It was a convenient method to transfer information from rifle squads to CAP, and vice versa, although it would probably only be recorded in deeply buried C.I.A. files, and not Marine Corps files, except where Marines were injured or killed in a CAP unit they were not assigned to, during a firefight or other circumstances, which might be a possible link for crossreferencing on CAP. Back then there was no Freedom of Information Act. If "intelligence" people would have known there would be, some day, I'm sure they would have covered the tracks of their evil much better.

I can see irregularities that someone never in the bush in Viet Nam would not ever notice. Look at just the simple records in the sample month. Does it sound logical that "significant contacts" would be almost exclusively limited to zero or one weapons captured, especially with the 28 alleged Viet Cong killed referred to in the above said letter having zero weapons captured? I think if you check the statistics involving the Marine officer killed, referred to in the above said letter, you will find repeating patterns that show the orders came from very high up in the chain of command. If you allow murderers to get by with murders by a lapse of time, what will you do to keep murder in a war zone from becoming the national past time? Especially with a war zone where suicide car bombers are an everyday story. I'm not trying to prove a case. I'm just trying to get somebody to do a fair investigation, and/or give me the information so I can try to do it myself. If you try to do it secretly, the C.I.A. can sandbag you before you even get started. Are you planning to investigate the matter or cover it up? I certainly have a right to a substantial reasonable answer. Otherwise, who are you supposed to be representing?

The main reason I have spent more time on trying to bring the C.I.A. to justice for war crimes than domestic crimes committed by the C.I.A. is that I can show somebody how to cross reference through military files to prove murders through "CAP", while in regards to domestic issues, because I am the only living non-C.I.A. witness I know the whereabouts of, it is my word against theirs. The domestic activities, as illegal as they are, in regards to secrecy, make black ops look like white agents. I will now explain my current situation, which I usually don't discuss because it sounds so unusual, compared to things other people usually experience. There is no dispute on findings of law. It's my word against theirs on findings of fact. There is more at stake than just "CAP".

The bottom portion of this letter has been redacted for reasons previously stated

ANCHOR CLANKERS



Trace Status

Tracing has completed.

Close

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Map View

This is the most probable route data is taking across the Internet between the source computer and your computer.

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Trace Status

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Tracer - McAfee Personal Firewall Plus: 205.102.114.133

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Network View

This is publicly available information about the owner of the network you have traced.

Map View

M Registrant Yiew

C Network View

Hetwork Information

DoD Network Information Center JMCIS-BLOCK (NET-205-0-0-1)

205.0.0.0 - 205.117.255.255

DOD Network Information CenterSPAWARDEPARTMENT OF THE NAVY JMCIS-BLOCK3 (NET-205-96-0-0-1)

205.96.0.0 - 205.103.255.255

ARIN WHOIS database, last updated 2005-06-20 19:10

Enter? for additional hints on searching ARIN's WHOIS database.

EXHIBIT B, PAGE 9

Trace Status

Tracing has completed.

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Network View

This is publicly available information about the owner of the network you have traced.



Map View





O lletwork Information

DoD Network Information Center JMCIS-BLOCK (NET-205-0-0-1)

205.0.0.0 - 205.117.255.255

DOD Network Information CenterSPAWARDEPARTMENT OF THE NAVY JMCIS-BLOCK3 (NET-205-96-0-0-1)

205.96.0.0 - 205.103.255.255

Enter? for additional hints on searching ARIN's WHOIS database. ARIN WHOIS database, last updated 2005-06-20 19:10

