

Hon. Kenneth M. Karas

Your Honor,

As I write this letter, I'm hopeful that you have read our entire Rule 33 motion. During my trial I sat there, day after day waiting for the truth to come out and the lies I was hearing exposed. I didn't speak much with Mr. Banket during the trial but at the end of each day he would tell me to be patient and wait until it's our turn. There were so many times when I wanted to bring all the perjury I was hearing to the Court's attention. Instead I foolishly kept trusting in my attorney. He betrayed my trust.

Since the time of my arrest I have lived in inhumane conditions. I have not seen the sky or the sun in over seven years. I've been jumped, stabbed, cut, starved and isolated in a room for months at a time without so much as a book. I've endured constant lockdowns, Covid, Jeffrey Epstein, being "the cop" during George Floyd and being chained to a hospital bed for three weeks because my face was bashed in with a numbers wrench. I've lost my grandfather, my father, my wife my dogs and horses and my home.

The one thing that keeps my head up and keeps me fighting is the fact that I am innocent. It's what gives me the courage to confront even this Court and declare that a grave injustice has been done.

Based on the trial, Your Honor referred to me as a monster. I am not a monster. My entire life I have acted with compassion and generosity my entire life. Normally, I would never tout my past or my "good deeds" but this is not a normal situation. At trial I was painted as a man who would be able to kill someone and even more egregious kill someone over money. I am the furthest thing from that.

- I am a man who has personally rescued thousands of dogs and over 100 horses and incurred the cost from my own pocket
- I am a man who spent over \$1,000 to fix a wild Canadian Goose's beak

- I AM A MAN who opened up his FARM to AUTISTIC CHILDREN from a NEARBY HOME
- I AM A MAN who has coached T-League baseball four years IN A ROW
- I AM A MAN who used his CREDIT CARD to buy a LAP TOP COMPUTER for a 9 year old boy who would come to do volunteer help at the RESCUE. He was the ONLY ONE in his CLASS whose PARENTS couldn't AFFORD ONE AND AS A RESULT he was being badly teased AND falling behind
- DURING MY ROOKIE YEAR I WAS teased because I paid \$700 which at the time was my ENTIRE pay check to buy a pig that was ABOUT to be SLAUGHTERED.
- Despite the horrible charges AGAINST ME, Jeffrey Epstein was put in my cell because according to the CAPTAIN, I WAS the ONLY person in SHU they were CERTAIN wouldn't hurt OR extort him. I also saved his life with CPR.
- My new Mitigation specialist Louise Luck told my ATTORNEY AND my FAMILY that she had over 100 letters from people who wanted to vouch for my being a KIND person
- I WON \$100,000 AT A CASINO. My friend who was with me has a severely disabled son. I gave him \$50,000 so he could modify the home for the boy
- DURING the summer of 2016, I came upon a MAN AND his child on the side of the ROAD next to a very old CAR with a now blown engine. The MAN had driven from Queens N.Y. all the way to upstate to fix a dishwasher. The MAN was clearly down on his luck but trying his best for his kid. I drove them to my farm where I had some used cars I was selling. I handed him the title AND the keys to a very good Lincoln Town Car I had purchased in Florida. They drove home with my plates on it. This MAN is in my phone contacts under "Blue Town Car" with his name that I CANNOT recall

- While working as a police officer on Thanksgiving day I was dispatched to a home where a man was brought home from hospice so he could spend this last holiday with his family. The family was all woman and children and they had no way to get him and his wheel chair up to their 3rd story walk up. I carried him. My police department was small and my 4pm relief was a small female. I drove back that night at 8pm and carried him back down. These people wrote me a letter.
- While working a very lucrative security job (\$500 a night) for the 26 year old Saudi Prince while he was partying in New York City, The Prince and his entourage were walking to a club because it was New Years Eve and he was spending it in New York. We passed a young woman and her small dog who were trying to keep warm in a lobby but she was told she couldn't stay there. I stopped to speak to her and make sure she would be OK. She had no money and the shelter would not take her with the dog. The Prince got angry because I was holding him up and told me to either come on or I would be fixed. I couldn't leave the girl and little dog to freeze to death so I was fixed. I ended up paying for a hotel room for her and the next day I drove back down to the city, picked her and the dog up and drove her home to her moms house in Oneonta N.Y.
- An Article in the Journal News begins with "Nick Tantiaglione is one of the good guys in this world..." I paid for an elderly's woman's dog to have a special cart made because the dogs back legs no longer worked and the dog was all she had. I tried to remain anonymous but the company "Wheels for Canines" gave the Reporter my name.
- While working as a Pawling Police officer I went into the elementary school alone and subdued a man with a gun. My backup was 12 minutes away and I went in. The man was arrested without any shots fired. I received an award for this.

