



Alleged Wiki-leaker day 4: searching Manning's computers

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 11:11 AM December 19, 2011

CNN on December 19, 2011 released the following:

"By Larry Shaughnessy covering the hearing in Ft. Meade, MD

11:36a update

A cybercrimes investigator continued his testimony of his examination computers that PFC Bradley Manning had access to in Iraq.

Spec. Agent David Shaver, with the Army's Criminal Investigation Command (CID) said he examined Manning's secondary computer where he worked as an intelligence analyst. Shaver found more 100,000 full State Department cables on the secondary computer as well as software that would allow a user to copy data to a writable CD.

But during question by Manning's attorney, Shaver admitted that could not say that it was Manning who accessed the cable. He also found no evidence that this information was sent to anyone. Shaver was not asked if he compared any of the cables on Manning's secondary computer with the diplomatic cables released on WikiLeaks.

After Shaver's testimony, Manning's roommate from Iraq took the stand. Spec Eric Baker, who was with the military police in Manning's company, testified that he and Manning were not close and rarely spoke. But Baker said Manning told

Statement of Attorney General Eric Holder on the 2011 Preliminary Uniform Crime Report

(USDOJ: Justice News)

Submitted at 11:56 AM December 19, 2011

Attorney General Eric Holder today issued the following statement on the release of the FBI's Preliminary Uniform Crime Report showing a continued decrease in violent crime nationwide. The results show that the number of violent crimes reported in the first six months of 2011 declined 6.4 percent when compared with figures from the first six months of 2010.

him he "he probably planned on getting out of the military."

Baker also said Manning was a frequent user of his personal laptop in their quarters. "He used the computer quite often, between chow times. When I'd wake up in the middle of the night, he'd be on the computer," Baker said.

Shortly after another cybercrimes began testimony, court recessed for a conference among the lawyers and the presiding officer and then took lunch.

10:55a update

Testimony resumed Monday in the Article 32 hearing of PFC Bradley Manning as the defense cross examined an Army computer expert about files found on a computer linked to Manning.

(highlights from the weekend coverage here)

Spec. Agent David Shaver, with the Army's Criminal Investigation Command (CID) said that a search of military computers Manning used in Iraq revealed he had downloaded the same secret documents and videos that were released online by the website WikiLeaks.

Shaver was asked if he compared any of the 10,000 diplomatic cables found on a secure computer to the 250,000 diplomatic files on WikiLeaks. He said those he compared did not match, but he did not say how many of the files he compared.

He also said the 10,000 were in a computer file that was corrupted, and it would have been difficult if not

Justice Department Recovers \$3 Billion in False Claims Act Cases in Fiscal Year 2011

(USDOJ: Justice News)

Submitted at 12:03 PM December 19, 2011

The \$3 billion total for fiscal year 2011 includes a record \$2.8 billion in recoveries under the whistleblower provisions of the False Claims Act, which is the government's primary civil remedy to redress false claims for federal money or property, such as Medicare benefits, payments on military contracts, and federal subsidies and loans.

U.S. v. Gary L. Johns

(Antitrust Division: Criminal Case Filings)

Submitted at 11:27 AM December 19, 2011

Document filed on December 12, 2011

impossible to open those files without sophisticated computer tools.

Shortly after that testimony, the court went into closed session so Shaver could testify about classified matters.

The news media and general public are forbidden from witnessing classified testimony."

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Federal Criminal Defense Attorneys
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To find additional federal criminal news, please read [Federal Crimes Watch Daily](#).

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The author of this blog is Douglas McNabb. Please feel free to contact him directly at mcnabb@mcnabbassociates.com or at one of the offices listed above.

Assistant Attorney General Thomas E. Perez Speaks at the Seattle Police Department Investigative Findings Announcement

(USDOJ: Justice News)

Submitted at 11:45 AM December 19, 2011

"Our attorneys, investigators and experts conducted extensive interviews with command staff and rank-and-file officers; participated in ride-alongs with officers; and reviewed thousands of pages of documents," said Assistant Attorney General Perez.

- [Plea Agreement](#)
- [Information](#)



Former El Paso County Judge Indicted in Alleged Public Corruption Investigation

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 8:25 AM December 19, 2011

The Federal Bureau of Investigation (FBI) on December 16, 2011 released the following:

“United States Attorney Robert Pitman and FBI Special Agent in Charge Mark Morgan announced that former El Paso County Judge Antonio Guillermo Cobos, a.k.a. Anthony Cobos, faces federal charges stemming from a “pay-to-play” scheme in the ongoing public corruption investigation.

A three-count indictment which was returned on December 14, 2011, and unsealed today—charges Cobos, age 44, and 61-year-old Lorenzo Hilario Aguilar with one count of conspiracy to commit mail fraud and the deprivation of honest services; one count of mail fraud and the deprivation of honest services; and, one count of mail fraud.

The indictment alleges that during 2007, the defendants and others devised a fraudulent scheme which deprived the citizens of El Paso County of the intangible right to honest services of public officials. The indictment further alleges that Cobos accepted bribes in the form of cash money and other benefits, including campaign contributions to Cobos-supported individuals running for the El Paso City Council, in exchange for his vote and influence in refinancing

Illinois Company to Pay \$500,000 Fine for Violating Do Not Call Provisions of the Telemarketing Sales Rule

(USDOJ: Justice News)

Submitted at 2:48 PM December 19, 2011

Americall Group Inc. (AGI), a Naperville, Ill., telemarketing company specializing in sales for financial service and insurance companies, has agreed to settle charges that AGI violated “do not call” provisions of the Telemarketing Sales Rule.