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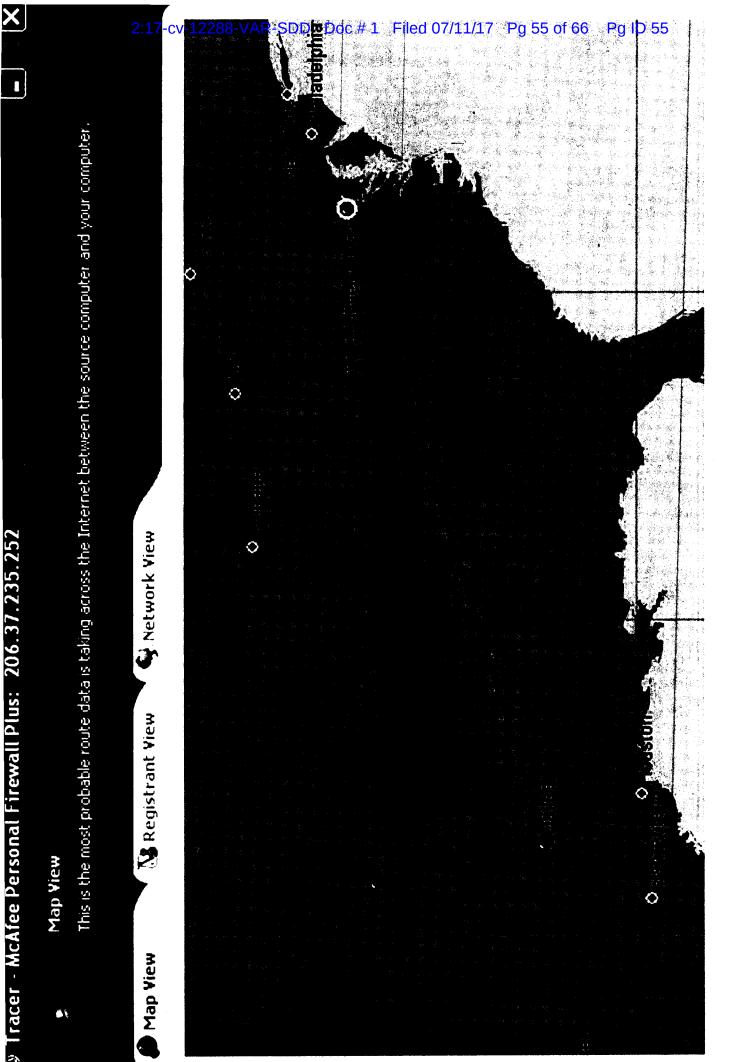
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GEORGE W. BUSH RANCH



Trace Status

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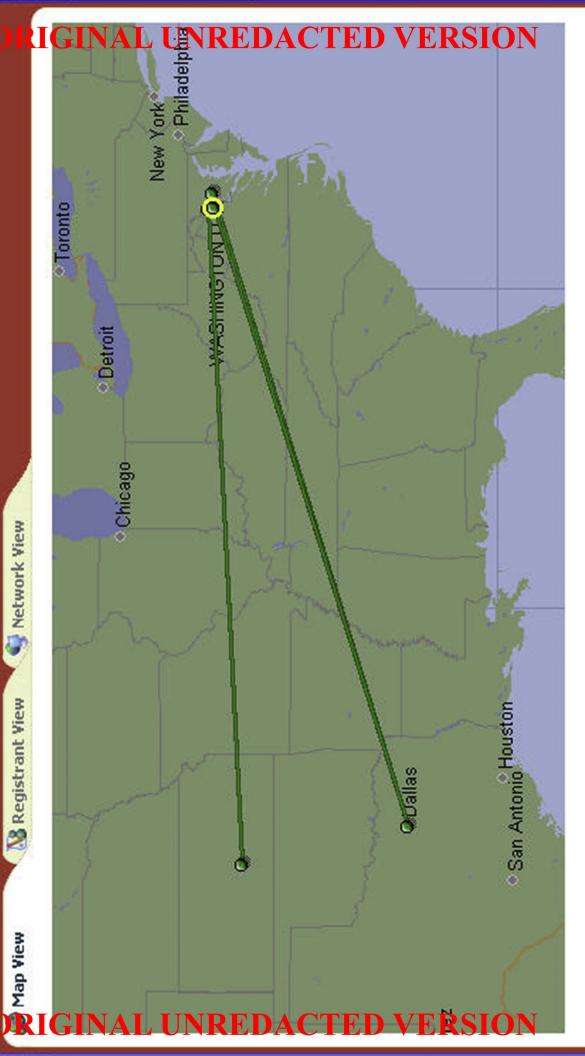
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Map View

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Trace Status

Tracing has completed.

