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U.S. DISTRICT COURT
DISTRICT OF UTAH

Pro Se Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

JESSE C. TRENTADUE,

Plaintiff,

vs.

FEDERAL BUREAU OF
INVESTIGATION and FEDERAL
BUREAU OF INVESTIGATION'S
OKLAHOMA CITY FIELD OFFICE ,

Defendants.

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:
: **DECLARATION OF TERRY LYNN**
: **NICHOLS**
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: Case No.: 2:04 CV 00772 DAK
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: Judge Dale A. Kimball
: Magistrate David Nuffer
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Pursuant to 28 U.S.C. § 1746 I, Terry Lynn Nichols, do hereby certify, verify and
state under penalty of perjury as follows:

The Bureau of Prisons and Department of Justice have denied me all contact with the media.

5. I had an opportunity to meet with Congressman Dana Rohrbacher. I had hoped that the results of that meeting would lead to an independent, deeply probing, open investigation of the Oklahoma City bombing, including what I now believe was the hidden role of various federal agencies in that matter. Unfortunately, that did not happen. It did not happen because I was not able to speak openly and candidly with Congressman Rohrbacher since, despite my objections, an FBI agent was present during that interview.

6. Subsequently, I received a request from Congressman Rohrbacher to meet with him again, stating that his purpose for this meeting was "to discuss a connection between the Philippines and the Oklahoma City bombing." Since I know of no Philippines connection, I declined to meet with Congressman Rohrbacher a second time. A true and correct copy of Congressman Rohrbacher's request for that second meeting and my response is attached hereto as Exhibit A.

7. In December, 2006, Congressman Rohrbacher issued the results of his two-year investigation of the Oklahoma City bombing. He concluded that important questions about the case remain unanswered, largely because the Department of Justice refused to cooperate with his investigation. In a media interview, Congressman Rohrbacher said

however, that he was to begin making contacts with a "network" of people after the first of the year and that he was to take no action in furtherance of this mission until called upon. McVeigh said he would soon be making his first contact "down south."

11. McVeigh's first contact came one month later, in Florida. It was with Roger Moore: a gun dealer who lived in Royal, Arkansas with his girlfriend and business associate Karen Anderson. McVeigh met Moore at a gun show in Ft. Lauderdale in January of 1993.

TLN
On October 01, 1994 *TLN*
12. McVeigh and I stole explosives from a quarry in Marion, Kansas consisting of 8-1/2 cases or boxes containing 229 (2 inch x 16 inch) sticks of the gel type explosive known as Tovex. We took no Kinestik from the Marion Quarry. Furthermore, only a small amount of these quarry explosives was used in McVeigh's bomb. I do not know what McVeigh did with the other 7-1/2 boxes of Tovex.

Insert after #16
TLN

13. Thereafter, McVeigh, Anderson and Moore traveled the gun show circuit. This was McVeigh's "network" he used to obtain materials, people and knowledge with which to carry ^{out} *TLN* the Oklahoma City bombing. Attached hereto as Exhibits B and C are, respectively, FBI 302 reports of interviews with Roger Moore and Karen Anderson documenting their travels around the gun show circuit with McVeigh.

provided to detonate a bomb, explosives from the Marion, Kansas quarry, two tons of ammonium nitrate fertilizer, twelve 55 gallon barrels (6 being black metal and 6 being white plastic) to hold the fertilizer, 3 barrels of nitromethane which McVeigh purchased in Texas, and 4 inch x 4 inch x 8 foot treated wooden poles used to secure the barrels in the Ryder truck. It was after McVeigh had assembled the components for a bomb that he asked me to rob Roger Moore.

18. On November 1, 1994, McVeigh approached me about robbing Moore. Initially, I refused. McVeigh threatened to harm both me and my family if I did not rob Roger Moore. McVeigh then went in to great detail about the case with which the robbery would be carried out. He says that "it will be much easier than you think. Moore will be like a kitten and will give you absolutely no trouble at all – just trust me."

19. At this point, I said "If it is that easy, then why don't you do it yourself instead of the two of us?" McVeigh then said: "You're going to be doing it by yourself. I will be in New York with an alibi and since Roger doesn't know you, any investigation will come to an end." Instead of New York, I later discovered that McVeigh's alibi would be his presence at a gun show in Ohio when the robbery took place.

20. McVeigh went on to give me the following details about the robbery: It had to be done on Saturday, November 5, 1994; Karen Anderson, Moore's girlfriend, would

him up. I then gathered Moore's belongings into his van, which was conveniently parked next to the door.

24. Among the things that I took from Moore was a box containing tubes of nitromethane, which form part of the binary explosive Kinestik. This was the box of explosives recently discovered at my Herington, Kansas ~~farm~~^{PLN} home and seized by the FBI. I hid those explosives at my home after the bombing. Although Moore denies ever having had Kinestik, these explosives that I took that day were in a box addressed to "Robert Miller," which was Moore's alias. I also have no doubt that Moore's fingerprints are on that box and/or those explosives.

