

# DAN HARDWAY LAW OFFICE

DAN L. HARDWAY, J.D. ADMITTED IN WV

## FREEDOM OF INFORMATION ACT REQUEST

July 24, 2020

FOIA/PA Section

Office of General Counsel, Room 924

Federal Bureau of Prisons

320 First Street, N.W.

Washington, DC 20534

Certified Mail No.

7016 0600 0000 8323 1791

RE: MANUEL ANTONIO CARLOS VECIANA BLANCHE

Dear Sir or Madam,

I am writing on behalf of Dr. John Newman, a retired Army officer now working as a political science professor at James Madison University in Harrisonburg, Virginia, whom I represent. Dr. Newman is currently writing the fourth volume in what will eventually be a six or seven volume series regarding the presidency of John F. Kennedy. Dr. Newman also teaches related classes and seminars on the Kennedy presidency at James Madison University. He is currently in the midst of compiling scholarly research on the presidency of John F. Kennedy for use in the publications, related classes and other educational and distributional fora.

As part of the scholarly research into these areas the case of a former Cuban exile, Manuel Antonio Carlos Veciana Blanche, has become of critical interest and importance to several questions that have arisen. Mr. Veciana was incarcerated in the United States Penitentiary in Atlanta by the Southern District of New York after his conviction on drug charges. On 13 March 1974 he had been sentenced to two concurrent seven-year terms, with an additional special parole of three years. Mr. Veciana was released on parole sometime in mid-February 1976. Mr. Veciana died 18 June 2020.

I am writing under the provisions of the Freedom of Information Act, 5 U.S.C. § 552 to request that you provide me with all records in your possession or control regarding or related to Manuel Antonio Carlos Veciana Blanche while he was in the custody of your Bureau between 1974 and 1976, inclusive. In particular, I request that you provide:

- A. Any and all records in your possession or control relating to or regarding Mr. Veciana's conduct while in prison.
- B. Any and all records in your possession or control relating to or

PO Box 625  
Cowen, WV 26206  
(304) 449-4722  
fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
WV Bar # 1593

- regarding Mr. Veciana's parole from prison.
- C. Any and all correspondence in your possession or control relating to or regarding Mr. Veciana.
  - D. Any and all correspondence in your possession or control addressed to or sent by Mr. Veciana.
  - E. Any and all visitation records in your possession or control relating to or regarding Mr. Veciana.
  - F. Any and all telephone call records in your possession or control relating to or regarding Mr. Veciana.
  - G. Any and all recordings of any type of any interview, telephone call, or other event in your possession or control relating to or regarding Mr. Veciana.
  - H. Any and all transcripts of any and all recordings of any type of any interview, telephone call, or other event in your possession or control relating to or regarding Mr. Veciana.
  - I. Any and all photographs in your possession or control relating to or regarding Mr. Veciana.
  - J. Any and all reports prepared pursuant to 18 U.S.C § 4208, in effect at the time of Mr. Veciana's incarceration and parole, in your possession or control relating to or regarding Mr. Veciana.
  - K. Your full file on Mr. Veciana.
  - L. Any other document you have in your possession and control relating to or regarding Mr. Veciana while he was in your custody or on parole.
  - M. If you claim that a record responsive to requests A to L above has been destroyed in whole or in part, please provide any and all records of that destruction, including but not limited to records indicating the date of destruction, a description of exactly what was destroyed, any cited authority for the destruction, and any identifying information regarding the person(s) who accomplished and recorded the destruction.

Antonio Veciana is deceased. He died 18 June 2020 at an assisted care facility in Miami, Florida. I have attached a copy of his obituary which appeared on the Miami Herald website. I have also attached a copy of the superseding indictment and Mr. Veciana's

sentencing order for your reference along with the indictments in Case Nos. 73-CR 793 and 74-CR-7.

We request that you waive fees for searches and copying of any responsive documents under 5 U.S.C. § 552(a)(4)(A)(ii)(II) as these records are requested not for commercial use but rather for scholarly research related to Dr. Newman's endeavors as a professor of political science.

If any records pertaining to the subject of this request have been processed for another requester, please notify us immediately as to the quantity of such preprocessed pages so I can make a determination as to whether to obtain them preliminary to a reprocessing of such records.

Whenever the word "record" is used herein it shall be construed to include all documents and records of whatever kind and in whatever form or format, including but not limited to written records, audio and video tapes, photographs, movie films, computer disks, and all data created, stored or maintained in electronic, computerized, or digital format. All records which are extant as of the date of your final compliance with this request should be provided.

In complying with this request, please search under all logical spelling variants of all names of all individuals who are subjects of this request, or any other aliases, nicknames, cryptonyms, code names or pseudonyms that said individuals may have been assigned, referenced or used.

Where paper copies of a record responsive to any request herein have material of any kind on the reverse side of a page, please provide both sides of the page. Where responsive materials are not in paper form, please provide them in the format in which they were originally created, i.e., actual photographic copies of photographs rather than xerox copies or photostats, actual copies of video and audio tapes rather than still photos or transcripts, etc.

In regard to each responsive record provided, please identify with specificity the item(s) of this request to which you deem the record to be responsive.

Please provide all responsive materials in a digital format reproduced on word searchable CDs. All records on a particular CD should be word searchable as a unit rather than only by particular documents or categories of documents.

Please search all locations or repositories of records that might be responsive to this request, including any location where responsive records may have been archived or

warehoused. If records pertaining to the subject of this request exist or are likely to exist but cannot be located by a search of your indices, please conduct a search using whatever other methods you have at your disposal that may result in the retrieval of such records. The search should also include any files or records maintained by individual officers or employees of your agency.

Please instruct all appropriate components which may have records responsive to this request that no records possibly responsive to this request are to be destroyed pending final judicial determination of the right of our clients to obtain these records under the Freedom of Information Act. You are advised that any destruction of records while this request is pending is a violation of law.

Please advise us as soon as possible as to the estimated volume of records responsive to the above requests and the amount of time you estimate will pass before our request is processed.

You have 20 working days from the time you receive this request to make a determination. Thank you for your consideration. I look forward to your soonest response.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Dan L. Hardway', with a long horizontal flourish extending to the right.

Dan L. Hardway

cc: Client

Att: Judgment and Commitment (Veciana), 13 March 1974.  
Miami Herald Obituary of Antonio Veciana, 19 June 2020.  
Indictments, SDNY, Case Nos. 73-CR-793 & 74-CR-7

7/23/2020

Antonio Veciana, early anti-Castro fighter and founder of Alpha 66, dies | Miami Herald



Cuban anti-Castro fighter in his office in Miami in 2013. HECTOR GABINO EL NUEVO HERALD



**Listen to this article now**

03:47 Powered by Trinity Audio

Antonio Veciana, a Cuban anti-Castro fighter in the early 1960s who helped found the militant group Alpha 66, died Thursday in an assisted-care facility in Miami. He was 91.

His daughter, former Miami Herald writer Ana Veciana-Suarez, said he had been ill for several months and been placed in hospice care.

Known for his work as co-founder of Alpha 66, an organization that took part in the armed struggle against the Cuban government of Fidel Castro, Veciana had been active in the organization since the 1960s and collaborated with other early anti-Castro fighters Andres Nazario Sargen and Eloy Gutiérrez Menoyo.

TOP ARTICLES

7/23/2020

Antonio Veciana, early anti-Castro fighter and founder of Alpha 66, dies | Miami Herald

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He was trained by the CIA to carry out military actions and is said to have coordinated several attempts to assassinate Fidel Castro. When the first of those, from within Cuba, failed, Veciana was forced to flee the island in 1961 and came to Miami.

“My father had a devotion to seeing a democratic Cuba,” said Veciana-Suarez, who remembers as a child attending exile meetings in Allapattah in which children learned about Cuba and played, while adults conspired to achieve freedom in their country.

“I remember they brought us little cakes,” said Veciana-Suarez, indicating that it was a time of many difficulties in which the family did not put up a Christmas tree because they always thought they would soon return to Cuba.

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Of Catalan origin, Veciana was an accountant in pre-Castro Cuba, where he also worked with Julio Lobo, a wealthy businessman and owner of sugar mills on the island before 1959.

“My father presided over the island’s accountants organization,” Veciana-Suarez said, noting that perhaps his leadership qualities and ability to learn quickly were what caught the attention of the CIA for his recruitment.

Roger Redondo, who also took part in the exile struggle against Castro with Veciana, recalled him as a smart man who had an ability to raise funds.

“He is the smartest man I have ever met,” said Redondo, recalling the founding of Alpha 66.

In the 1960s and ‘70s, Veciana worked for the CIA in Bolivia, until he fell out with the agent who was running him, David Atlee Phillips, who at one point told him that U.S. policy toward Cuba had changed and that he could not carry out any more operations to help liberate Cuba.

7/23/2020

Antonio Veciana, early anti-Castro fighter and founder of Alpha 66, dies | Miami Herald

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Veciana recounted his exploits in the 2017 book "Trained to Kill: The Inside Story of CIA Plots against Castro, Kennedy, and Che," along with writer Carlos Harrison.

In the book, Veciana recounts an episode involving Phillips, whose code-name was Bishop, and John F. Kennedy's assassin, Lee Harvey Oswald.

Veciana said he went to meet Bishop at a hotel in Dallas, Texas, and when he arrived, Bishop was talking to a young man who left immediately. They were introduced in passing, and after Kennedy's assassination, Veciana recognized from TV images the young man who had been with Bishop: It was Oswald.

During congressional hearings on the assassination, Veciana did not mention the incident, fearing that he or his family would be harmed, his daughter said.

Despite his early hard line against the Cuban government, Veciana later came to believe that Cubans on the island were responsible for freeing themselves from communism, his daughter said.

"Although he had a fixed idea of bringing democracy to Cuba, he was actually quite a liberal and progressive person," said Veciana-Suarez, who said there was a difference between the public image of her father and the family man and loving father and grandfather she knew.

"The public sees him in a way, like the founder of Alpha 66, the Cuban who participated in attacks on Fidel Castro, but in the end he was my father," said Veciana-Suarez, who lived with him and cared for him for his last 18 years, in which he suffered from dementia.

"The relationship changed as he got old. I became his mother and he behaved as if he were a small child," she said.

Because of the coronavirus pandemic, there will be no funeral services for Veciana. The family plans to hold a Mass for close friends and family, and perhaps a more public memorial next year.

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UPDATED JULY 22, 2020 02:33 PM

JUDGMENT & COMMITMENT (VECIANA)

[ Same Caption ]

On this 13th day of March, 1974, came the attorney for the government and the defendant appeared in person and by Barry Garber, Esq.,

IT IS ADJUDGED that the defendant upon his plea of not guilty and a verdict of guilty by a jury, has been convicted of the offense of unlawfully, wilfully and knowingly distributing and possessing with intent to distribute a Schedule II narcotic drug, to wit, cocaine. (Title 21, U.S. Code, Sections 812, 841(a)(1) and 841(b)(1)(A).) ; conspiracy so to do. (Title 21, U.S. Code, Section 846.)

RECEIVED  
MAR 24 1974

as charged<sup>1</sup> in counts 1 and 2 and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of SEVEN (7) YEARS on each of counts 1 and 2, to run concurrently with each other. Pursuant to the provisions of Section 841 of Title 21, U.S. Code, defendant is placed on Special Parole for a period of THREE (3) YEARS, to commence upon the expiration of confinement.

IT IS ADJUDGED that<sup>2</sup>

Pursuant to Section 4208(a)(2) of Title 18, U.S. Code, defendant shall become eligible for parole at such time as the Board of Parole may determine.

Defendant remanded in lieu of bail pending appeal fixed in the amount of \$100,000.00.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

*Walter B. Rowland*

United States District Judge

The Court recommends commitment to Elgin Air Force Base, Fla.

A 797



INDICTMENT (73 Cr. 793)

USA-33s-538 - IND./INF. (Conspiracy to distribute and possess with  
Rev. 5-27-72 intent to distribute narcotic drug.)

~~EXHIBIT~~  
73-2383

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA, :

-v- :

ANTONIO VECLANA and  
ARIEL POMARES,

Defendants. :

-----X

INDICTMENT

73 Cr. 793

**The Grand Jury charges:**

1. From on or about the 1st day of November, 1972, and continuously thereafter up to and including the date of the filing of this indictment, in the Southern District of New York, **ANTONIO VECLANA and ARIEL POMARES, the defendants and Augustin Barres passed as a co-conspirator but not as a defendant,**

~~the defendants~~ and others to the Grand Jury unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said **A** **E** defendants unlawfully, intentionally and knowingly would distribute

INDICTMENT (73 Cr. 793)

and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York:

1. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
2. On or about July 23, 1973, Augustin Barres met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
3. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barres.
4. On or about July 23, 1973, Augustin Barres delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

INDICTMENT (73 Cr. 793)

SECOND COUNT

The Grand Jury further charges:

On or about the 13rd day of July, 1973,

in the Southern District of New York,

**ARIEL FOMALON**

the defendant , unlawfully, intentionally and knowingly did possess with intent to distribute, a Schedule II narcotic drug controlled substance, to wit, approximately 7 kilograms of cocaine hydrochloride.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).)