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Network View

This is publicly available information about the owner of the network you have traced.

Map View

🚜 Registrant Yiew



lletwork Information

OrgName: DoD Network Information Center

DNIC Address: OraID:

7990 Science Applications Ct Address: M/S CV 50

Vienna City:

StateProv: VA

PostalCode: 22183-7000

Country: US

NetRange: 206.36.0.0 - 206.39.255.255

206.36.0.0/14 DDN-8LK-36 NetName: CIDR:

NetHandle: NET-206-36-0-0-1 Parent: NET-206-0-0-0

NameServer: AAA-VIENNA.NIPR.MIL NetType: Direct Allocation

NameServer: AAA-VAIHINGEN.NIPR.MIL NameServer: AAA-KELLY.NIPR.MIL

DOD Network Information Center NameServer: AAA-WHEELER.NIPR.MIL Comment: 14200 Park Meadow Dr., Suite 200 Chantilly, VA 20151 US Comment: Comment:

08-50-5661 2005-04-29 Jpdated:

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Trace Status

Tracing has completed.

McAfee.com Personal Firewall Pius



Connection Attempt **Blocked**

has attempted an unsolicited connection to A computer at IP address 69.244.179.18 TCP port 3340 on your computer.

View the Event Log

Trace This Address

Turn Off This Alert Type

Continue What I Was Doing



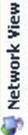


Network View

This is publicly available information about the owner of the network you have traced.



M Registrant View



Hetwork Information

OrgName: DoD Network Information Center

OrgID: DNIC

Address: 7990 Science Applications Ct

Address: M/S CV 50

City: Vienna

StateProv: VA

PostalCode: 22183-7000

Country: US

NetRange: 206.36.0.0 - 206.39,255,255

CIDR: 206.36.0.0/14

NetName: DDN-BLK-36

NetHandle: NET-206-36-0-0-1 Parent: NET-206-0-0-0 NetType: Direct Allocation NameServer: AAA-VIENNA.NIPR.MIL NameServer: AAA-KELLY.NIPR.MIL

NameServer: AAA-VAIHINGEN.NIPR.MIL NameServer: AAA-WHEELER.NIPR.MIL

Comment: DOD Network Information Center Comment: 14200 Park Meadow Dr., Suite 200

Comment: Chantilly, VA 20151 US

ReqDate: 1995-05-30

Updated: 2005-04-29

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Trace Status

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TED SERSION

McAfee.com Personal Firewall Plus



Connection Attempt Blocked A computer at IP address 69,244,179,180 has attempted an unsolicited connection to TCP port 3340 on your computer.





Trace This Address



Continue What I Was Doing

Tracer - McAfee Personal Firewall Plus: 206.37.235.252

Network View

This is publicly available information about the owner of the network you have traced.

Map View

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Hetwork Information

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Parent: NET-206-0-0-0

NetType: Direct Allocation

NameServer: AAA-VIENNA.NIPR.MIL

NameServer: AAA-KELLY.NIPR.MIL

NameServer: AAA-VAIHINGEN.NIPR.MIL NameServer: AAA-WHEELER.NIPR.MIL DOD Network Information Center Comment: Comment:

14200 Park Meadow Dr., Suite 200

Chantilly, VA 20151 US Comment:

1995-05-30 RegDate:

2005-04-29

Updated:

TechHandle: MIL-HSTMST-ARIN TechName: Network DoD

TechEmail: HOSTMASTER@nic.mil TechPhone: +1-703-676-1051

OrgTechHandle: MIL-HSTMST-ARIN OrgTechName: Network DoD

OrgTechEmail: HOSTMASTER@nic.mil OrgTechPhone: +1-703-676-1051

Enter? for additional hints on searching ARIN's WHOIS database. ARIN WHOIS database, last updated 2005-05-17 19:10

Trace Status

Tracing has completed.