25. McVeigh's share of the robbery was to be \$2,000. I was to keep the remaining money, which was approximately \$35,000 and all other property. But later, without my knowledge, McVeigh gave about one-third of the 77 guns taken in the Moore robbery to Michael Fortier. I was suppose to keep the rest of the guns. Attached hereto as Exhibit E is a true and correct copy of the *Investigative Memorandum* done on Roger Moore by Roland Leeds from information obtained by the FBI, including Moore's statement to his attorney that he (Moore) would not be prosecuted as a result of the Oklahoma City bombing because he was a "protected witness."

McVeigh told me that the robbery was "staged" and that Roger Moore was part of McVeigh's plot. McVeigh said that I was chosen to carry out the robbery so that if Moore was polygraphed he could truthfully testify that he did not know the robber.

32. McVeigh also said that he and Moore came up with the plan to stage a robbery so that if any investigation of the bombing tracked back to Moore, Moore could claim that he was the victim of a home robbery rather than a supplier of funds and explosives used to carry out the attack. McVeigh specifically told me that the purpose of the robbery was so nobody could link Moore to McVeigh^{TLN} and the bombing. Attached hereto as Exhibit D is a true and correct copy of a *Memorandum* from McVeigh's attorneys documenting his involvement with Roger Moore, including Moore having provided McVeigh with the Kinestiks and McVeigh's threat to "sink Roger Moore" if Moore testified against McVeigh. It was shortly after this time that I learned that there had been a change in targets for the bombing.

33. McVeigh was extremely upset and angry. There, in what I believe was an accidental slip of the tongue, McVeigh revealed the identity of a high-ranking FBI official who was apparently directing McVeigh in the bomb plot. The name McVeigh let slip was Larry Potts - lead FBI agent at Ruby Ridge. McVeigh said he believed Potts was manipulating him, and forcing him "to go off script," which I understood meant to change

into the barrels. This worked well for the metal barrels with removable tops, but the lumpy fertilizer was a problem for the white plastic barrels, which could only be accessed by a small 3 inch bung hole. McVeigh shoved smaller solidified chunks of ammonia nitrate fertilizer into these plastic barrels through the bung holes.

37. I poured the nitromethane into the barrels. Neither I nor McVeigh mixed or attempted to mix the fertilizer and nitromethane. McVeigh then placed one of the Kinestiks he had received from Roger Moore in each barrel. McVeigh also placed one stick of Tovex we had taken from the Kansas quarry in each barrel along with the Kinestik.

38. Altogether, between 90 and 92 fifty pound bags of fertilizer ^{were used and 80 (FLN)} went into the barrels. To the rear of the V formed by the barrels, we stacked the remaining ^{to twelve (FLN)} ten bags of ammonium nitrate fertilizer that had been soaked in fuel oil since there was not enough nitromethane. The treated wooden poles were nailed to the floor of the truck to keep the barrels from shifting. As I mentioned earlier, I do not know what McVeigh did with the other 7-1/2 cases of Tovex taken from the Marion Quarry and not used in the construction of that bomb at Geary Lake on the morning of April 18, 1995, but McVeigh was planning another bombing later.

39. Attached hereto as Exhibit F are three sketches I made of various bomb configurations. Figure number one is the version of the bomb which Lori Fortier said that

detonator for that bomb, but the only thing that exploded was the Tovex. It blew the fertilizer all over the ground. The fertilizer did not explode.

44. I was not present with McVeigh on April 17, 1995, when he picked up a 20 foot Ryder truck. Furthermore, I never saw or spoke with McVeigh after he left Geary Lake on the morning of April 18, 1995. I was not with him in Oklahoma City on April 19, 1995.

41. Neither do I know the identities of the individuals seen with McVeigh on April 17, 1995, when he obtained the Ryder truck or in Oklahoma City on the morning of April 19, 1995, when he drove that truck to the Murrah Building. I likewise had no knowledge as to McVeigh's target that morning.

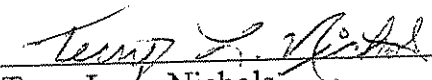
42. The only indication I had from McVeigh about the identity of his target was that he "wanted to make a statement" and that he was targeting some structure. I did not discover that the Murrah Building was the target until news of the bombing appeared on television.

43. On ~~Friday, April 21~~ ^{Thursday, April 20 (FLW)}, 1995, I went to the Herington, Kansas storage shed where McVeigh kept some of his things. In that shed, I found the rear license plate from the yellow Mercury McVeigh was driving when he was arrested after the bombing. I also found at least one hand grenade. The license plate and hand grenade I threw into a nearby river, on Friday morning the 21st. (FLW)

48. The statements set forth hereinabove are based upon personal knowledge.

Executed under penalty of perjury this 09th day of February, 2007 at Florence

Colorado.


Terry Lynn Nichols
No. 08157-031