Foreman

PAUL J. CURRAN  
United States Attorney

SUPERSEDING INDICTMENT (74 Cr. 7)

BL, Jr:11E  
73-2303

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

74 CRIM 7

UNITED STATES OF AMERICA,

INDICTMENT

73 Cr. 793

-v-

ANTONIO VECLANA and  
ARIEL POMARES,

Defendant



The Grand Jury charges:

1. From on or about the 1st day of November, 1972, and continuously thereafter up to and including the date of the filing of this indictment, in the Southern District of New York, ANTONIO VECLANA and ARIEL POMARES, the defendants and Augustin Barrés, a co-conspirator,

~~the defendants~~ and others to the Grand Jury unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said defendants unlawfully, intentionally and knowingly would distribute and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

BL, Jr:11f  
73-2383

SUPERSEDING INDICTMENT (74 Cr. 7)

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York; and elsewhere:

1. On or about July 21, 1973 ANTONIO VEGLIANA, ARIEL POMARES and Augustin Barres met together at 111 International Hotel, Italian Village, Miami, Florida.

2. On or about July 21, 1973, ANTONIO VEGLIANA delivered approximately 10 kilograms of cocaine to ARIEL POMARES in a parking lot in Miami, Florida.

3. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.

4. On or about July 23, 1973, Augustin Barres met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.

5. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barres.

6. On or about July 23, 1973, Augustin Barres delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

A 9

SUPERSEDING INDICTMENT (74 Cr. 7)

SECOND COUNT

The Grand Jury further charges:

On or about the 23rd day of July, 1973,  
in the Southern District of New York, ANTONIO VECIANA  
and ARTEL POMARES

the defendants, unlawfully, wilfully and knowingly did  
distribute and possess with intent to distribute a  
Schedule II narcotic drug controlled substance, to wit,  
approximately 7 kilograms of cocaine hydrochloride.

(Title 21, United States Code, Sections 812,  
841(a)(1) and 841(b)(1)(A).)

Isabel B. Steiner  
Foreman

Paul J. Curran  
PAUL J. CURRAN  
United States Attorney

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FOIA/PA Section  
 Office of General Counsel, Room 924  
 Federal Bureau of Prisons  
 320 First Street, N.W.  
 Washington, DC 20534

A. Signature

**X**  Agent  
 Addressee

B. Received by (Printed Name) **C. TAPP** C. Date of Delivery **7-29-20**

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No



9590 9403 0690 5196 1581 26

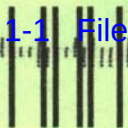
2. Article Number (Transfer from service label)

7016 0600 0000 8323 1791

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

Exhibit 2

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

Dan L. Hardway  
Dan Hardway Law Office  
PO Box 625  
Cowen, WV 26206-0621

USPS TRACKING#



9590 9403 0690 5196 1581 26

Exhibit 2





**U.S. Department of Justice  
Federal Bureau of Prisons**

*Southeast Regional Office  
3800 Camp CRK PK SW/BDG 2000  
Atlanta, GA 30331*

August 14, 2020

Dan Hardway  
Dan Hardway Law Office  
P.O. Box 625  
Cowen, WV 26206

Dear Dan Hardway:

Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be some delay in the processing of your request.

The Federal Bureau of Prisons (BOP) received your Freedom of Information Act/Privacy Act (FOIA/PA) request. Your request has been assigned a number and forwarded to the processing office noted below. Please make a note of the request number and processing office as you will need to include it in any correspondence or inquiry regarding your request. A copy of the first page of your request is attached to help you more easily keep track of your request.

FOIA/PA Request Number: 2020-06237  
Processing Office: SER

The time needed to complete our processing of your request depends on the complexity of our records search and the volume and complexity of any records located. Each request is assigned to one of three tracks: simple, complex, or expedited. Due to the large number of FOIA/PA requests received by BOP and the limited resources available to process such requests, BOP handles each request on a first-in, first-out basis in relation to other requests in the same track. Your request was assigned to the complex track and placed in chronological order based on the date of receipt.

We determined unusual circumstances exist as the documents responsive to your request must be searched for and collected from a field office, and/or the documents responsive to your request are expected to be voluminous and will require significant time to review. Because of these unusual circumstances, we are extending the time limit to respond to your request for the ten additional days provided by the statute. Processing complex requests may take up to nine months. Pursuant to 28 C.F.R. § 16.5(b) and (c), you may narrow or modify your request in an effort to reduce the processing time.

Pursuant to 28 C.F.R. § 16.10, in certain circumstances we are required to charge fees for time spent searching for or duplicating responsive documents. If we anticipate your fees will be in excess of \$25.00 or the amount you have indicated you are willing to pay, we will notify you of the estimated amount. At that time, you will have the option to reformulate your request to reduce the fees. If you requested a fee waiver, we will make a decision whether to grant your request after we determine whether fees will be assessed for this request.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, please feel free to contact the SER or the Federal Bureau of Prisons' (BOP) FOIA Public Liaison, Mr. C. Darnell Stroble at 202-616-7750, 320 First Street NW, Suite 936, Washington DC 20534, or [ogc\\_efoia@bop.gov](mailto:ogc_efoia@bop.gov). You can also check the status of your request on line at <http://www.bop.gov/PublicInfo/execute/foia>.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information, Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,  
*M. Chandler*  
M. Chandler  
Paralegal



**U.S. Department of Justice  
Federal Bureau of Prisons**

*Southeast Regional Office  
3800 Camp CRK PK SW/BDG 2000  
Atlanta, GA 30331*

August 20, 2020

Dan Hardway  
Dan Hardway Law Office  
P.O. Box 625  
Cowen, WV 26206

Request Number: 2020-06237

Dear Mr. Hardway:

This is in response to the above referenced Freedom of Information Act (FOIA) request. Specifically, you requested records on former inmate Manuel Antonio Carlos Veciana Blanche who released in 1976. In order to provide you with the greatest possible access to responsive records, your request was reviewed under both the Privacy Act of 1974 and the Freedom of Information Act. This Office determined the records responsive to your request are exempt from the access provision of the Privacy Act. See 5 U.S.C. § 552a(j)(2). For this reason, your request has been reviewed under the FOIA.

In response to your request, staff located 4 pages of responsive records, which were forwarded to this office for a release determination. After careful review, we determined 0 pages are appropriate for release in full; 4 pages are appropriate for release in part; and, 0 pages must be withheld in their entirety. Copies of released records are attached.

**According to documentation, the records have been destroyed.**

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, records were redacted under the following exemptions: (b)(6), Permits withholding of records and information about individuals when disclosure would be a clearly unwarranted invasion of personal privacy. (b)(7)(C), Permits withholding of records when an unwarranted invasion of personal privacy could reasonably be expected.

If you have questions about this response please feel free to contact the undersigned, this office, or the Federal Bureau of Prisons' (BOP) FOIA Public Liaison, Mr. C. Darnell Stroble at 202-616-7750, 320 First Street NW, Suite 936, Washington DC 20534, or [ogc\\_efoia@bop.gov](mailto:ogc_efoia@bop.gov).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,  
*M. Chandler*  
M. Chandler, for  
Craig Simmons  
Regional Counsel

Select Stratified and Sentry Codes here:

These values will be placed next at the "BOX" option

Sentry Code\*  Stratified Code\*

**REFERENCE REQUEST - FEDERAL RECORDS CENTERS**

**NOTE: Use a separate form for each request.**

**SECTION I - TO BE COMPLETED BY REQUESTING AGENCY**

ACCESSION NO.	AGENCY BOX NUMBER	RECORDS CENTER LOCATION NUMBER
129 85 0044 28	26 OF	

DESCRIPTION OF RECORD(S) OR INFORMATION REQUESTED  
 Inmate's Central File - Blanche Veciana, Manuel Antonio Carlos 80071-158

BOX

FOLDER (include file number and title) Blanche Veciana, Manuel Antonio Carlos 80071-158

REMARKS  
 FIOA

**NATURE OF SERVICE**

FURNISHED COPY OF RECORD(S) ONLY  
  PERMANENT WITHDRAWAL  
  TEMPORARY LOAN OF RECORD(S)  
  REVIEW  
  OTHER (Specify) \_\_\_\_\_

**SECTION II--FOR USE BY RECORDS CENTER**

<input type="checkbox"/> RECORDS NOT IN CENTER CUSTODY <input type="checkbox"/> RECORDS DESTROYED  <input type="checkbox"/> WRONG ACCESSION NUMBER - PLEASE RECHECK  <input type="checkbox"/> WRONG BOX NUMBER - PLEASE RECHECK  <input type="checkbox"/> WRONG CENTER LOCATION - PLEASE RECHECK  <input type="checkbox"/> ADDITIONAL INFORMATION REQUIRED TO IDENTIFY RECORDS REQUESTED  <input type="checkbox"/> MISSING (Neither record(s), information nor charge card found in container(s) specified)  <input type="checkbox"/> RECORDS PREVIOUSLY CHARGED OUT TO (Name, agency and date):	REMARKS          
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------

Name:									
Agency:									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">DATE</th> <th style="width: 25%;">SERVICE</th> <th style="width: 25%;">TIME REQUIRED</th> <th style="width: 25%;">SEARCHER'S INITIALS</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	SERVICE	TIME REQUIRED	SEARCHER'S INITIALS				
DATE	SERVICE	TIME REQUIRED	SEARCHER'S INITIALS						

**SECTION III--FOR USE BY RECORDS CENTER**

NAME OF REQUESTER (b)(6); (b)(7)(C)	TELEPHONE NO.	FTS	DATE 08/18/2020	<b>RECEIPT OF RECORDS</b>
NAME AND ADDRESS OF AGENCY P.O. Box 150160 Atlanta, GA 30315 Attention: Records Dept  <i>(Include street address, building, room no., and ZIP Code)</i>				Requester please sign, date and return this form, for file item(s) listed above, <i>ONLY</i> if the block to right has been checked by the Records Center. <input type="checkbox"/>
			SIGNATURE	DATE



U.S. Department of Justice  
Federal Bureau of Prisons

Information, Policy and Public Affairs Division

Washington, D.C. 20534


December 12, 2017

MEMORANDUM FOR: (b)(6); (b)(7)(C)

FROM: (b)(6); (b)(7)(C)

SUBJECT: Disposal Notices

Information and Records Management is in possession of Notices of Eligibility for Disposal from the National Archives and Records Administration (NARA). These are notices received from NARA notifying us the term for keeping a specific set of files at NARA is ending and requesting if we want the files destroyed. The records are now eligible for destruction according to their Records Disposition Schedule and will be destroyed by 4/1/2018. Please research the indexes referenced below and determine if NARA should proceed with the records destruction. If, for any reason, the records should not be destroyed, provide the reason in the margin for declining destruction. Return the signed letter as a PDF to (b)(6); (b)(7)(C) no later than 12/31/2017.

Approved   
(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Not Approved \_\_\_\_\_

Date 2/7/2018

Transfer #	Series Description	Inclusive End Date	Disposition Date	Disposition Authority	Billable Volume	Agency Contact Last Name	Agency Contact First Name	Charge Account
A129-00-0052-PGA	INMATE CASES ATLANTA TIL LIFT 2015	12/31/1985	1/1/2016	N1/129/09/7/1	1	(b)(6); (b)(7)(C)		A4903111
A129-00-0054-	INMATE CASES ATLANTA	12/31/1987	1/1/2018	N1/129/09/7/1	1	(b)(6); (b)(7)(C)		A4903111

PGA	TIL LIFT 2015						
A129-67-0508-PGA	ATL INMATE MED B187-222(152154X) 02/19 TIL LIFT 2015	12/31/1967	1/1/2018	N1/129/09/7/1	36	(b)(6); (b)(7)(C)	A4903 III
A129-81-0051-PGA	INMATE CASE BX1-16 OF 16 72 TIL LIFT 2015	12/31/1972	10/1/2017	N1/129/09/7/1	16		A4903 III
A129-81-0052-PGA	INMATE CASE BX1-24 OF 24 73 TIL LIFT 2015	12/31/1973	10/1/2016	N1/129/09/7/1	24		A4903 III
A129-81-0056-PGA	INMATE CASE BX1-9 OF 9 71 TIL LIFT 2015	12/31/1971	10/1/2017	N1/129/09/7/1	9		A4903 III
A129-82-0001-PGA	INMATE CASE BX1-46 OF 46 76 TIL LIFT 2015	12/31/1976	10/1/2016	N1/129/09/7/1	46		A4903 III
A129-82-0002-PGA	INMATE CASE BX1-28 OF 28 74 TIL LIFT 2015	12/31/1974	10/1/2016	N1/129/09/7/1	28		A4903 III
A129-82-0003-PGA	INMATE CASE BX1-38 OF 38 75 TIL LIFT 2015	12/31/1975	10/1/2016	N1/129/09/7/1	38		A4903 III
A129-82-0004-PGA	INMATE CASE BX1-49 OF 49 77 TIL LIFT 2015	12/31/1977	10/1/2016	N1/129/09/7/1	49		A4903 III
A129-82-0005-PGA	ATL INMATE CASE BX1-48 OF 48 78 TIL LIFT 2015	12/31/1978	10/1/2016	N1/129/09/7/1	48		A4903 III
A129-82-0006-PGA	INMATE CASE BX1-52 OF 52 ATLANTA 79 TIL LIFT 2015	12/31/1979	10/1/2016	N1/129/09/7/1	52		A4903 III
A129-82-0007-PGA	INMATE CASE BX1-44 OF 44 ATLANTA 80 TIL LIFT 2015	12/31/1980	10/1/2016	N1/129/09/7/1	44		A4903 III
A129-85-0040-PGA	INMATE CASE BX1-29/29 EXPIRATION 83 TIL LIFT 2015	12/31/1980	10/1/2016	N1/129/09/7/1	29		A4903 III
A129-85-0041-PGA	INMATE CASE BX1-46/46 EXPIRATION 81 TIL LIFT 2015	12/31/1981	10/1/2016	N1/129/09/7/1	46		A4903 III
A129-85-0042-PGA	INMATE CASE BX1-42/42 EXPIRATION 82 TIL LIFT 2015	12/31/1982	10/1/2016	N1/129/09/7/1	42		A4903 III
A129-85-0043-PGA	INMATE CASE BX1-32/32 EXPIRATION	12/31/1983	10/1/2016	N1/129/09/7/1	32	A4903 III	

