

Sir/Madam/Miss,

This office was involved in an incident at 346 Scott Street on April 23, 2005 with a handgrenade separated by Sgt Cody Bergers US Army Ordnance.

I wish to obtain a ~~copy~~ copy of any and all related reports in reference to this non-functional grenade and any post-legal action by State.

Respectfully,

M. Keprakeo

Lucy,

this individual has never been an inmate at the jail. His correspondence doesn't apply to us. He is asking for records from your office.

Thank you.
Kate
LCCF

RIGHT TO KNOW FOLKS,
THIS WAS FORWARDED BACK
TO US FROM LCCF, HOWEVER,
WE BELIEVE YOU FOLKS
NEED TO BE INVOLVED
WITH THIS REQUEST.

THANK YOU,
DAVE E.
LCEMA

EXPLOSIVE ORDNANCE INCIDENT REPORT

For use of this form, see FM 8-16; the proponent agency is US Army Training and Doctrine Command.

1. UNIT NUMBER

756-60-05

2. CONTROL NUMBER

63-39-05

3. UNUSUAL



4. RUMTIME



SECTION A: INITIAL INFORMATION

5. DATE/TIME REPORTED

6. REPORTED BY
Steve McConich

7. PHONE NUMBER
570-819-4923

8. ADDRESS
Luzerne County EMA
101 water ST, Wilkes-Barre, Pa 18705

9. INCIDENT LOCATION
346 Scotts St
Wilkes-Barre, Pa 18705

10. POINT OF CONTACT
Steve McConich

570-819-4923

11. ITEM(S) REPORTED
1 ea. Grenade

SECTION B: ACTION BY EOD

12. PERSONNEL DISPATCHED

SSG Bergen

SGT Burgess

13. DATE/TIME

A. DEPT

23 April 05 / 1600

B. ARR

23 April 05 / 1730

C. COMPL

23 April 05 / 2145

14. TRAVEL DATA

A. AIR-FLYING TIME

B. PER. MILEAGE

15. WORK HOURS

A. TRAVEL

B. INCIDENT

16. CONFIRMED IDENTIFICATION

1 ea MK II Grenade with canon fuse inside the body.

17. DISPOSITION

RSP/SCRAP

18. INCIDENT NARRATIVE INCLUDE ALL SIGNIFICANT DETAILS AND PROBLEMS

An individual in Wilkes-Barre, Pa had his house searched by the Luzerne County EMA on Saturday the 23 of April. Upon the search the EMA found a MK II grenade lying on a desk inside the individuals house. The grenade contained a small amount of black powder and canon fuse in the inside. The Grenade was taken to a local vacant parking lot and the fusing was separated from the grenade body by remote procedures. The grenade at that time posed no hazard and was put in a scrap pile.

EXPLOSIVES USED:

Cart Impulse Elec. .50 cal M174 Low PXX-92K001-015 1EA

Bergen
Bergen City & SSG

Burgess Bruce SGT

SECTION C: AUTHENTICATION

19. NAME AND GRADE AND SIGNATURE OF UNIT COMMANDER

Lampier, Jarrod CPT

Jarrod Lampier

20. TELEPHONE NO.

717-861-2617

21. DATE

05 DEC 05

In a discussion at Trial, July, 2007, SFC Cody Bergen, who was called in to handle the 'live' grenade, (Count 1 originally, Count 5 after the superceding indictment filed), discusses the finding that the grenade was harmless, this lead to dismissal as unfounded at Trial of Count 5. This knowledge of the harmless grenade was known, as proven in the second series of questions, on April 23, 2005, eight months prior to the arrest for this charge, (Count 1 then), of possession of an unregistered 'live grenade'. This means that Larry Whitehead, Joseph Noone, and John Gurganus all knew the initial arrest was false, thus any and all evidence obtained through use of that serarch warrant was illegal 'fruits'.

SFC CODY BERGEN, US ARMY EXPLOSIVES EXPERT'S TRIAL TESTIMONY

it's not a hazard, and there wasn't enough left there for us to deem it necessary to gather it.

Q. Was there a very small amount inside the grenade?

A. There was hardly any left inside the grenade once we were done.

Q. And it was such a little amount, you didn't even think it should be tested?

A. We don't test it. It would have to be tested by the police department or whoever is there.

Q. You just discarded it?

A. Yes, sir.

SFC CODY BERGEN, US ARMY EXPLOSIVES EXPERT'S REPORT TESTIMONY

Q. You have in -- Paragraph 18 of your report is entitled "Incident Narrative", right?

A. Yes, sir.

Q. And read the last sentence, please.

A. "The grenade at the time posed no hazard and was put in the scrap pile."

MR. O'BRIEN: Thank you.

THE COURT: All right.

MR. GURGANUS: That's fine.