Martin Luna's family lied and misled the police. They changed their story from week to week and then lied on the stand at trial.

Originally, Martin's family told the police that there was no one missing, they just wanted to know where the car was at. Despite the fact that Martin Luna, Miguel Luna and Urbano Santiago all live in the same house and all 3 work together, only Martin and Miguel are reported missing at the stand.

While watching surveillance video with police, Martin's brother in law whispers to his wife "Chiavato" basically implying she's a "rat". At this same viewing, Jose is describing to Detective Vukсанovich that "someone" is left behind. But when Vuksanovich leaves the room, Jose then informs Celia that it is in fact Martin who is left behind.

Celia Luna told police on 4/18/16 that all of the victims went to Mexico and when they all returned they went missing. 3 days later Celia changed her story and stated it was only Martin who went to Mexico.

The same Celia Luna, about a month before trial, told William Young and Aisa Conroy that the day before Martin went missing, Martin told Celia that he was going with Marcos Cue to look at a pal that belongs to a friend of Marcos. At trial, Celia claims to not have said this then claimed she couldn't remember.

For 6 years Martin's daughter told police she heard Martin on the phone arguing with someone but claims no names were said. After speaking with William Young however a few weeks before she testified she now remembers that the name of the man on the other end was Nick. This is a lie.

I hired MARCUS full time On October 28, 2015. He was chosen over others, for the primary reason that he spoke English very well. At trial I was shocked AND ANGRY when I saw the act he was performing. We never needed any translation application to communicate. The prosecution had to have known this. The months of talks between MARCUS AND I are clearly not going through an application. The videos of his interview AND photo array also show he speaks English very well. Even a marshal, when I was in backed, laughed AND joked that MARCUS English was fine when he was complaining about his lunch.

Had the jury known that MARCUS Cruz not understanding English was just an act, perhaps they would have looked at his testimony AND the rest of his behavior more closely.

One day MARCUS approached me AND asked me if I could use my police contacts to trace someones cell phone. I explained to him that it doesnt work that way. He told me that a group of guys from his home town in Mexico had all killed in money to buy a market back in Mexico but one of the men took off with all the money. I told MARCUS to call the police but he said he couldnt do that because they would ask for "tax papers"

The story sounded fishy but it mattered little to me. I told MARCUS that I couldnt do anything but a guy from my gym was a retired cop AND now a P.I. MARCUS said he wanted to hire him AND I set it up for them to meet. I texted Benderoth AND he was eager to take the job.

I had given security AND P.I. jobs to Benderoth before this. I was often offered jobs of this nature but I didnt take them. I didnt like them AND I was busy with the rescue. I gave them all to Benderoth because I knew he was broke AND I felt in debt to him because before I met him he had stopped my mom from being mugged.

A few days later, Marcus came to me and told me the guy who stole the money went "back home" and someone else from the group already hired a different Private Investigator.

I texted Benderoth that the job was off and it was me who texted him "I'm Sorry You lost out".

About a week later Marcus came to me complaining that the P.I. they hired was an "Old Man" and he wasn't doing anything. Marcus asked me if I knew any P.I.s who were Colombian or Mexican. I said I did not. The only other guy I knew was this giant who was black but had a wife from Columbia and did bodyguard work for people. I gave Marcus Biggs phone number and had no involvement after that.

Biggs and Benderoth did not know each other before 2016. Biggs never "collected" for me and never "collected" for me with Benderoth. Biggs was never raped by Benderoth in 2014 and he never saw Benderoth rape some man in 2014. These were all outrageous lies. They did not meet until Marcus hired them.

After that I knew that Marcus was hanging out with them because he would often complain while at the ranch about being hung over because he was drinking with them.