	83 TIL LIFT 2015						
A129- 85- 0044- PGA	INMATE CASE BX1- 28/28 EXPIRATION 84 TIL LIFT 2015	12/31/1 984	10/1/20 16	NI/129/09 /7/1	28	(b)(6); (b)(7)(C)	A4903 III
A129- 85- 0045- PGA	INMATE CASE BX1- 36/36 EXPIRATION 78 TIL LIFT 2015	12/31/1 978	10/1/20 16	NI/129/09 /7/1	36		A4903 III
A129- 86- 0012- PGA	INMATE CASE BX1-20 OF 20 85 TIL LIFT 2015	12/31/1 985	1/1/201 6	NI/129/09 /7/1	120		A4903 III
A129- 88- 0027- PGA	INMATE CASE BX1- 31/31 ATL 87 TIL LIFT 2015	12/31/1 987	1/1/201 8	NI/129/09 /7/1	31		A4903 III
A129- 94- 0001- PGA	INMATE CASE BX 1/1 ATL 77 TIL LIFT 2015	12/31/1 977	10/1/20 17	NI/129/09 /7/1	1		A4903 III
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A129- 94- 0004- PGA	INMATE CASE BX 1/1 83 TIL LIFT 2015	12/31/1 983	10/1/20 17	NI/129/09 /7/1	1		A4903 III
A129- 94- 0005- PGA	INMATE CASE BX 1/1 ATL 84 TIL LIFT 2015	12/31/1 984	10/1/20 17	NI/129/09 /7/1	1		A4903 III
A129- 94- 0007- PGA	INMATE CASE BX 1/1 ATL 87 TIL LIFT 2015	12/31/1 987	1/1/201 8	NI/129/09 /7/1	1		A4903 III



# DAN HARDWAY LAW OFFICE

DAN L. HARDWAY, J.D.

ADMITTED IN WV

November 13, 2020  
FREEDOM OF INFORMATION ACT APPEAL

Director

Office of Information Policy (OIP)  
U.S. Dep't. of Justice  
441 G Street, NW, 6<sup>th</sup> Floor  
Washington, D.C. 20530

SUBMITTED VIA:  
<https://doj-foia.entellitrak.com/etk-doj-foia-prod/login.request.do>

RE: FOIPA Request No. 2020-06237  
Subject: MANUEL ANTONIO CARLOS VECIANA BLANCHE

Dear Director,

I am writing to appeal the final determinations made in the above referenced FOIA Request by M. Chandler for Craig Simmons, Regional Counsel, and reported to me by letter dated 20 August 2020, a copy of which is attached as Exhibit A. I represent Dr. John Newman on whose behalf the original FOIA request of 24 July 2020 to the Bureau of Prisons ("BOP"), was filed.

On behalf of Dr. Newman, I requested records pursuant to Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, related to or referring to Antonio VECIANA. The letter, a copy of which is attached hereto as Exhibit B, requested:

- A. Any and all records in your possession or control relating to or regarding Mr. Veciana's conduct while in prison.
- B. Any and all records in your possession or control relating to or regarding Mr. Veciana's parole from prison.
- C. Any and all correspondence in your possession or control relating to or regarding Mr. Veciana.
- D. Any and all correspondence in your possession or control addressed to or sent by Mr. Veciana.
- E. Any and all visitation records in your possession or control relating to or regarding Mr. Veciana.
- F. Any and all telephone call records in your possession or control relating to or regarding Mr. Veciana.
- G. Any and all recordings of any type of any interview, telephone call, or other event in your possession or control relating to or regarding Mr. Veciana.

PO Box 625  
Cowen, WV 26206  
(304) 449-4722  
fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
WV Bar # 1593

USBOP FOIPA Request No. 2020-06237  
ADMINISTRATIVE APPEAL

November 13, 2020  
Page 2

- H. Any and all transcripts of any and all recordings of any type of any interview, telephone call, or other event in your possession or control relating to or regarding Mr. Veciana.
- I. Any and all photographs in your possession or control relating to or regarding Mr. Veciana.
- J. Any and all reports prepared pursuant to 18 U.S.C § 4208, in effect at the time of Mr. Veciana's incarceration and parole, in your possession or control relating to or regarding Mr. Veciana.
- K. Your full file on Mr. Veciana.
- L. Any other document you have in your possession and control relating to or regarding Mr. Veciana while he was in your custody or on parole.
- M. If you claim that a record responsive to requests A to L above has been destroyed in whole or in part, please provide any and all records of that destruction, including but not limited to records indicating the date of destruction, a description of exactly what was destroyed, any cited authority for the destruction, and any identifying information regarding the person(s) who accomplished and recorded the destruction.

The Bureau's response of 20 August 2020, indicates only that a whole list of various unidentified files from the BOP's Atlanta facility have been destroyed. The "Reference Request-Federal Records Centers" attached to the response indicate that the only record requested was one specific folder maintained at the prison on Mr. Veciana. This folder, should it be found, may be a responsive to Request K of the 24 July 2020 request made on behalf of Dr. Newman. There is, however no indication in the BOP's response that any search of any kind was made for any records that may have been maintained outside of the one folder that the Bureau claims was destroyed. The FOIA requires that a good faith attempt be made to find documents responsive to all the requests made, not just for one as it appears has been done here.

Request M of the 24 July 2020 request asked for records regarding the destruction of any responsive documents that the Bureau claims have been destroyed that would have been responsive to requests A through L. Request M asked for records related to such destruction. It appears that the records provided with the 20 August 2020 response are partially responsive to that request. I note, however, that the documents provided by the BOP on 20 August 2020 appear to be a very generic listing of destroyed inmate records. Nothing in the records provided indicate why it might be reasonable to believe that Mr. Veciana's full prison file, if that is what "file number 80071-158 refers to, was in any of the listed destroyed files. There is no indication that file number 80071-158 on Mr. Veciana was included in any of the listed Series of files. Is there a record of that file being in any of the listed Series? Was any search for responsive records made other than a search for this one file and the list of destroyed files?

USBOP FOIPA Request No. 2020-06237  
ADMINISTRATIVE APPEAL

November 13, 2020  
Page 3

We appeal the apparent limitation of the searches requested to file number 80071-158. The BOP is required to make “a good faith effort to conduct a search for the requested records, using methods which can be reasonably expected to produce the information requested.” *Oglesby v. U.S. Department of the Army*, 920 F.2d 57, 68 (D.C. Cir. 1990). BOP’s obligation to conduct a good faith search requires that proper offices be searched as well as that the search conducted be reasonably designed to find the requested materials. *See, e.g., Reporters Comm. for Freedom of Press v. F.B.I.*, 877 F.3d 399 (D.C. Cir. 2017). The BOP response of 20 August 2020 does not indicate that the one file requested was the only repository likely to have records potentially responsive to all of the requests made by the 24 July 2020 letter. *See Elkins v. FAA*, 103 F. Supp. 3d 122, 131 (D.D.C.), *on reconsideration*, 134 F. Supp. 3d 1 (D.D.C. 2015); *Roseberry-Andrews v. Dep’t of Homeland Security*, No. 16-63 (TJK), Mem. Op. & Order at 15, (D.C.D. 13 March 2018); *Rodriguez v. DOD*, 236 F. Supp. 3d 26, 36-37 (D.D.C. 2017). The BOP makes no claim to have searched “the places reasonably expected to have records.” Consequently, this FOIA request should be sent back to the BOP with instructions that a full search of the records as requested on Dr. Newman’s behalf be performed.

Your attention to this matter is greatly appreciated.

Very truly yours,

Dan L. Hardway

cc: Client via email

enc: Ex. A: 20 August 2020 Final Response  
Ex. B: 24 July 2020 FOIA Request



**U.S. Department of Justice  
Federal Bureau of Prisons**

*Southeast Regional Office  
3800 Camp CRK PK SW/BDG 2000  
Atlanta, GA 30331*

August 20, 2020

Dan Hardway  
Dan Hardway Law Office  
P.O. Box 625  
Cowen, WV 26206

Request Number: 2020-06237

Dear Mr. Hardway:

This is in response to the above referenced Freedom of Information Act (FOIA) request. Specifically, you requested records on former inmate Manuel Antonio Carlos Veciana Blanche who released in 1976. In order to provide you with the greatest possible access to responsive records, your request was reviewed under both the Privacy Act of 1974 and the Freedom of Information Act. This Office determined the records responsive to your request are exempt from the access provision of the Privacy Act. See 5 U.S.C. § 552a(j)(2). For this reason, your request has been reviewed under the FOIA.

In response to your request, staff located 4 pages of responsive records, which were forwarded to this office for a release determination. After careful review, we determined 0 pages are appropriate for release in full; 4 pages are appropriate for release in part; and, 0 pages must be withheld in their entirety. Copies of released records are attached.

**According to documentation, the records have been destroyed.**

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, records were redacted under the following exemptions: (b)(6), Permits withholding of records and information about individuals when disclosure would be a clearly unwarranted invasion of personal privacy. (b)(7)(C), Permits withholding of records when an unwarranted invasion of personal privacy could reasonably be expected.

If you have questions about this response please feel free to contact the undersigned, this office, or the Federal Bureau of Prisons' (BOP) FOIA Public Liaison, Mr. C. Darnell Stroble at 202-616-7750, 320 First Street NW, Suite 936, Washington DC 20534, or [ogc\\_efoia@bop.gov](mailto:ogc_efoia@bop.gov).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,  
*M. Chandler*  
M. Chandler, for  
Craig Simmons  
Regional Counsel

Select Stratified and Sentry Codes here:

These values will be placed next at the "BOX" option

Sentry Code\*  Stratified Code\*

**REFERENCE REQUEST - FEDERAL RECORDS CENTERS**

**NOTE: Use a separate form for each request.**

**SECTION I - TO BE COMPLETED BY REQUESTING AGENCY**

ACCESSION NO.	AGENCY BOX NUMBER	RECORDS CENTER LOCATION NUMBER
129 85 0044 28	26 OF	

DESCRIPTION OF RECORD(S) OR INFORMATION REQUESTED  
 Inmate's Central File - Blanche Veciana, Manuel Antonio Carlos 80071-158

BOX

FOLDER (include file number and title) Blanche Veciana, Manuel Antonio Carlos 80071-158

REMARKS

FIOA

**NATURE OF SERVICE**

FURNISHED COPY OF RECORD(S) ONLY  
  PERMANENT WITHDRAWAL  
  TEMPORARY LOAN OF RECORD(S)  
  REVIEW  
  OTHER (Specify) \_\_\_\_\_

**SECTION II--FOR USE BY RECORDS CENTER**

<input type="checkbox"/> RECORDS NOT IN CENTER CUSTODY <input type="checkbox"/> RECORDS DESTROYED  <input type="checkbox"/> WRONG ACCESSION NUMBER - PLEASE RECHECK  <input type="checkbox"/> WRONG BOX NUMBER - PLEASE RECHECK  <input type="checkbox"/> WRONG CENTER LOCATION - PLEASE RECHECK  <input type="checkbox"/> ADDITIONAL INFORMATION REQUIRED TO IDENTIFY RECORDS REQUESTED  <input type="checkbox"/> MISSING (Neither record(s), information nor charge card found in container(s) specified)  <input type="checkbox"/> RECORDS PREVIOUSLY CHARGED OUT TO (Name, agency and date):	REMARKS          
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------

Name:

Agency:

DATE	SERVICE	TIME REQUIRED	SEARCHER'S INITIALS

**SECTION III--FOR USE BY RECORDS CENTER**

NAME OF REQUESTER (b)(6); (b)(7)(C)	TELEPHONE NO.	FTS	DATE 08/18/2020	<b>RECEIPT OF RECORDS</b>
NAME AND ADDRESS OF AGENCY P.O. Box 150160 Atlanta, GA 30315 Attention: Records Dept  <i>(Include street address, building, room no., and ZIP Code)</i>				Requester please sign, date and return this form, for file item(s) listed above, <i>ONLY</i> if the block to right has been checked by the Records Center. <input type="checkbox"/>
(In Washington, D.C. area also include STOP number)				
SIGNATURE			DATE	



U.S. Department of Justice  
Federal Bureau of Prisons

Information, Policy and Public Affairs Division

Washington, D.C. 20534

December 12, 2017

MEMORANDUM FOR: (b)(6); (b)(7)(C)

FROM: (b)(6); (b)(7)(C)

SUBJECT: Disposal Notices

Information and Records Management is in possession of Notices of Eligibility for Disposal from the National Archives and Records Administration (NARA). These are notices received from NARA notifying us the term for keeping a specific set of files at NARA is ending and requesting if we want the files destroyed. The records are now eligible for destruction according to their Records Disposition Schedule and will be destroyed by 4/1/2018. Please research the indexes referenced below and determine if NARA should proceed with the records destruction. If, for any reason, the records should not be destroyed, provide the reason in the margin for declining destruction. Return the signed letter as a PDF to (b)(6); (b)(7)(C) no later than 12/31/2017.