Department of Justice Releases Investigative Findings on the East Haven, Connecticut, Police Department

(USDOJ: Justice News)

Submitted at 1:43 PM December 19, 2011

The investigation found that EHPD intentionally targets Latinos for traffic enforcement and treats Latino drivers more harshly after traffic stops in violation of the Fourteenth Amendment, Title VI and the Safe Streets Act.

approximately \$40 million of El Paso County debt and to terminate the then El Paso County financial advisor’s contract and replace with another company. “The citizens of El Paso County expect, and are entitled, to have their elected representatives make decisions on the basis of the merits of what they are voting on, not whether or how they can personally benefit. This indictment attempts to hold those who breach that trust accountable for their conduct,” stated United States Attorney Robert Pitman. Each of the charges contained in the indictment call for up to 20 years in federal prison and a maximum \$250,000 fine upon conviction.

“These indictments and arrests represent the FBI’s commitment to the citizens of El Paso that we will vigorously continue to investigate allegations of public corruption regarding elected or appointed public officials. The hard work and dedication of the El Paso FBI agents, professional staff, and U.S. Attorney’s Office is prevalent in today’s charges. The citizens of this community deserve to have a sense of confidence that their tax dollars are being spent honestly,” stated FBI Special Agent Mark Morgan.

This is the eighth indictment stemming from a large-scale FBI investigation which began in 2004. Assistant United States Attorneys William F. Lewis, Jr., and Juanita Fielden are prosecuting this

Michigan Tax Defiers Sentenced to Jail for Tax Fraud Scheme

(USDOJ: Justice News)

Submitted at 5:21 PM December 19, 2011

David A. Cusumano of Plymouth, Mich., and Henry Nino, a resident of Northville, Mich., were sentenced today following their pleas of guilty to tax evasion, the Justice Department and Internal Revenue Service Criminal Investigation (IRS-CI) announced today.

Florida Loan Officer Sentenced in Connection with \$2.5 Million Reverse Mortgage and Loan Modification Scheme

(USDOJ: Justice News)

Submitted at 2:57 PM December 19, 2011

John Incandela, 25, of Palm Beach, Fla., was sentenced to 41 months in prison, three years of supervised release and ordered to pay over \$1.9 million in restitution.

case on behalf of the government.

An indictment is merely a charge and should not be considered as evidence of guilt. The defendants are presumed innocent until proven guilty in a court of law.”

Douglas McNabb – McNabb Associates, P.C.’s

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US, Canada and Mexico Antitrust Officials Participate in Trilateral Meetings in Mexico to Discuss Antitrust Enforcement

(USDOJ: Justice News)

Submitted at 12:21 PM December 19, 2011

The heads of the antitrust agencies of the United States, Canada and Mexico met today to reaffirm their commitment to effective enforcement cooperation.

New Jersey Solid Waste Management Facility Sentenced After Illegally Dumping in Upstate New York

(USDOJ: Justice News)

Submitted at 3:49 PM December 19, 2011

Eagle Recycling was sentenced to pay a \$500,000 criminal fine and more than \$70,000 in restitution and cleanup costs.



Rudd urged to protect Assange

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 11:00 AM December 19, 2011

The Sydney Morning Herald on December 19, 2011 released the following:

Dan Oakes

“THE former prime minister Malcolm Fraser and dozens of public figures have called on the Foreign Affairs Minister, Kevin Rudd, to ensure the WikiLeaks founder Julian Assange is protected from “rendition” to the US.

They warn that if Assange is extradited from Britain to Sweden, where he may face rape and sexual assault charges, he could then be handed over to the US, where prosecutors are considering criminal charges against him following the release of confidential cables.

“The chances of Mr Assange receiving a fair trial in the United States appear remote. A number of prominent political figures have called for him to be assassinated, and the Vice-President has called him a ‘high-tech terrorist’,” their open letter reads.

“Given the atmosphere of hostility in relation to Mr Assange, we hold serious concerns about his safety once in US custody. We note that Mr Assange is an

Convicted Child Killer and Prison Escapee Added to 15 Most Wanted List

(U.S. Marshals Service News)

Submitted at 10:20 AM December 19, 2011

December 19, 2011 - 15 Most Wanted Addition - The U.S. Marshals Service has announced the addition of Edward Salas to its 15 Most Wanted fugitive list. A convicted child killer, Salas escaped from the Curry County Detention Center in Clovis, New Mexico, on August 28, 2008, and has been on the lam ever since. At the time of his escape, he was serving a life sentence plus 56 years for his role in the murder of 10-year-old Carlos Perez.

Australian citizen, whose journalistic activities were undertaken entirely outside of US territory.”

Assange has been on bail in Britain for almost a year as he fights extradition to Sweden, where two women have alleged he committed sexual offences against them. He has denied the claims, and last week won the right to appeal against the extradition.

The signatories to the letter – who also include the – American academic Noam Chomsky, Julian Burnside, QC, and the Greens leader Bob Brown – warn that Sweden could hand Assange over to the US without the “appropriate legal processes that accompany normal extradition cases”.

Private Bradley Manning, who leaked the thousands of secret cables, faced the first day of a preliminary hearing on Friday to determine whether he should be court-martialled over the leaks.

Private Manning’s lawyer told the court that the government wanted the 24-year-old soldier to agree to plead guilty in return for a reduced sentence so he could be used as a witness against Assange and WikiLeaks. Lawyers for Assange were in the courtroom during the first day of the pre-trial hearing, and have asked for

access to the court for the duration of the proceedings.”

Douglas McNabb – McNabb Associates, P.C.’s

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