They had even drank together at my brother's bar. A bartender told my investigator that as well. I simply didn't care enough about what they were doing to ASIC. ANY QUESTIONS I was busy with my own life, running a rescue and trying to return to the police department.

At one point I did learn that Marcus and his friends had rented my brother's bar. The bar was only open on weekends now and I remember picking up the key from my father and giving it to Marcus. I was at the bar only once and that was when it 1st opened in 2014.

The jury never learned of any of this. The jury was also in the dark about Martin's family.

Sometimes when a worker logged a lot of hours working at the Reserve I would pay them with a used car I was selling. Such is the case with Marcos Cruz and his brother Miguel Valesquez. Miguel had two vehicles I gave him as payment, a Blue Van and a Lincoln Town Car. Marcos had the Nissan Armada and the Ford Explorer. I let them keep my plates on the vehicles because they did a lot of work on the farm and I needed them to be able to go back and forth on their own.

Marcos Cruz testified however that the Ford Explorer was still mine. He also testified that on 4-11-16 he was working on my farm with his brother in law "Hugo". These were lies! Marcos had rented the bar that day and he was told as long as the animals had water he could go. Marcos also lied to the jury that after the murders I told him to get the Explorer clean "inside and out" and get rid of it. Marcos said he did just that and sold it to the same "Hugo".

On 12-19-16 Police interviewed Hugo Galicia. Hugo makes it very clear that he never worked on my farm. Hugo also tells police that he did buy the Explorer but he bought it in September, not April. Hugo then went on to tell police that when he bought the Explorer it was Marcos he gave the cash to and it was Marcos who gave him the signed title. According to Hugo, "Marcos boss" was not even there.

In A 302, Marcos tells William Young that when he sold the Explorer, he kept the money because Nick told him to.

This is a lie. Marcos kept the money because the Explorer, like the Nissan Armada was Marcos Cruz vehicle.

On March 8th 2016 I pulled onto my farm and saw Marcos speaking with a man standing by his truck. When I walked over the man said "I'm the guy you bought the truck from a few months ago". The man was Jason Sullivan. Sullivan asked me if I wanted to buy the truck he had with him now. I gave him a price but he said it was too low.

At some point Sullivan began to pitch "Champion Youth Service". He told me they had a chain of schools already going and he was looking for investors. He also lied and told me it was a 501(c)(3) which was what my rescue was. I gave him my cell number and told him to send me the website.

2 weeks later Sullivan began calling me and began hounding me to send money. I never did. The text between us clearly show Sullivan telling me outrageous lies about the school in order to scam me out of money. Some of the lies in the texts were, he purchased buildings, was meeting with the "State Taxable Authority" and they would give him all the kids he could handle". He even told me the schools had commercials airing on major networks.

This is a man that testified that he was terrified of me because I had just killed his friend because he had stolen money from me.

Had the jury seen these lies that Sullivan was texting me perhaps they would have seen he was lying on the stand as well.

Marcos worked on my farm every day and even when he runs off he would often be on the property or in his shed. He clearly no longer worked at Golden Shoes. Marcos and his brother built a shed that had a couch, electric, a mini fridge and a water pump. A Porta John was also rented for the property because I could not bring myself to trust him to use the bathroom in my home while I was not there. This is ironic because I'm supposed to have trusted him with \$200,000 that came off of thin air. Marcos had 24/7 access to the property and would often sleep at the shed.

The shed they built was also near an enormous mulch/manure. This is the exact same mulch pile that a police K-9 indicated had once held a corpse.

When police excavated the bodies, they found some mulch in the grave (not a great deal). At trial Marcos claimed he needed to haul mulch up the mountain to fill the hole. This must be false for the simple fact that if you put 4 adult male bodies into a hole, you will have a great deal of excess dirt. I believe mulch was in that grave because just as the K-9 had indicated a body or bodies had been in that mulch pile.

Hector Gutierrez brother told police that Miguel Luna had been paid a lot of money to deliver the others. Miguel had also just arrived from Mexico the week before. This would go a long way in explaining why Miguel is answering Martins phone and saying "hes busy".