Approved   
(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Not Approved \_\_\_\_\_

Date 2/7/2018

Transfer #	Series Description	Inclusive End Date	Disposition Date	Disposition Authority	Billable Volume	Agency Contact Last Name	Agency Contact First Name	Charge Account
A129-00-0052-PGA	INMATE CASES ATLANTA TIL LIFT 2015	12/31/1985	1/1/2016	NI/129/09/7/1	1	Administrative Appeal PAGE 4		A4903 III
A129-0051	INMATE ATLANTA	12/31/1985	1/1/2016	NI/129/09/7/1	1			A4903

PGA	TIL LIFT 2015						
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A129-81-0051-PGA	INMATE CASE BX1-16 OF 16 72 TIL LIFT 2015	12/31/1972	10/1/2017	N1/129/09/7/1	16		A4903 III
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A129-81-0056-PGA	INMATE CASE BX1-9 OF 9 71 TIL LIFT 2015	12/31/1971	10/1/2017	N1/129/09/7/1	9		A4903 III
A129-82-0001-PGA	INMATE CASE BX1-46 OF 46 76 TIL LIFT 2015	12/31/1976	10/1/2016	N1/129/09/7/1	46		A4903 III
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A129-82-0003-PGA	INMATE CASE BX1-38 OF 38 75 TIL LIFT 2015	12/31/1975	10/1/2016	N1/129/09/7/1	38		A4903 III
A129-82-0004-PGA	INMATE CASE BX1-49 OF 49 77 TIL LIFT 2015	12/31/1977	10/1/2016	N1/129/09/7/1	49		A4903 III
A129-82-0005-PGA	ATL INMATE CASE BX1-48 OF 48 78 TIL LIFT 2015	12/31/1978	10/1/2016	N1/129/09/7/1	48		A4903 III
A129-82-0006-PGA	INMATE CASE BX1-52 OF 52 ATLANTA 79 TIL LIFT 2015	12/31/1979	10/1/2016	N1/129/09/7/1	52		A4903 III
A129-82-0007-PGA	INMATE CASE BX1-44 OF 44 ATLANTA 80 TIL LIFT 2015	12/31/1980	10/1/2016	N1/129/09/7/1	44		A4903 III
A129-85-0040-PGA	INMATE CASE BX1-29/29 EXPIRATION 83 TIL LIFT 2015	12/31/1980	10/1/2016	N1/129/09/7/1	29		A4903 III
A129-85-0041-PGA	INMATE CASE BX1-46/46 EXPIRATION 81 TIL LIFT 2015	12/31/1981	10/1/2016	N1/129/09/7/1	46		A4903 III
A129-85-0042-PGA	INMATE CASE BX1-42/42 EXPIRATION 82 TIL LIFT 2015	12/31/1982	10/1/2016	N1/129/09/7/1	42		A4903 III
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Bureau of Prisons Request No. 2020-06237  
EXHIBIT

Administrative Appeal  
PAGE 5



	83 TIL LIFT 2015						
A129-85-0044-PGA	INMATE CASE BX1- 28/28 EXPIRATION 84 TIL LIFT 2015	12/31/1 984	10/1/20 16	NI/129/09 /7/1	28	(b)(6); (b)(7)(C)	A4903 III
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A129-94-0005-PGA	INMATE CASE BX 1/1 ATL 84 TIL LIFT 2015	12/31/1 984	10/1/20 17	NI/129/09 /7/1	1		A4903 III
A129-94-0007-PGA	INMATE CASE BX 1/1 ATL 87 TIL LIFT 2015	12/31/1 987	1/1/201 8	NI/129/09 /7/1	1		A4903 III

# DAN HARDWAY LAW OFFICE

DAN L. HARDWAY, J.D. ADMITTED IN WV

## FREEDOM OF INFORMATION ACT REQUEST

July 24, 2020

FOIA/PA Section

Office of General Counsel, Room 924

Federal Bureau of Prisons

320 First Street, N.W.

Washington, DC 20534

Certified Mail No.

7016 0600 0000 8323 1791

RE: MANUEL ANTONIO CARLOS VECIANA BLANCHE

Dear Sir or Madam,

I am writing on behalf of Dr. John Newman, a retired Army officer now working as a political science professor at James Madison University in Harrisonburg, Virginia, whom I represent. Dr. Newman is currently writing the fourth volume in what will eventually be a six or seven volume series regarding the presidency of John F. Kennedy. Dr. Newman also teaches related classes and seminars on the Kennedy presidency at James Madison University. He is currently in the midst of compiling scholarly research on the presidency of John F. Kennedy for use in the publications, related classes and other educational and distributional fora.

As part of the scholarly research into these areas the case of a former Cuban exile, Manuel Antonio Carlos Veciana Blanche, has become of critical interest and importance to several questions that have arisen. Mr. Veciana was incarcerated in the United States Penitentiary in Atlanta by the Southern District of New York after his conviction on drug charges. On 13 March 1974 he had been sentenced to two concurrent seven-year terms, with an additional special parole of three years. Mr. Veciana was released on parole sometime in mid-February 1976. Mr. Veciana died 18 June 2020.

I am writing under the provisions of the Freedom of Information Act, 5 U.S.C. § 552 to request that you provide me with all records in your possession or control regarding or related to Manuel Antonio Carlos Veciana Blanche while he was in the custody of your Bureau between 1974 and 1976, inclusive. In particular, I request that you provide:

- A. Any and all records in your possession or control relating to or regarding Mr. Veciana's conduct while in prison.
- B. Any and all records in your possession or control relating to or

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 (304) 449-4722  
 fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
 WV Bar # 1593

**Bureau of Prisons Request No. 2020-06237**

**EXHIBIT B** Bureau of Prisons, et al.

Exhibit Page 10

**Administrative Appeal**

**PAGE 1**

Exhibit 5

regarding Mr. Veciana's parole from prison.

- C. Any and all correspondence in your possession or control relating to or regarding Mr. Veciana.
- D. Any and all correspondence in your possession or control addressed to or sent by Mr. Veciana.
- E. Any and all visitation records in your possession or control relating to or regarding Mr. Veciana.
- F. Any and all telephone call records in your possession or control relating to or regarding Mr. Veciana.
- G. Any and all recordings of any type of any interview, telephone call, or other event in your possession or control relating to or regarding Mr. Veciana.
- H. Any and all transcripts of any and all recordings of any type of any interview, telephone call, or other event in your possession or control relating to or regarding Mr. Veciana.
- I. Any and all photographs in your possession or control relating to or regarding Mr. Veciana.
- J. Any and all reports prepared pursuant to 18 U.S.C § 4208, in effect at the time of Mr. Veciana's incarceration and parole, in your possession or control relating to or regarding Mr. Veciana.
- K. Your full file on Mr. Veciana.
- L. Any other document you have in your possession and control relating to or regarding Mr. Veciana while he was in your custody or on parole.
- M. If you claim that a record responsive to requests A to L above has been destroyed in whole or in part, please provide any and all records of that destruction, including but not limited to records indicating the date of destruction, a description of exactly what was destroyed, any cited authority for the destruction, and any identifying information regarding the person(s) who accomplished and recorded the destruction.

Antonio Veciana is deceased. He died 18 June 2020 at an assisted care facility in Miami, Florida. I have attached a copy of his obituary which appeared on the Miami Herald website. I have also attached a copy of the superseding indictment and Mr. Veciana's

sentencing order for your reference along with the indictments in Case Nos. 73-CR 793 and 74-CR-7.

We request that you waive fees for searches and copying of any responsive documents under 5 U.S.C. § 552(a)(4)(A)(ii)(II) as these records are requested not for commercial use but rather for scholarly research related to Dr. Newman's endeavors as a professor of political science.

If any records pertaining to the subject of this request have been processed for another requester, please notify us immediately as to the quantity of such preprocessed pages so I can make a determination as to whether to obtain them preliminary to a reprocessing of such records.

Whenever the word "record" is used herein it shall be construed to include all documents and records of whatever kind and in whatever form or format, including but not limited to written records, audio and video tapes, photographs, movie films, computer disks, and all data created, stored or maintained in electronic, computerized, or digital format. All records which are extant as of the date of your final compliance with this request should be provided.

In complying with this request, please search under all logical spelling variants of all names of all individuals who are subjects of this request, or any other aliases, nicknames, cryptonyms, code names or pseudonyms that said individuals may have been assigned, referenced or used.

Where paper copies of a record responsive to any request herein have material of any kind on the reverse side of a page, please provide both sides of the page. Where responsive materials are not in paper form, please provide them in the format in which they were originally created, i.e., actual photographic copies of photographs rather than xerox copies or photostats, actual copies of video and audio tapes rather than still photos or transcripts, etc.

In regard to each responsive record provided, please identify with specificity the item(s) of this request to which you deem the record to be responsive.

Please provide all responsive materials in a digital format reproduced on word searchable CDs. All records on a particular CD should be word searchable as a unit rather than only by particular documents or categories of documents.

Please search all locations or repositories of records that might be responsive to this request, including any location where responsive records may have been archived or

warehoused. If records pertaining to the subject of this request exist or are likely to exist but cannot be located by a search of your indices, please conduct a search using whatever other methods you have at your disposal that may result in the retrieval of such records. The search should also include any files or records maintained by individual officers or employees of your agency.

Please instruct all appropriate components which may have records responsive to this request that no records possibly responsive to this request are to be destroyed pending final judicial determination of the right of our clients to obtain these records under the Freedom of Information Act. You are advised that any destruction of records while this request is pending is a violation of law.

Please advise us as soon as possible as to the estimated volume of records responsive to the above requests and the amount of time you estimate will pass before our request is processed.

You have 20 working days from the time you receive this request to make a determination. Thank you for your consideration. I look forward to your soonest response.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Dan L. Hardway', with a long horizontal flourish extending to the right.

Dan L. Hardway

cc: Client

Att: Judgment and Commitment (Veciana), 13 March 1974.  
Miami Herald Obituary of Antonio Veciana, 19 June 2020.  
Indictments, SDNY, Case Nos. 73-CR-793 & 74-CR-7

7/23/2020

Antonio Veciana, early anti-Castro fighter and founder of Alpha 66, dies | Miami Herald



Cuban anti-Castro fighter in his office in Miami in 2013. HECTOR GABINO EL NUEVO HERALD



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Antonio Veciana, a Cuban anti-Castro fighter in the early 1960s who helped found the militant group Alpha 66, died Thursday in an assisted-care facility in Miami. He was 91.

His daughter, former Miami Herald writer Ana Veciana-Suarez, said he had been ill for several months and been placed in hospice care.

Known for his work as co-founder of Alpha 66, an organization that took part in the armed struggle against the Cuban government of Fidel Castro, Veciana had been active in the organization since the 1960s and collaborated with other early anti-Castro fighters Andres Nazario Sargen and Eloy Gutiérrez Menoyo.

TOP ARTICLES

7/23/2020

Antonio Veciana, early anti-Castro fighter and founder of Alpha 66, dies | Miami Herald

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He was trained by the CIA to carry out military actions and is said to have coordinated several attempts to assassinate Fidel Castro. When the first of those, from within Cuba, failed, Veciana was forced to flee the island in 1961 and came to Miami.

“My father had a devotion to seeing a democratic Cuba,” said Veciana-Suarez, who remembers as a child attending exile meetings in Allapattah in which children learned about Cuba and played, while adults conspired to achieve freedom in their country.

“I remember they brought us little cakes,” said Veciana-Suarez, indicating that it was a time of many difficulties in which the family did not put up a Christmas tree because they always thought they would soon return to Cuba.

## Breaking news & more

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Of Catalan origin, Veciana was an accountant in pre-Castro Cuba, where he also worked with Julio Lobo, a wealthy businessman and owner of sugar mills on the island before 1959.

“My father presided over the island’s accountants organization,” Veciana-Suarez said, noting that perhaps his leadership qualities and ability to learn quickly were what caught the attention of the CIA for his recruitment.

Roger Redondo, who also took part in the exile struggle against Castro with Veciana, recalled him as a smart man who had an ability to raise funds.

“He is the smartest man I have ever met,” said Redondo, recalling the founding of Alpha 66.

In the 1960s and ‘70s, Veciana worked for the CIA in Bolivia, until he fell out with the agent who was running him, David Atlee Phillips, who at one point told him that U.S. policy toward Cuba had changed and that he could not carry out any more operations to help liberate Cuba.

