

EXHIBIT B

file

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February 8, 2005

David M. Hardy
 Chief of the Record Information/
 Dissemination Section
 FBI - Department of Justice
 935 Pennsylvania Avenue, NW
 Washington, DC 20535-0001

RE:	Edgar Omar Ramos-Villareal
Date of Accident:	October 20, 2004
DOB of Decedent:	October 28, 1979
Cochise County Sheriff's Dept. misnomer of Mr. Ramos-Villareal:	Edgar Villa-Rogelio/Edgar Rogelio-Villa

Dear Chief Hardy,

Please accept this correspondence as a formal request for information under the Freedom of Information Act regarding the above-named individual.

Mr. Ramos-Villareal was a Mexican National who was shot to death by a United States Border Patrol Agent near the border at or approximately in the area of Portal, Arizona on October 20, 2004. The Cochise County Attorney's Office, with jurisdiction at that location, declined prosecution of this case. The Cochise County Sheriff's Office responded to our request for a full copy of their file with a 19-page report and nothing else. In fact, we were informed by a detective with that office that digital photographs of the shooting were ordered destroyed by the Cochise County Sheriff's Department. In addition, a police videotape, which we believe contained explicit footage of the shooting and death of Mr. Ramos-Villareal, was demolished by the Sheriff's Department because, as the detective described it, it was "taking up too much space". We believe that copies still exist of both the photographs and the videotape, and we are requesting copies of this evidence.

We believe that there is far more information, including further records and reports, witness statements and/or interviews, photographs, videotapes and other hard evidence that exists and is directly related to this shooting death. This letter is a formal request for all information you are able to procure for us and on behalf of the decedent's mother, father, and immediate family, with regard to our ongoing investigation in unearthing the truth of what occurred on October 20, 2004 to Edgar Omar Ramos-Villareal.

The following list comprises the requests we are making to the United States Department of

OFFICES IN PHOENIX AND OTHER LOCATIONS IN MARICOPA COUNTY

Homeland Security and the United States Bureau of Customs and Border Protection. We are requesting from the FBI the same list of evidence with the properly corresponding FBI forms related to said evidence procurement. We are hereby requesting the following available documents and/or evidence, if such evidence does exist relating to this matter:

- A. Cover sheet with table of contents;
- B. Authorizing Official's investigative report of the incident, including Form (INS or other) G-166;
- C. Memorandum of incident from the supervisor on scene;
- D. Transcripts of synopses of oral statements from Service officer(s) involved in the shooting;
- E. (INS or other) Form G-725, Report of Assault on Service Employee;
- F. Criminal history record check results (National Crime Information Center);
- G. Photographs of scene and/or individuals at scene;
- H. Videotapes of scene and/or individuals at scene;
- I. Diagrams of scene;
- J. Shooting data including distances of U.S. Border Patrol officers and assailants, number of rounds fired, etc.;
- K. Detailed information pertaining to firearms and ammunition used including makes, models, types and numbers of firearms used, ammunition make and type used, performance of ammunition if known, etc.;
- L. Statements of witnesses;
- M. Official reports from local investigating authority (e.g., FBI, Sheriff's Office, Police Department, etc.);
- N. Medical reports and Medical Examiner's Reports, including Autopsy Reports; and
- O. Copies of printed and televised media reports of this incident.

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For your information, enclosed are a copy of a Power of Attorney signed by Mr. Ramos-Villareal's father, Jose Ramos-Gonzales; a Freedom of Information/Privacy Act Request signed by myself on behalf of Mr. Ramos-Villareal's family; a copy of Mr. Ramos-Villareal's death certificate - State of Arizona; a copy of the State of Arizona Disposal-Transmit Permit; a copy of the Certificado de Defuncion regarding the transfer of Mr. Ramos-Villareal's body to Mexico; a copy of Mr. Ramos-Villareal's Acta de Nacimiento or Birth Certificate (two pages).

Please understand that we are in need of your help with regard to obtaining this information and evidence. We ask that you empathize with the grievous situation the family of Mr. Ramos-Villareal now lives under. We look forward to hearing from your office with what we hope is an abundance of evidence which will illuminate what truly did happen to Mr. Ramos-Villareal, forcing him to an untimely and unwarranted death. If there is anything at all that we can assist you with in furtherance of this matter, please do not hesitate to contact either myself or Cynthia Edlow, CLA at our office, telephone number 480-345-9565.

Very truly yours,



Scott E. Richardson
Attorney-at-Law

Enclosures