

FBI fights order for deposition of Oklahoma City bombing conspirator, death-row inmate

The Salt Lake Tribune | 06 Nov 2008 | Pamela Manson

The FBI is appealing an order that allows a Utah attorney to conduct taped depositions of Oklahoma City bombing conspirator Terry Nichols and a death-row inmate.

Salt Lake City lawyer Jesse Trentadue believes that the two inmates have valuable information about his brother's death in a federal prison - and about the FBI's alleged withholding of many of the relevant documents requested in his Freedom of Information Act (FOIA) suit.

Authorities say the August 1995 death of Kenneth Trentadue in a cell at an Oklahoma City federal prison was a suicide, but the inmate's family believes he was mistaken for a bombing conspirator and that guards strangled him with a set of plastic handcuffs in an interrogation that got out of hand.

To support that theory, Jesse Trentadue has filed three FOIA lawsuits. As part of one of those suits, he requested an order allowing the depositions from Nichols and David Paul Hammer, who now is on death row at the federal penitentiary at Terre Haute, Ind.

Lawyers for the FBI objected, saying the agency has made appropriate searches for documents.

U.S. District Judge Dale Kimball granted Trentadue's request last year. He reaffirmed that order in September after the FBI asked him to reconsider.

On Tuesday, Nov. 4 the FBI filed a notice that it is asking the 10th U.S. Circuit Court of Appeals in Denver to reverse the order.

The body of Kenneth Trentadue, who had served time for bank robbery and was being held on an alleged parole violation, was found hanging in his cell on Aug. 21, 1995.

Nichols and Hammer already have supplied Jesse Trentadue with written affidavits concerning Timothy McVeigh, who carried out the bombing and was executed in 2001.

Nichols - who is serving a life sentence at the U.S. Penitentiary Administrative Maximum Facility in Florence, Colo. - claims a high-ranking FBI official "apparently" was directing McVeigh in the plot. Both Nichols and Hammer, who says he had lengthy conversations with McVeigh while the two were both housed at the Terre Haute facility, say McVeigh claimed to be an undercover operative for the military.

The FBI has denied any role in the bombing.