7/23/2020

Antonio Veciana, early anti-Castro fighter and founder of Alpha 66, dies | Miami Herald

Veciana recounted his exploits in the 2017 book "Trained to Kill: The Inside Story of CIA Plots against Castro, Kennedy, and Che," along with writer Carlos Harrison.

In the book, Veciana recounts an episode involving Phillips, whose code-name was Bishop, and John F. Kennedy's assassin, Lee Harvey Oswald.

Veciana said he went to meet Bishop at a hotel in Dallas, Texas, and when he arrived, Bishop was talking to a young man who left immediately. They were introduced in passing, and after Kennedy's assassination, Veciana recognized from TV images the young man who had been with Bishop: It was Oswald.

During congressional hearings on the assassination, Veciana did not mention the incident, fearing that he or his family would be harmed, his daughter said.

Despite his early hard line against the Cuban government, Veciana later came to believe that Cubans on the island were responsible for freeing themselves from communism, his daughter said.

"Although he had a fixed idea of bringing democracy to Cuba, he was actually quite a liberal and progressive person," said Veciana-Suarez, who said there was a difference between the public image of her father and the family man and loving father and grandfather she knew.

"The public sees him in a way, like the founder of Alpha 66, the Cuban who participated in attacks on Fidel Castro, but in the end he was my father," said Veciana-Suarez, who lived with him and cared for him for his last 18 years, in which he suffered from dementia.

"The relationship changed as he got old. I became his mother and he behaved as if he were a small child," she said.

Because of the coronavirus pandemic, there will be no funeral services for Veciana. The family plans to hold a Mass for close friends and family, and perhaps a more public memorial next year.

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It's now easier for immigrants to get benefits and become citizens using the USCIS website

UPDATED JULY 22, 2020 02:33 PM



JUDGMENT & COMMITMENT (VECIANA)

[ Same Caption ]

On this 13th day of March, 1974, came the attorney for the government and the defendant appeared in person and by Barry Garber, Esq.,

It Is ADJUDGED that the defendant upon his plea of not guilty and a verdict of guilty by a jury, has been convicted of the offense of unlawfully, wilfully and knowingly distributing and possessing with intent to distribute a Schedule II narcotic drug, to wit, cocaine. (Title 21, U.S. Code, Sections 812, 841(a)(1) and 841(b)(1)(A).) ; conspiracy so to do. (Title 21, U.S. Code, Section 846.)

RECEIVED  
MAR 24 1974

as charged<sup>1</sup> in counts 1 and 2 and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is ADJUDGED that the defendant is guilty as charged and convicted.

It Is ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of SEVEN (7) YEARS on each of counts 1 and 2, to run concurrently with each other. Pursuant to the provisions of Section 841 of Title 21, U.S. Code, defendant is placed on Special Parole for a period of THREE (3) YEARS, to commence upon the expiration of confinement.

It Is ADJUDGED that<sup>2</sup>

Pursuant to Section 4208(a)(2) of Title 18, U.S. Code, defendant shall become eligible for parole at such time as the Board of Parole may determine.

Defendant remanded in lieu of bail pending appeal fixed in the amount of \$100,000.00.

It Is ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

*Walter B. Rowland*

United States District Judge

The Court recommends commitment to Elgin Air Force Base, Fla.

INDICTMENT (73 Cr. 793)

USA-33s-538 - IND./INF. (Conspiracy to distribute and possess with  
Rev. 5-27-72 intent to distribute narcotic drug.)

~~EXHIBIT~~  
73-2383

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA, :

-v- :

ANTONIO VECLANA and  
ARIEL POMARES,

Defendants. :

-----X

INDICTMENT

73 Cr. 793

**The Grand Jury charges:**

1. From on or about the 1st day of November, 1972,  
and continuously thereafter up to and including the date of  
the filing of this indictment, in the Southern District of  
New York, **ANTONIO VECLANA and ARIEL POMARES, the defendants**  
**and Augustin Barres passed as a co-conspirator but**  
**not as a defendant,**

~~the defendants~~ and others to the Grand Jury unknown, unlaw-  
fully, intentionally and knowingly combined, conspired, confederated  
and agreed together and with each other to violate Sections 812,  
841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said A E  
defendants unlawfully, intentionally and knowingly would distribute

INDICTMENT (73 Cr. 793)

and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York:

1. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
2. On or about July 23, 1973, Augustin Barres met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
3. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barres.
4. On or about July 23, 1973, Augustin Barres delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

INDICTMENT (73 Cr. 793)

SECOND COUNT

The Grand Jury further charges:

On or about the 13rd day of July, 1973,

in the Southern District of New York,

ARIEL FOMALON

the defendant, unlawfully, intentionally and knowingly did possess with intent to distribute, a Schedule II narcotic drug controlled substance, to wit, approximately 7 kilograms of cocaine hydrochloride.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).)

Foreman

PAUL J. CURRAN  
United States Attorney

SUPERSEDING INDICTMENT (74 Cr. 7)

BL, Jr:11E  
73-2303

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

74 CRIM 7

UNITED STATES OF AMERICA,

INDICTMENT

-v-

ANTONIO VECLANA and  
ARIEL POMARES,

Defendant



The Grand Jury charges:

1. From on or about the 1st day of November, 1972, and continuously thereafter up to and including the date of the filing of this indictment, in the Southern District of New York, ANTONIO VECLANA and ARIEL POMARES, the defendants and Augustin Barrés, a co-conspirator,

~~with the defendants~~ and others to the Grand Jury unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said defendants unlawfully, intentionally and knowingly would distribute and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812,

841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

BL, Jr:11f  
73-2383

SUPERSEDING INDICTMENT (74 Cr. 7)

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York; and elsewhere:

1. On or about July 21, 1973 ANTONIO VEGLIANA, ARIEL POMARES and Augustin Barres met together at 111 International Hotel, Italian Village, Miami, Florida.

2. On or about July 21, 1973, ANTONIO VEGLIANA delivered approximately 10 kilograms of cocaine to ARIEL POMARES in a parking lot in Miami, Florida.

3. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.

4. On or about July 23, 1973, Augustin Barres met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.

5. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barres.

6. On or about July 23, 1973, Augustin Barres delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

A 9

SUPERSEDING INDICTMENT (74 Cr. 7)

SECOND COUNT

The Grand Jury further charges:

On or about the 23rd day of July, 1973,  
in the Southern District of New York, ANTONIO VECIANA  
and ARTEL POMARES

the defendants, unlawfully, wilfully and knowingly did  
distribute and possess with intent to distribute a  
Schedule II narcotic drug controlled substance, to wit,  
approximately 7 kilograms of cocaine hydrochloride.

(Title 21, United States Code, Sections 812,  
841(a)(1) and 841(b)(1)(A).)

Isabel B. Steiner  
Foreman

Paul J. Curran  
PAUL J. CURRAN  
United States Attorney



**U.S. Department of Justice**  
Office of Information Policy  
*Sixth Floor*  
*441 G Street, NW*  
*Washington, DC 20530-0001*

---

Telephone: (202) 514-3642

November 13, 2020

Dan Hardway  
1114 Erbacon Rd  
Cowen, WV 26206  
dan@hardwaylaw.com

Dear Dan Hardway:

This is to advise you that the Office of Information Policy (OIP) of the U.S. Department of Justice received your administrative appeal from the action of the BOP regarding Request No. 2020-06237 on 11/13/2020.

In an attempt to afford each appellant equal and impartial treatment, OIP has adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number A-2021-00286 . Please refer to this number in any future communication with OIP regarding this matter. Please note that if you provided an email address or another electronic means of communication with your request or appeal, this Office may respond to your appeal electronically even if you submitted your appeal to this Office via regular U.S. Mail.

We will notify you of the decision on your appeal as soon as we can. If you have any questions about the status of your appeal, you may contact me at (202) 514-3642. If you have submitted your appeal through FOIA STAR, you may also check the status of your appeal by logging into your account.

Sincerely,

*Priscilla Jones*

Priscilla Jones  
Supervisory Administrative Specialist



# DAN HARDWAY LAW OFFICE

DAN L. HARDWAY, J.D.

ADMITTED IN WV

## FREEDOM OF INFORMATION ACT REQUEST

23 July 2020

FOIA Unit

United States Parole Commission  
90 K Street, NE, 3rd Floor  
Washington, D.C. 20530-0001

Certified Mail No.  
7016 0600 0000 1807

RE: MANUEL ANTONIO CARLOS VECIANA BLANCHE

Dear Sir or Madam,

I am writing on behalf of Dr. John Newman, a retired Army officer now working as a political science professor at James Madison University in Harrisonburg, Virginia, whom I represent. Dr. Newman is currently writing the fourth volume in what will eventually be a six or seven volume series regarding the presidency of John F. Kennedy. Dr. Newman also teaches related classes and seminars on the Kennedy presidency at James Madison University. He is currently in the midst of compiling scholarly research on the presidency of John F. Kennedy for use in the publications, related classes and other educational and distributional fora.

As part of the scholarly research into these areas the case of a former Cuban exile, Manuel Antonio Carlos Veciana Blanche, has become of critical interest and importance to several questions that have arisen. Mr. Veciana was incarcerated in the United States Penitentiary in Atlanta by the Southern District of New York after his conviction on drug charges. On 13 March 1974 he had been sentenced to two concurrent seven-year terms, with an additional special parole of three years. Mr. Veciana was released on parole sometime in mid-February 1976. Mr. Veciana died 18 June 2020.

I am writing under the provisions of the Freedom of Information Act, 5 U.S.C. § 552 to request that you provide Dr. Newman with all records in your possession or control regarding or related to Manuel Antonio Carlos Veciana Blanche. In particular, I request that you provide:

- A. Any and all records in your possession or control relating to or regarding Mr. Veciana's parole from prison.
- B. Any and all correspondence in your possession or control relating to or regarding Mr. Veciana, including but not limited to

PO Box 625  
Cowen, WV 26206  
(304) 449-4722  
fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
WV Bar # 1593

correspondence with any other branch or department of the United States government, or any state government or foreign government, regarding or related to Mr. Veciana.

- C. Any and all telephone call records in your possession or control relating to or regarding Mr. Veciana.
- D. Any and all recordings of any type of any interview, telephone call, hearings, or other event in your possession or control relating to or regarding Mr. Veciana.
- E. Any and all transcripts of any and all recordings of any type of any interview, telephone call, hearing, or other event in your possession or control relating to or regarding Mr. Veciana.
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- G. Any and all reports prepared pursuant to 18 U.S.C § 4208, in effect at the time of Mr. Veciana's incarceration and parole, in your possession or control relating to or regarding Mr. Veciana.
- H. Your full file on Mr. Veciana.
- I. Any other document you have in your possession and control relating to or regarding Mr. Veciana while he was in your custody or on parole.
- J. If you claim that a record responsive to requests A to I above has been destroyed in whole or in part, please provide any and all records of that destruction, including but not limited to records indicating the date of destruction, a description of exactly what was destroyed, any cited authority for the destruction, and any identifying information regarding the person(s) who accomplished and recorded the destruction.

Antonio Veciana is deceased. He died 18 June 2020 at an assisted care facility in Miami, Florida. I have attached a copy of his obituary which appeared on the Miami Herald website. I have also attached a copy of the superseding indictment and Mr. Veciana's sentencing order for your reference along with the indictments in Case Nos. 73-CR 793 and 74-CR-7.

My client requests that you waive fees for searches and copying of any responsive documents under 5 U.S.C. § 552(a)(4)(A)(ii)(II) as these records are requested not for commercial use but rather for scholarly research related to Dr. Newman's endeavors as a professor of political science.

US Parole Commission FOIA Request  
23 July 2020  
Page 2

If any records pertaining to the subject of this request have been processed for another requester, please notify us immediately as to the quantity of such preprocessed pages so my client and I may make a determination as to whether to obtain them preliminary to a reprocessing of such records.

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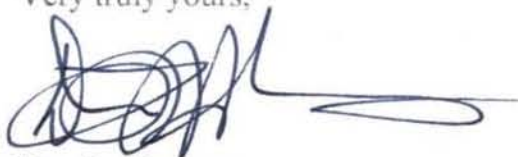
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Very truly yours,

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Dan L. Hardway

cc: Client

Att: Judgment and Commitment (Veciana), 13 March 1974.  
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US Parole Commission FOIA Request  
23 July 2020  
Page 4

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[ Same Caption ]

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RECEIVED  
MAR 24 1974

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IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of SEVEN (7) YEARS on each of counts 1 and 2, to run concurrently with each other. Pursuant to the provisions of Section 841 of Title 21, U.S. Code, defendant is placed on Special Parole for a period of THREE (3) YEARS, to commence upon the expiration of confinement.

IT IS ADJUDGED that

Pursuant to Section 4208(a)(2) of Title 18, U.S. Code, defendant shall become eligible for parole at such time as the Board of Parole may determine.