McAfee.com Personal Firewall Plus



Connection Attempt **Blocked**

has attempted an unsolicited connection to 150 port 3340 on your computer. A computer at IP address 69.244.179.18



Trace This Address

Turn Off This Alert Type

Continue What I Was Doing









Map View





Network Information

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NET-206-0-0-0

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NameServer: AAA-VAIHINGEN.NIPR.MIL

NameServer: AAA-WHEELER.NIPR.MII

DOD Network Information Center Comment:

14200 Park Meadow Dr., Suite 200 :omment:

Chantilly, VA 20151 US :omment:

995-05-30 ReqDate:

2005-04-29 Jpdated: echHandle: MIL-HSTMST-ARIN

echName: Network DoD

TechPhone: +1-703-676-1051

echEmail: HOSTMASTER@nic.mil

OrgTechHandle: MIL-HSTMST-ARIN OrgTechName: Network DoD

OrgTechPhone: +1-703-676-1051

OrgTechEmail: HOSTMASTER@nic.mil

Enter? for additional hints on searching ARIN's WHOIS database. ARIN WHOIS database, last updated 2005-05-17 19:10

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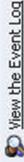
McAfee.com Personal Firewall Plus

Blocked

has attempted an unsolicited connection to A computer at IP address 69.244.179.180 Connection Attempt

TCP port 3340 on your computer.

S) I want to...



Trace This Address

Turn Off This Alert Type

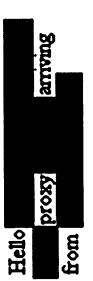
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Pg ID 58

http://www.nic.mil/

Department of Defense Network Information Center



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EXHIBIT B, PAGE 14

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Index all Commanders, and the other
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Department of Defense Network Information Center

http://www.nic.mil/



DISA Security and Privacy Notice

Agency is a combat support The Defense Information Systems

agency responsible for planning developing fielding operating and

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command, control, Supporting communications,

and information systems that serve needs of the President, Vice

the Secretary of Defense, the Joint President,

Miefs of Staff, the Combatant
Commanders, and the other
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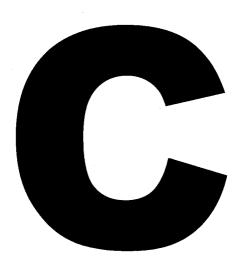
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END OF

EXHIBIT

EXHIBIT



SIGN OFF

Yelcone, Dean K. Kibbe

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About

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Appeal a FOIA Request

online request Second FOIA

online request First FOIA

Pursuant to the Freedom of Information Act, I hereby request, within 20 days, the following information: THE COMPLETE UNIT DIARIES FOR THE MONTH OF NOVEMBER 1968 AND DECEMBER 1968 FOR: COMBINED ACTION COMPANY 1-3, 2 items found, displaying all items. USMC-2017-004735 Tracking Number PROGRAM, Search FOIA Requests

Rednest USMC-2017-002283

Complex 01/03/2017

02/07/2017

COMBINED ACTION

REPUBLIC OF VIET NAM

FIRST COMBINED ACTION GROUP;