Another fact to consider is at least 4 people including a Retired Trooper reported seeing some of the victims in Platterkill a week after 4-11-16. Detective VORSANOVICH misled the jury when he told them it was "at least one" who had seen them.

Another interesting fact that makes me believe that Marcos hid a body in the mulch pile and that body was MARTIN LUNA was their body weights.

Alive MARTIN LUNA weighed 180 to 200 lbs., Marcos even told the jury and police that MARTIN had gotten very fat. In contrast UBANO SANTIAGO was thin at 140 to 150 lbs and Miguel, according to a very recent police report weighed 175 lbs.

Their remains however tell a different story. MARTIN LUNA'S REMAINS ARE THE LEAST AT 110 lbs. MIGUEL'S REMAINS ARE 117 lbs. AND UBANO WHO IN LIFE WEIGHED ABOUT 30 TO 50 lbs LESS THAN MARTIN NOW WEIGHS 4 lbs MORE AT 114 lbs. I became even more convinced when I read a letter from Senior Investigator Bruce Kessler to the H.E.'s office telling them to keep ANY estimation of a date of death off reports.

Had the jury known about the shed, the K-9 and the mulch pile, the body weights and the letter, they may have seen that something is not right with the prosecutive theory.

Joseph Dugas sat on the stand and told lie after lie. He lied about collecting money for me, about when he met Benderoth, he lied about being raped, and he lied about the outgoing call. He even told the jury that the 5 foot 11 inch Benderoth was 6 foot 4 or 5.

When prosecutors did not correct him and then justified that his lie about Benderoth's height was not a lie but his "perception" I was again humiliated and angry at how far the prosecutors were willing to go to hide the fact that their cooperators were actors and liars. I would like to tell the court about another example of perjury that I have found since our Rule 33 went in.

Joseph Biggs testified that on the morning of 4-11-16 he called Sullivan ("Jay from Florida") and he and Sullivan went over "the basics", time, address etc. Biggs then tells the Jury he then called me and relayed the information Sullivan had just given him. According to Biggs, I replied "Good". Biggs then states that he turned his personal cell phone off and left his house to go pick up Bendureth.

Nothing in this scenario ever happened. Biggs never calls Sullivan in the morning or from home. He doesn't call Sullivan until he is already in Chester N.Y. Even more crucial is Biggs never calls me after he speaks with Sullivan. There was never any relaying of what Sullivan told him. "Nick never replied "Good"

Will the government claim this is another memory lapse? Or perhaps claim they used WhatsApp for this one call? These cooperators need to be called to task for these lies.

In the government's response they claim lies are memory lapses and not revealing pennyway was strategic. They are working very hard to keep the truth from coming out. In regards to the white pants that Martin Luna was wearing on 4-11-16. In their response they tell the Court that the pants could change color because the pants were on a decaying corpse and buried with other bodies whose clothes could have leaked dye onto Martins white pants. Besides defying gravity because Martins body was on top, they never told your Honor that their own witness, Dr. Roman clearly told Mr. Swergold that Martins legs were blue from the jeans he was wearing.

I read that A prosecutors goal should be justice AND NOT simply A conviction. I'm ANGRY AND heartbroken that even after being shown clear evidence that William Young was crooked AND their COOPERATORS lied, that they would SLANT AND MISTAKE FACTS to the Court IN ORDER to protect LIARS AND A Crooked cop.

Its true that the government should have KNOWN About these bad acts, but Its worse for them to continue to protect them. I AM willing AND very eager to take A polygraph test. I will take it AT A moments notice! I told the same thing to INV. Hammer while driving to White Plains AND INSTEAD he Reported I said "Fucking Mexicans"

IN closing I would like to say that while I was Researching Rule 33 MOTIONS AND Police MISCONDUCT, I came ACROSS A 20 year old case IN which the Government was prosecuting Bin Laden. The U.S. Marshals Service had failed to hand over video taped interviews. When the AUSA found out About this, he was "shocked" AND "livid". Had my prosecutors had the same ethical fortitude then perhaps this trial would have had A very different outcome.

There is simply too much perjury IN the discovery to put IN A letter. I AM pleading to your Honor to give me A hearing if NOT A New TRIAL

I AM AN INNOCENT MAN AND did NOT commit these crimes.

Respectfully
Yves Guet

Nick Tagliano