Defendant remanded in lieu of bail pending appeal fixed in the amount of \$100,000.00.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

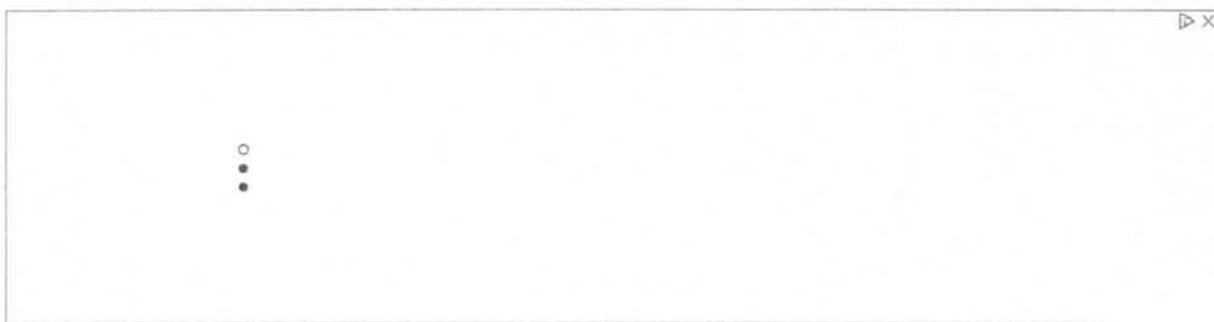
*Walter B. Board*

United States District Judge

The Court recommends commitment to Elgin Air Force Base, Fla.

7/23/2020

Antonio Veciana, early anti-Castro fighter and founder of Alpha 66, dies | Miami Herald



Cuban anti-Castro fighter in his office in Miami in 2013. HECTOR GABINO EL NUEVO HERALD

 **Listen to this article now**  
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**TOP ARTICLES**

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## Breaking news & more

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Veciana recounted his exploits in the 2017 book "Trained to Kill: The Inside Story of CIA Plots against Castro, Kennedy, and Che," along with writer Carlos Harrison.

In the book, Veciana recounts an episode involving Phillips, whose code-name was Bishop, and John F. Kennedy's assassin, Lee Harvey Oswald.

Veciana said he went to meet Bishop at a hotel in Dallas, Texas, and when he arrived, Bishop was talking to a young man who left immediately. They were introduced in passing, and after Kennedy's assassination, Veciana recognized from TV images the young man who had been with Bishop: It was Oswald.

During congressional hearings on the assassination, Veciana did not mention the incident, fearing that he or his family would be harmed, his daughter said.

Despite his early hard line against the Cuban government, Veciana later came to believe that Cubans on the island were responsible for freeing themselves from communism, his daughter said.

"Although he had a fixed idea of bringing democracy to Cuba, he was actually quite a liberal and progressive person," said Veciana-Suarez, who said there was a difference between the public image of her father and the family man and loving father and grandfather she knew.

"The public sees him in a way, like the founder of Alpha 66, the Cuban who participated in attacks on Fidel Castro, but in the end he was my father," said Veciana-Suarez, who lived with him and cared for him for his last 18 years, in which he suffered from dementia.

"The relationship changed as he got old. I became his mother and he behaved as if he were a small child," she said.

Because of the coronavirus pandemic, there will be no funeral services for Veciana. The family plans to hold a Mass for close friends and family, and perhaps a more public memorial next year.

[COMMENTS](#) ▼

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READ NEXT

TRENDING STORIES

It's now easier for immigrants to get benefits and become citizens using the USCIS website

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INDICTMENT (73 Cr. 793)

USA-33s-538 - IND./INF. (Conspiracy to distribute and possess with  
Rev. 5-27-72 intent to distribute narcotic drug.)

**REBart**  
**73-2383**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x

UNITED STATES OF AMERICA, :

vs. :

ANTONIO VECLANA and :  
ARIEL POMARES, :

INDICTMENT

73 Cr. 793

Defendants. :

-----x

**The Grand Jury charges:**

1. From on or about the 1st day of November, 1972,  
and continuously thereafter up to and including the date of  
the filing of this indictment, in the Southern District of  
New York, ANTONIO VECLANA and ARIEL POMARES, the defendants  
and Augustin Barres named as a co-conspirator but  
not as a defendant,

~~the defendants~~ and others to the Grand Jury unknown, unlaw-  
fully, intentionally and knowingly combined, conspired, confederated  
and agreed together and with each other to violate Sections 812,  
841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said A 5  
defendants unlawfully, intentionally and knowingly would distribute

INDICTMENT (73 Cr. 793)

and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York:

1. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
2. On or about July 23, 1973, Augustin Barres met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
3. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barres.
4. On or about July 23, 1973, Augustin Barres delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

INDICTMENT (73 Cr. 793)

~~RECEIVED~~ COUNT

**The Grand Jury further charges:**

On or about the **13rd** day of **July, 1973,**

in the Southern District of New York,

**ARIEL PONAREV**

the defendant , unlawfully, intentionally and knowingly did possess with intent to distribute, a Schedule II narcotic drug controlled substance, to wit, **approximately 7 kilograms of cocaine hydrochloride.**

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).)

~~FORWARDED~~

~~PAUL J. CURRAN~~  
United States Attorney

SUPERSEDING INDICTMENT (74 Cr. 7)

BL, Jr:11F  
73-2303

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

74 CRIM 7

UNITED STATES OF AMERICA,

INDICTMENT

73 Cr. 793

-v-

ANTONIO VECLANA and  
ARIEL POMARES,

Defendant



The Grand Jury charges:

1. From on or about the 1st day of November, 1972,  
and continuously thereafter up to and including the date of  
the filing of this indictment, in the Southern District of  
New York, ANTONIO VECLANA and ARIEL POMARES, the defendants  
and Augustin Barrros, a co-conspirator,

~~the defendants~~ and others to the Grand Jury unknown, unlaw-  
fully, intentionally and knowingly combined, conspired, confederated  
and agreed together and with each other to violate Sections 812,  
841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said  
defendants unlawfully, intentionally and knowingly would distribute  
and possess with intent to distribute Schedule I and II  
narcotic drug controlled substances the exact amount thereof  
being to the Grand Jury unknown in violation of Sections 812,  
841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

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A

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BL, Jr:11f  
73-2383

SUPERSEDING INDICTMENT (74 Cr. 7)

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York: and elsewhere:

1. On or about July 21, 1973 ANTONIO VECLANA, ARIEL POMARES and Augustin Barres met together at 111 International Hotel, Italian Village, Miami, Florida.
2. On or about July 21, 1973, ANTONIO VECLANA delivered approximately 10 kilograms of cocaine to ARIEL POMARES in a parking lot in Miami, Florida.
3. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
4. On or about July 23, 1973, Augustin Barres met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
5. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barres.
6. On or about July 23, 1973, Augustin Barres delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

A 9

SUPERSEDING INDICTMENT (74 Cr. 7)

SECOND COUNT

The Grand Jury further charges:

On or about the 23rd day of July, 1973,  
in the Southern District of New York, ANTONIO VECIANA  
and ARIEL PONARES

the defendants, unlawfully, wilfully and knowingly did  
distribute and possess with intent to distribute a  
Schedule II narcotic drug controlled substance, to wit,  
approximately 7 kilograms of cocaine hydrochloride.

(Title 21, United States Code, Sections 812,  
841(a)(1) and 841(b)(1)(A).)

Isabel B. Steiner  
Foreman

Paul J. Curran  
PAUL J. CURRAN  
United States Attorney

**READER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

FOIA Unit  
 United States Parole Commission  
 90 K Street, NE, 3rd Floor  
 Washington, D.C. 20530-0901

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**A. Signature**  
 X  Agent  
 Addressee

**B. Received by (Printed Name)** **C. Date of Delivery**

**D. Is delivery address different from item 1?**  Yes  
 If YES, enter delivery address below:  No

*Ealy Lane*

**JUL 30 2020**



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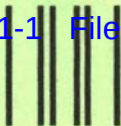
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- 3. Service Type**
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| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |

Newman v. Bureau of Prisons, et al. Complaint Exhibit 8

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Dan L. Hardway  
Dan Hardway Law Office  
PO Box 625  
Cowen, WV 26206-0621

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9590 9403 0690 5196 1581 19





**U.S. DEPARTMENT OF JUSTICE  
United States Parole Commission**

*90 K Street, N.E., 3rd Floor  
Washington, D.C. 20530  
Telephone: (202)346-7000  
Facsimile: (202)357-1083*

August 3, 2020

Mr. Dan I. Hardway  
Dan Hardway Law Office  
P O Box 625  
Cowen, WV 26206

**RE: Manual Antonio Carlos Veciana Blanche  
FOIA Tracking Number: USPC-2020-000279**

Dear Mr. Hardway

We are unable to provide you with the information you requested for one of the following reasons:

The U.S. Parole Commission does not have a file under above-named. One of the following may be the reason for this:

The prisoner may be serving a non-paroleable federal sentence. Under the Sentencing Reform Act of 1984, U.S. Code prisoners whom committed their offense on or after November 1, 1987 are not eligible for parole and do not come under the jurisdiction of the U.S. Parole Commission.

The prisoner may be serving a parole eligible state sentence. State prisoners (except D.C. Code prisoners) are not under the jurisdiction of the U.S. Parole Commission. Contact the applicable state for guidance.

The prisoner may not have served the minimum term to be eligible for parole or may not have applied for parole. Contact the Federal Bureau of Prisons.

Sincerely,

A handwritten signature in black ink that reads "Anissa Hunter Banks".

Anissa Hunter Banks  
Government Information Specialist

# DAN HARDWAY LAW OFFICE

DAN L. HARDWAY, J.D.

ADMITTED IN WV

August 15, 2020

Anissa Hunter Banks, GIS  
United States Parole Commission  
90 K Street, NE, 3rd Floor  
Washington, D.C. 20530-0001

RE: MANUEL ANTONIO CARLOS VECIANA BLANCHE  
FOIA Tracking No.: USPC-2020-000279

Dear Ms. Banks:

Thank you for your prompt response of August 3, 2020, to my FOIA request referenced above on behalf of Dr. John Newman.

I am a bit puzzled that you indicate that you have no record regarding Mr. Veciana. Addressing the possibilities you raise in your letter, Mr. Veciana is not currently serving any sentence because, as the obituary which I submitted indicates, he is dead. As the indictment and commitment order that I included with the request indicates, Mr. Veciana's charge was Federal and he was sentenced to a Federal prison on a Federal charge and his case never involved state charges or incarceration. Mr. Veciana's charges were committed before November 1, 1987, as again reflected in the indictment and sentencing and commitment submitted with my original request. I have enclosed copies of those documents with this letter as well for your ease of reference.

In regard to whether Mr. Veciana was eligible for parole, please note that the sentencing and commitment specifically provides "defendant is placed on Special Parole for a period of THREE (3) YEARS..." As previously stated he was released from Atlanta Federal Penitentiary after approximately 26 months. He testified under oath before the House Select Committee on Assassinations on April 26, 1978, that he was, at that time, on parole. See page 2-47 of the attached transcript excerpt from the hearing.

In light of this information I am at a loss to understand why you can locate no record regarding Mr. Veciana. Could it possibly be that the provision of his full name, including his matronymic, in my original request may have confused your search efforts. Have you searched under the name used in the indictment and sentencing and commitment, i.e., simply "Antonio Veciana". If you have not, I would appreciate it if you could search again for records using all reasonable variations of his name, including but not limited to "Antonio

PO Box 625  
Cowen, WV 26206  
(304) 449-4722  
fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
WV Bar # 1593

Veciana”.

I am willing to receive your response by electronic mail at the email address indicated on the letterhead page of this letter if that is convenient for you.

I once again look forward to your prompt response and appreciate your consideration and cooperation.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Dan L. Hardway', with a long horizontal flourish extending to the right.

Dan L. Hardway

cc: Client

Att: Judgment and Commitment (Veciana), 13 March 1974.  
Indictments, SDNY, Case Nos. 73-CR-793 & 74-CR-7  
Veciana HSCA Testimony Transcript Excerpt

Anissa Banks Letter  
FOIA USPC-2020-000279  
August 15, 2020  
Page 2

RELEASED PER P.L.-102-526 (JFK ACT)

Date: 08/20/93  
Page: 1

JFK ASSASSINATION SYSTEM

IDENTIFICATION FORM

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AGENCY INFORMATION

AGENCY : HSCA  
RECORD NUMBER : 180-10118-10145

RECORDS SERIES :  
TRANSCRIPTS AND STENO TAPES OF IMMUNIZED EXECUTIVE SESSION...

AGENCY FILE NUMBER :

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DOCUMENT INFORMATION

ORIGINATOR : HSCA  
FROM :  
TO :

TITLE :

DATE : 04/26/78  
PAGES : 93

SUBJECTS :  
VECIANA, ANTONIO, TESTIMONY BEFORE THE COMMITTEE  
ISHOP, MAURICE  
UBA  
SWALD, LEE, POST-RUSSIAN PERIOD

DOCUMENT TYPE : TRANSCRIPT  
CLASSIFICATION : U  
RESTRICTIONS : ~~REFERRED~~ *OPEN IN full*  
CURRENT STATUS : P  
DATE OF LAST REVIEW : 06/21/93

OPENING CRITERIA :

COMMENTS :  
5 copies.  
Folder title: Antonio Veciana, 4/26/78, 9:25 a.m.  
Box 17.