THIRD MARINE AMPHIBIOUS FORCE

Detail

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Assignment

04/20/2017

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Simple

Request

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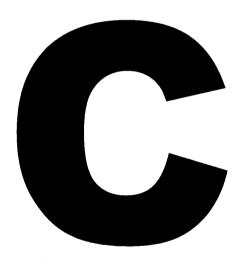
March 25

paper in Times New Roman font sent to my home at the following address: Dean R. Kibbe 1223 Union Street Headquarters US Marine Corps (ARSF), FOIA/PA Section (ARSF) 3000 Marine Corps Pentagon Pursuant to the related data for said incident, for the United States Marine officer assassinated by the Central Intelligence Freedom of Information Act, I hereby request the following information: The name, rank, serial number, recorded information regarding said incident. I would like a written response within 20 days with ink on Agency, after leaving CAP 1-3-8, First Combined Action Group, Combined Action Program, Third Marine specifications of said job function, last assigned unit, longitude and latitude of incident, and all other Amphibious Force, at 17:00 Hours, on 11 November, 1968, in the Republic of Viet Nam, and all other military occupational specialty, last assigned job title, last assigned job function, including military Port Huron, Michigan 48060-5724

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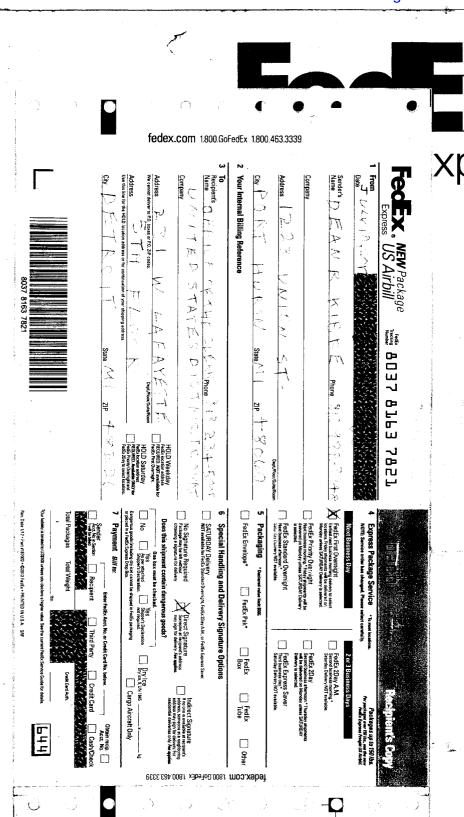


JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS DEFENDANTS									
KIBBE, DEANR.				UNITED STATES, atal					
(b) County of Residence of First Listed Plaintiff				i	of First Listed Defendant				
1	XCEPT IN U.S. PLAINTIFF CA	(SES)		·	AN U.S. PLAINTIFF CASES O	ONLY)			
STIC	LAIR			Case:2:17-cv	<i>y</i> -12288				
(c) Attorneys (Firm Name, Address, and Telephone Number) NPROF NEAN R. KIBBE, IN PROF				MJ: Davis, S Filed: 07-11-	rts, Victoria A. tephanie Dawkins 2017 At 10:24 AM				
1 2 6 7	RTHUR	CMP KIBBE	V. THE UNITED STAT	TES ET A					
II. BASIS OF JURISDI	CTION (Place an "X" in G	ne Box Only)	III. CI	L L (DA)		- u			
☐ 1 U.S. Government Plaintiff	☐ 3 Federal Question (U.S. Government)	Not a Party)		(For Diversity Cases Only) PT en of This State					
2 U.S. Government			Citiz	en of Another State		Principal Place 🗇 5 🗇 5			
				en or Subject of a reign Country	3 🗇 3 Foreign Nation	1 6 1 6			
IV. NATURE OF SUIT						of Suit Code Descriptions.			
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☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability	PERSONAL INJURY □ 365 Personal Injury - Product Liability □ 367 Health Care/		25 Drug Related Seizure of Property 21 USC 881 90 Other	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157	375 False Claims Act 376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment			
 □ 150 Recovery of Overpayment & Enforcement of Judgment □ 151 Medicare Act □ 152 Recovery of Defaulted 	☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability	Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal			☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated	☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation			
Student Loans (Excludes Veterans)	340 Marine 345 Marine Product	Injury Product Liability			New Drug Application 840 Trademark	☐ 470 Racketeer Influenced and Corrupt Organizations			
☐ 153 Recovery of Overpayment of Veteran's Benefits	Liability 350 Motor Vehicle	PERSONAL PROPER 370 Other Fraud		10 Fair Labor Standards	□ 861 HIA (1395ff)	480 Consumer Credit 5 490 Cable/Sat TV			
☐ 160 Stockholders' Suits ☐ 190 Other Contract	☐ 355 Motor Vehicle Product Liability	☐ 371 Truth in Lending ☐ 380 Other Personal	- 1	Act 20 Labor/Management	☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange			
☐ 195 Contract Product Liability ☐ 196 Franchise	☐ 360 Other Personal Injury ☐ 362 Personal Injury -	Property Damage 385 Property Damage Product Liability		Relations 40 Railway Labor Act 51 Family and Medical	☐ 864 SSID Title XVI ☐ 865 RSI (405(g))	☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters			
	Medical Malpractice	量。17.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.	0 79	Leave Act O Other Labor Litigation	AND THE PROPERTY OF THE PARTY O	895 Freedom of Information Act			
☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land	☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/	Habeas Corpus: 463 Alien Detainee 510 Motions to Vacate Sentence	17 79	91 Employee Retirement Income Security Act	☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision			
245 Tort Product Liability290 All Other Real Property	Accommodations 445 Amer. w/Disabilities -	☐ 530 General ☐ 535 Death Penalty	9.75	WAR THE TANK THE PARTY OF THE P		950 Constitutionality of State Statutes			
	Employment 446 Amer. w/Disabilities - Other 448 Education	Other:		52 Naturalization Application 55 Other Immigration Actions					
V. ORIGIN (Place an "X" i	n One Box Only)								
	moved from	Remanded from Appellate Court		nstated or	r District Litigation				
VI. CAUSE OF ACTION		5 V		Do not cite jurisdictional stat		10.1 A = T			
VII. REQUESTED IN COMPLAINT: COMPLAINT: CHECK IF THIS IS A CLASS ACTION DEMAND'S CHECK YES only if demanded in complaint: JURY DEMAND: 1 Yes No									
VIII. RELATED CASI	E(S) (See instructions):	JUDGE			DOCKET NUMBER				
DATE TULY 10,2 FOR OFFICE USE ONLY	017	SIGNATURE OF ATT	FORNEY	Kille					
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New Lawsuit Check List Instructions: Put a check mark in the box next to each appropriate entry to be sure you have all the required documents.									
P P	Two (2) completed Ci	of de	The state of the s		Case:2:17-cv-12288 Judge: Roberts, Victoria A. MJ: Davis, Stephanie Dawkins Filed: 07-13-2017 At 10:24 AM CMP KIBBE V. THE UNITED STATES ET A L (DA)				
(L)		nts a	e government agencies:	.S. Att	orney and the Attorney General.				
	If Paying? Current new civil action Fees may be paid by check	The Fon filing	illing Fee: ng fee is attached. ney order made out to:		If Asking That The Filing Fee Be Walved: Two (2) completed Application to Proceed in District Court without Prepaying Fees or Costs forms.				
	Received by Clerk:	_ Receip	e:Method of Service you wi	ll emp	Received by Clerk:				
Se	rvice via Summons by Self	S	dervice by U.S. Marshal (Only available If fee is waived)		Service via Walver of Summons (U.S. Government cannot be a defendant)				
B	Two (2) completed summonses for each defendant including each defendant's name and address.	0	Two (2) completed USM – 285 Forms per defendant, if you are requesting the U.S. Marshal conduct service of your complaint. Two (2) completed Request for Service by U.S. Marshal form.	0	You need not submit any forms regarding the Waiver of Summons to the Clerk. Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need: One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant. Two (2) Waiver of the Service of Summons forms per defendant.				
	Received by Clerk:		Received by Clerk:		Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.				
Clerk's Office Use Only Note any deficiencies here:									