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[R] - ITEM IS RESTRICTED

RELEASED PER P.L.-102-526 (JFK ACT)

300 7TH STREET, S.W. REPORTERS BUILDING, WASHINGTON, D.C. 20024 (202) 554-2345



1 to make it appear that the Communists were behind it?

2 Mr. Veciana. Individuals that worked with me in the  
3 Venezuela cell. If the plan would have been successful,  
4 the whole world would have believed that the Communist Party  
5 was behind it. It was well planned.

6 Mr. Triplett. Did those individuals also suggest that  
7 the killer of Castro would die shortly after Castro?

8 Mr. Veciana. Yes. Let me explain the plan a little  
9 further.

10 The plan states that the press conference given by Mr.  
11 Castro in a closed place with like four or five hundred  
12 people in attendance, all having press credentials, where  
13 the heavy lights for television filming was going to  
14 facilitate the action of some of the plotters that would  
15 come forward and in a very sudden act or movement was going  
16 to empty a pistol on Castro's body. Now the plan assumed  
17 that the surprise factor was going to paralyze Castro's  
18 body guards.

19 Once Castro was killed the Chilean guards that were  
20 accompanying Castro would avoid the killing of the two  
21 assassins that were supposed to hide their weapons. They  
22 were in possession of credentials issued by the secretary  
23 of the Chilean delegation of the Chilean presidential palace.  
24 This very important piece would be helped by Chilean elements  
25 that will avoid being killed and possibly there would be

RELEASED PER P.L.-102-526 (JFK ACT)

2-45

300 7TH STREET, S.W. REPORTERS BUILDING, WASHINGTON, D.C. 20024 (202) 554-2345

1 freedom for them in a few years, including a promise of  
2 facilitating escape. As the plan was not fully explained  
3 to the people that were cooperating with me, on their own  
4 account they thought that these people would die and that  
5 was a good opportunity to make the assassination be charged  
6 or attributed to the International Communist Party with whom  
7 Castro had had discrepancies before.

8 Mr. Triplett. So who was it that altered the plan in  
9 assuming that the people would be killed and blame it on the  
10 International Communist Party?

11 Mr. Veciana. As this question does not relate to the  
12 Kennedy case, I invoke the Fifth Amendment. I decline to  
13 answer on the grounds that it may tend to incriminate me.

14 Mr. Triplett. Mr. Chairman, at this time I would ask  
15 the clerk to hand to Mr. Veciana a copy of the order pre-  
16 viously obtained on his behalf.

17 Mr. Preyer. The Chairman directs that the witness be  
18 given a copy of Judge Bryant's order requiring testimony  
19 from him.

20 (The document was handed to Mr. Veciana.)

21 Mr. Triplett. May we also have the copy entered as an  
22 exhibit next in order.

23 Mr. Preyer. Without objection, the order will be  
24 entered into the record as the next exhibit in order.

25 Miss Berning. Which will be JFK Exhibit 105.

RELEASED PER P.L.-102-526 (JFK ACT)

TINDEX

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1 (JFK Exhibit 105 was entered into the record.)

2 Mr. Triplett. May I also suggest that we take a moment

3 for the interpreter to read the order to the witness.

4 Mr. Preyer. Yes.

5 You may proceed.

6 Mr. Triplett. To make sure we get it right could I ask

7 the reporter to read back my last question.

8 (The question was read by the reporter as follows: So

9 who was it that altered the plan in assuming that the people

10 would be killed and blame it on the International Communist

11 Party?)

12 Mr. Veciana. May I make a statement before answering

13 your question, sir?

14 Mr. Triplett. Surely.

15 Mr. Veciana. First of all, I don't see any relation

16 whatsoever between this case and addressing the Kennedy

17 assassination. I am going to answer the question under two

18 conditions. I know I am answering for history and also to

19 my conscience. The individuals whose names I am going to

20 give today have nothing to do whatsoever with any investi-

21 gation around the Kennedy assassination.

22 Second, they are not American citizens, they don't live

23 in the United States and they are persons that live in

24 Venezuela, the country that I have many reasons to believe

25 that the Venezuelan police are fully cooperating with the

RELEASED PER P.L.-102-526 (JFK ACT)

2-47

1 Cuban government. For instance, very recently the Venezuelan  
2 police have orders of arrest for somebody just because the  
3 Cuban government passed information to them regarding my  
4 recent clandestine visit to Venezuela.

5 Second, Mr. Castro passed information to Senator McGovern  
6 that included many details of the attempt. This information  
7 was given to the Cuban government by Venezuelan police offi-  
8 cers.

9 Now if I named these people who are not related in any  
10 way with the Kennedy case and that are living outside the  
11 United States, it is to risk their lives. I understand that  
12 this responsibility, if anything-occurs to these people,  
13 should lie on the head of the committee. Second, if I answer  
14 the question it is not because of being afraid to go to jail  
15 because of being in contempt of court. The American prisons  
16 are not so bad -- they are not as bad as being in peace with  
17 your conscience. Nevertheless, I feel compelled to answer  
18 because going to jail at this point in time for a person who  
19 is on parole would mean to paralyze certain very important  
20 investigations that I am now controlling within the courts  
21 of my country. Consequently, I understand that my obligation  
22 that emanates from this immunity document is judicial black-  
23 mail.

24 Here are the names. Lucino Pena, Luis Posada Carriles,  
25 Arocha -- I don't remember the first name but I think it is

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RELEASED PER P.L.-102-526 (JFK ACT)

1 Antonio. And of this person Secundino Alvarez, I am not so  
2 sure to the extent of his participation.

3 Now this was instrumental in changing the plans, trying  
4 to involve the International Communist Party in the attempt  
5 on Castro's life. This was done without the knowledge of  
6 the people who were actually going to carry out the assassi-  
7 nation and consisted of the following steps.

8 Posada Carriles held the key position in the Venezuelan  
9 police force. He was in charge of the very important area  
10 that means political repression and also the persecution of  
11 Communist elements. Incidentally, Posada Carriles through  
12 the change of administration lost all his power within the  
13 country. With the new administration that came to power in  
14 Venezuela he has been accused of participating in the sabo-  
15 tage action against Cubana de Avia Cion where more than sixty  
16 people lost their lives and among them were important agents  
17 of the Castro government.

18 Posada Carriles worked for a long time for the CIA and  
19 he was introduced to the Venezuelan police in this key posi-  
20 tion under accommodation and also by influence asserted by  
21 the CIA. He used to visit the American Embassy very frequently  
22 and he also used to pass information to FBI and CIA authori-  
23 ties. Posada Carriles has been in jail for more than 18  
24 months without ever having been brought to trial, just due  
25 to the pressure exerted by the Cuban government on the

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JUDGMENT & COMMITMENT (VECIANA)

[ Same Caption ]

On this 13th day of March, 1974, came the attorney for the government and the defendant appeared in person and by Barry Garber, Esq.,

IT IS ADJUDGED that the defendant upon his plea of not guilty and a verdict of guilty by a jury, has been convicted of the offense of unlawfully, wilfully and knowingly distributing and possessing with intent to distribute a Schedule II narcotic drug, to wit, cocaine. (Title 21, U.S. Code, Sections 812, 841(a)(1) and 841(b)(1)(A).) ; conspiracy so to do. (Title 21, U.S. Code, Section 846.)

RECEIVED  
MAR 24 1974

as charged<sup>3</sup> in counts 1 and 2 and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of SEVEN (7) YEARS on each of counts 1 and 2, to run concurrently with each other. Pursuant to the provisions of Section 841 of Title 21, U.S. Code, defendant is placed on Special Parole for a period of THREE (3) YEARS, to commence upon the expiration of confinement.

IT IS ADJUDGED that:

Pursuant to Section 4208(a)(2) of Title 18, U.S. Code, defendant shall become eligible for parole at such time as the Board of Parole may determine.

Defendant remanded in lieu of bail pending appeal fixed in the amount of \$100,000.00.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant

*Walter B. Board*  
United States District Judge.

The Court recommends commitment to Elgin Air Force Base, Fla.

A 797

INDICTMENT (73 Cr. 793)

USA-33s-538 - IND./INF. (Conspiracy to distribute and possess with  
Rev. 5-27-72 intent to distribute narcotic drug.)

**Exhibit**  
**73-2383**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x

UNITED STATES OF AMERICA, :

vs. :

ANTONIO VECLANA and  
ARIEL POMARES, :

Defendants. :

-----x

INDICTMENT

73 Cr. 793

**The Grand Jury charges:**

1. From on or about the 1st day of November, 1972,  
and continuously thereafter up to and including the date of  
the filing of this indictment, in the Southern District of  
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and Augustin Barres named as a co-conspirator but  
not as a defendant,

~~the defendants~~ and others to the Grand Jury unknown, unlaw-  
fully, intentionally and knowingly combined, conspired, confederated  
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INDICTMENT (73 Cr. 793)

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OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York:

1. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
2. On or about July 23, 1973, Augustin Barrea met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.
3. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barrea.
4. On or about July 23, 1973, Augustin Barrea delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

INDICTMENT (73 Cr. 793)

RECORDED COUNT

**The Grand Jury further charges:**

On or about the **23rd** day of **July, 1973.**

in the Southern District of New York,

**ARIEL FOMAREE**

the defendant , unlawfully, intentionally and knowingly did possess with intent to distribute, a Schedule II narcotic drug controlled substance, to wit, **approximately 7 kilograms of cocaine hydrochloride.**

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).)

Foreman

**PAUL J. CUREAN**  
**United States Attorney**

SUPERSEDING INDICTMENT (74 Cr. 7)

HL, Jr:11E  
73-2383

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

74 CRIM 7

UNITED STATES OF AMERICA,

INDICTMENT

73 Cr. 793

-v-

ANTONIO VECLANA and  
ARIEL POMARES,

Defendant .



The Grand Jury charges:

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~~the defendants~~ and others to the Grand Jury unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said defendants unlawfully, intentionally and knowingly would distribute and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

A 8

BL, Jr:ilf  
73-2383

SUPERSEDING INDICTMENT (74 Cr. 7)

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York: and elsewhere:

1. On or about July 21, 1973 ANTONIO VECIANA, ARIEL POMARES and Augustin Barres met together at 111 International Hotel, Italian Village, Miami, Florida.

2. On or about July 21, 1973, ANTONIO VECIANA delivered approximately 10 kilograms of cocaine to ARIEL POMARES in a parking lot in Miami, Florida.

3. On or about July 23, 1973, ARIEL POMARES registered at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.

4. On or about July 23, 1973, Augustin Barres met ARIEL POMARES at the Americana Hotel, 7th Avenue and 52nd Street, New York, New York.

5. On or about July 23, 1973, ARIEL POMARES travelled to the Hotel Taft, 777 7th Avenue, New York, New York and delivered approximately 7 kilograms of cocaine to Augustin Barres.

6. On or about July 23, 1973, Augustin Barres delivered approximately 7 kilograms of cocaine to another person at the Hotel Taft, 777 7th Avenue, New York, New York.

(Title 21, United States Code, Section 846)

A 9

SUPERSEDING INDICTMENT (74 Cr. 7)

SECOND COUNT

The Grand Jury further charges:

On or about the 23rd day of July, 1973,  
in the Southern District of New York, ANTONIO VECIANA  
and ARIEL POMARES

the defendants, unlawfully, wilfully and knowingly did  
distribute and possess with intent to distribute a  
Schedule II narcotic drug controlled substance, to wit,  
approximately 7 kilograms of cocaine hydrochloride.

(Title 21, United States Code, Sections 812,  
841(a)(1) and 841(b)(1)(A).)

Isabel B. Steiner  
Foreman

Paul J. Curran  
PAUL J. CURRAN  
United States Attorney



GOVERNMENT'S BILL OF PARTICULARS

[SAME CAPTION]

The United States of America, as and for its Bill  
of Particulars herein, alleges:

As To The First Count

<u>Overt Acts</u>	<u>Time</u>	<u>Place</u>	<u>Persons Present</u>
1.	Approximately 12:30 P.M., July 23, 1973	Hotel Americana, 7th Avenue and 52 Street, New York, New York	Augustin Barres
2.	Approximately 12:30 P.M., July 23, 1973	Hotel Americana, 7th Avenue and 52nd Street, New York, New York	Augustin Barres and Ariel Pomares
3.	Between approximately 12:30 P.M. and 1:15 P.M., July 23, 1973	Hotel Taft, 777 7th Avenue, New York, New York	Unknown
4.	Approximately 1:25 P.M., July 23, 1973	Hotel Taft, 777 7th Avenue, New York, New York	Augustin Barres and an under- cover officer assigned to the Drug Enforcement Administration, Task Force

As To The Second Count

<u>Time</u>	<u>Place</u>	<u>Persons Present</u>
Approximately 1:25 P.M., July 23, 1973	Room 1011, Americana Hotel, 7th Avenue and 52nd Street, New York, New York	Augustin Barres and an under- cover officer assigned to the Drug Enforcement Administration, Task Force

GOVERNMENT'S BILL OF PARTICULARS

Dated: New York, New York

September 24, 1973

Yours, etc.,

PAUL J. CURRAN  
United States Attorney for the  
Southern District of New York  
Attorney for the United States  
of America

By:

---

EUGENE F. BANNIGAN  
Assistant United States Attorney  
Office and Post Office Address:  
United States Courthouse  
Foley Square  
New York, New York 10007  
Tel: (212) 264-6346

TO: JONATHAN L. ROSNER, ESQ.  
Messrs. Rosner, Rosnar & McEvoy  
6 East 43rd Street  
New York, New York 10017

BARRY L. GARBER, ESQ.  
Suite 1040  
City National Bank Building  
25 West Flagler Street  
Miami, Florida 33130

ABRAHAM H. BRODSKY, ESQ.  
233 Broadway  
New York, New York

GOVERNMENT'S SUPPLEMENTAL BILL OF PARTICULARS

[Same Caption]

The United States of America, as and for its  
Supplemental Bill of Particulars herein, alleges:

1. On or about July 21, 1973 Antonio Veciana,  
Ariel Palmares and Augustin Barres met together at 111  
International Hotel, Italian Village, Miami, Florida.

2. On or about July 21, 1973, Antonio Veciana  
delivered approximately 10 kilograms of cocaine to Ariel  
Palmares in the parking lot of 111 International Hotel,  
Italian Village, Miami, Florida.

3. On or about July 21, 1973, Ariel Palmares  
delivered approximately 10 kilograms of cocaine to  
Augustin Barres at 111 International Hotel, Italian Village,  
Miami, Florida.

Yours, etc.,

PAUL J. CURRAN  
United States Attorney for the  
Southern District of New York  
Attorney for the United States  
of America

By:

EUGENE F. BANNIGAN  
Assistant United States Attorney  
Office and Post Office Address  
United States Courthouse  
Foley Square  
New York, New York 10007  
Tel. (212) 264-6346



Dan Hardway &lt;titus313@gmail.com&gt;

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**Manuel Blanche**

3 messages

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**Banks, Anissa H. (USPC)** <Anissa.Banks@usdoj.gov>  
 To: "DAN@HARDWAYLAW.COM" <DAN@hardwaylaw.com>

Tue, Sep 15, 2020 at 1:09 PM

Per our conversation, I am in need of a date of birth, social security number or the federal register number in order to do more research on the above-named.

Anissa Hunter Banks

Government Information Specialist

U.S. Parole Commission

Washington, D.C.

202/346-7030

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**Dan Hardway** <dan@hardwaylaw.com>  
 To: "Banks, Anissa H. (USPC)" <Anissa.Banks@usdoj.gov>

Tue, Sep 15, 2020 at 1:21 PM

Mr. Veciana'd dare of birth was 18 October 1928. He was born in Cuba.

[Quoted text hidden]

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**Dan Hardway** <dan@hardwaylaw.com>  
 To: "Banks, Anissa H. (USPC)" <Anissa.Banks@usdoj.gov>  
 Bcc: John Newman <east-westyoga@comcast.net>

Fri, Sep 18, 2020 at 10:44 AM

Dear Ms. Banks,

Please refer to Mr. Veciana's Judgment and Conviction Sheet that I previously provided to you. Please note that Judge Bonsal sentenced Mr. Veciana under 18 U.S.C. § 4208 (a) (2). At the time of sentencing 18 U.S.C. § 4208 (a) allowed a sentencing judge an option in regard to parole eligibility:

“.... the court .... may

(1) *designate* in the sentence of imprisonment imposed *a minimum term* at the expiration of which the prisoner shall become eligible for parole, which term may be less than, but shall not be more than one-third of the maximum sentence imposed by the court, o

(2) the court may fix the maximum sentence of imprisonment to be served in which the court may specify that *the prisoner may become eligible for parole at such time as the board of parole may determine.*"

18 U. S.C. § 4208 (a) [Emphasis added].

Judge Bonsal, in the sentencing order previously supplied to you, adjudged that, "pursuant to Section 4208 (a) (2) of Title 18, U.S. Code, defendant shall become eligible for parole *at such time as the board of parole may determine.*"

In sentencing Mr. Veciana under paragraph (2) of subsection (a) **instead of** paragraph (1) of subsection (a) of Section 4208 of Chapter 18 of the U.S. Code as it was at the time of the sentencing, Mr. Veciana did not receive a minimum sentence although he had a maximum of 7 years on two counts to run consecutively. Mr. Veciana, consequently, could only become eligible for parole "at such time as the Board of Parole may determine."

We know that Mr. Veciana was released on parole in mid-February of 1976 after serving less than three years of his 14 year sentence in the Atlanta Federal Penitentiary. Ergo, there had to have been a determination made by the Board of Parole that Mr. Veciana was eligible for parole.

I hope this information will help you in your search for documents responsive to this FOIA request.

Dan

[Quoted text hidden]

--

Dan L. Hardway  
PO Box 625  
Cowen, WV 26206  
(304) 449-4722  
fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
SAPERE AUDE

"Pardon me, hounded hope, for laughing now and again....  
I apologize to big questions for small answers.  
O Truth, do not pay me too much heed."

--- Wislawa Szymborska



**U.S. DEPARTMENT OF JUSTICE  
United States Parole Commission**

90 K Street, N.E., 3rd Floor  
Washington, D.C. 20530  
Telephone: (202)346-7000  
Facsimile: (202)357-1083

September 17, 2020

Dan I. Hardway  
Dan Hardway Law Office  
P O Box 625  
Cowen, WV 26206

**RE: Manual Antonio Carlos Veciana Blanche**

**FOIA Tracking Number: USPC-2020-000316**

Dear Mr. Hardway

Be advised that we used all information provided to research the above-named to no avail.

We are unable to provide you with the information you requested for one of the following reasons:

The prisoner may be serving a non-paroleable federal sentence. Under the Sentencing Reform Act of 1984, U.S. Code prisoners whom committed their offense on or after November 1, 1987 are not eligible for parole and do not come under the jurisdiction of the U.S. Parole Commission.

The prisoner may be serving a parole eligible state sentence. State prisoners (except D.C. Code prisoners) are not under the jurisdiction of the U.S. Parole Commission. Contact the applicable state for guidance.

The prisoner may not have served the minimum term to be eligible for parole or may not have applied for parole. Contact the Federal Bureau of Prisons.

You may wish to contact the Court which sentenced the offender.

Sincerely,

A handwritten signature in black ink, appearing to read "Anissa Hunter Banks".

Anissa Hunter Banks  
Government Information Specialist

# DAN HARDWAY LAW OFFICE

DAN L. HARDWAY, J.D.

ADMITTED IN WV

October 27, 2020

Anissa Hunter Banks, GIS  
United States Parole Commission  
90 K Street, NE, 3rd Floor  
Washington, D.C. 20530-0001

RE: MANUEL ANTONIO CARLOS VECIANA BLANCHE  
FOIA Tracking No.: USPC-2020-000279

Dear Ms. Banks:

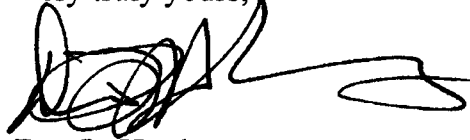
Thank you for your letter of 17 September 2020 in regard to my FOIA request referenced above on behalf of Dr. John Newman.

Since that last response, I have received some very limited information from the Bureau of Prisons which would indicate that they maintained their files on Mr. Veciana under the file name: "Blanche Veciana, Manuel Antonio Carlos" and that his file number was "80071-158". I have enclosed a copy of the Reference Request showing Mr. Veciana's BOP file title and number for your reference.

Based on the information provided by the Bureau of Prisons, I would request that you check your records one more time using the new information provided to renew and expand your search for records responsive to Dr. Newman's FOIA request.

Thank you for your consideration.

Very truly yours,



Dan L. Hardway

cc: Client

enc: Reference Request

PO Box 625  
Cowen, WV 26206  
(304) 449-4722  
fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
WV Bar # 1593

Select Stratified and Sentry Codes here:

These values will be placed next at the "BOX" option

Sentry Code\*  Stratified Code\*

REFERENCE REQUEST - FEDERAL RECORDS CENTERS

NOTE: Use a separate form for each request.

SECTION I - TO BE COMPLETED BY REQUESTING AGENCY

ACCESSION NO.	AGENCY BOX NUMBER	RECORDS CENTER LOCATION NUMBER
129 85 0044 28.	26 OF	

DESCRIPTION OF RECORD(S) OR INFORMATION REQUESTED  
 Inmate's Central File - Blanche Veciana, Manuel Antonio Carlos 80071-158

BOX:

FOLDER (include file number and title) **Blanche Veciana, Manuel Antonio Carlos 80071-158**

REMARKS

FIOA

NATURE OF SERVICE

FURNISHED COPY OF RECORD(S) ONLY  PERMANENT WITHDRAWAL  TEMPORARY LOAN OF RECORD(S)  REVIEW  OTHER (Specify)

SECTION II--FOR USE BY RECORDS CENTER

- RECORDS NOT IN CENTER CUSTODY  RECORDS DESTROYED
- WRONG ACCESSION NUMBER - PLEASE RECHECK
- WRONG BOX NUMBER - PLEASE RECHECK
- WRONG CENTER LOCATION - PLEASE RECHECK
- ADDITIONAL INFORMATION REQUIRED TO IDENTIFY RECORDS REQUESTED
- MISSING (Neither record(s), information nor charge card found in container(s) specified)
- RECORDS PREVIOUSLY CHARGED OUT TO (Name, agency and date):

REMARKS

Name:

Agency:

DATE

SERVICE

TIME REQUIRED

SEARCHER'S INITIALS

SECTION III--FOR USE BY RECORDS CENTER

NAME OF REQUESTER	TELEPHONE NO.	FTS DATE	RECEIPT OF RECORDS
(b)(6); (b)(7)(C)		08/18/2020	

NAME AND ADDRESS OF AGENCY

P.O. Box 150160  
 Atlanta, GA 30315  
 Attention: Records Dept

(include, street address, building, room no., and ZIP Code)

Requester please sign, date and return this form, for file item(s) listed above, ONLY if the block to right has been checked by the Records Center.

SIGNATURE

DATE

(In Washington, D.C. area also include STOP number)

NSN 7540-00-682-6423

PREVIOUS EDITION USABLE

OPTIONAL FORM 11 (Rev. 7-87)  
 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
 36 CFR 1228.162





**U.S. DEPARTMENT OF JUSTICE  
United States Parole Commission**

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*90 K Street, N.E., 3rd Floor  
Washington, D.C. 20530  
Telephone: (202)346-7000  
Facsimile: (202)357-1083*

November 5, 2020

Dan I. Hardway  
Dan Hardway Law Office  
P O Box 625  
Cowen, WV 26206

**RE: Manuel Antonio Carlos Veciana Blanche**  
**FOIA Tracking Number: USPC-2021-00027**

Dear Mr. Hardway

Be advised that we used all information provided to research the above-named to no avail.

We are unable to provide you with the information you requested for one of the following reasons:

We have searched the following names in our records: Manuel Carlos, Manuel Antonio, Manuel Veciana and Manuel Blanche. We also used the Federal Register Number that was provided to you by the Bureau of Prisons, 80071-158. Additionally, we used the date of birth to no avail.

You may wish to contact the Court which sentenced the offender or check for records with the state parole office.

Sincerely,

A handwritten signature in blue ink that reads "Anissa Hunter Banks".

Anissa Hunter Banks  
Government Information Specialist

# DAN HARDWAY LAW OFFICE

DAN L. HARDWAY, J.D.

ADMITTED IN WV

November 12, 2020

Anissa Hunter Banks, GIS  
United States Parole Commission  
90 K Street, NE, 3rd Floor  
Washington, D.C. 20530-0001

RE: MANUEL ANTONIO CARLOS VECIANA BLANCHE  
FOIA Tracking No.: USPC-2020-000279

Dear Ms. Banks:

Thank you for your letter of 5 November 2020 in regard to my FOIA request referenced above on behalf of Dr. John Newman.

In my last letter to you of 27 October I provided you with the very limited information I had received from the Bureau of Prisons which indicated that they had maintained at least one file on Mr. Veciana under the file name: "Blanche Veciana, Manuel Antonio Carlos" and the file number "80071-158". Based on that information, I requested that you do an additional search for records in your agency using the new information provided.

Your response of 5 November indicates that you have searched for the Federal Register Number and Mr. Veciana's date of birth with no result. Your response also indicates that you searched the following names: "Manuel Carlos, Manuel Antonio, Manuel Veciana and Manuel Blanche." I do not know if that is all the name combinations you have used in your search as you have not indicated that any other name combinations have been searched.

Mr. Veciana commonly went by the names "Antonio Veciana" and "Antonio Veciana Blanche." If you have not searched those name combinations, I request that you do so. In addition, I would request that you search for the specific name as recorded on the Bureau of Prisons form, i.e., "Blanche Veciana, Manuel Antonio Carlos" and its most logical variation: "Manuel Antonio Carlos Blanche Veciana." Also please search for "Antonio Blanche," "Antonio Blanche Veciana" and any other reasonable combination of the five names he used.

Thank you for your consideration. Your patience and willing assistance in this matter is very much appreciated. I look forward to hearing from you.

Very truly yours,

/s/

Dan L. Hardway

cc: Client via email

PO Box 625  
Cowen, WV 26206  
(304) 449-4722  
fax: (304) 405-2141  
[dan@hardwaylaw.com](mailto:dan@hardwaylaw.com)  
WV Bar # 1593