

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

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US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

FILED

MARCUS ROBERTSON
AKA ABU TAUBAH
PRO SE PLAINTIFF

v

CASE NO. 6:12-CV-1719-OF

37 TBS

Roger Bernard Handberg III
(Assistant United States Attorney),
Adam Topping, Kevin Thuman,
Bryce Essary, Kevin Coleman,
Robert Manson, Kevin Corlew,
Christopher J. Savard and
Tony Bivona, Special Agents
of the FBI and Eric Holder
(Attorney General)
DEFENDANTS

CIVIL COMPLAINT

COMES NOW the Pro Se Plaintiff,
Marcus Robertson aka Abu Taubah with a civil
complaint against the defendant Roger Bernard
Handberg III et al.

The Plaintiff is suing the defendants for:

- 1) Defamation of character.
- 2) Lying to a federal Judge in order to violate Plaintiffs Liberty interests.
- 3) Fabricating Evidence.
- 4) Breach of Contract.
- 5) And other claims mentioned herein.

JURISDICTION

This Court has jurisdiction over the above entitled matter, being that the Plaintiff is in Federal Custody, All the defendants are Federal Employees and the Plaintiffs complaint for damages is in the excess of \$75,000.

MEMO

The Plaintiff is suing defendants et al in their individual and professional capacity.

STATEMENT OF CLAIMS

Breach of Contract: The Plaintiff worked as a Covert Operator for the FBI, Terrorist Task Force from 2004 until 2007, performing operations in the United States and Internationally. The Plaintiff had a contract with the United States Government in which the Plaintiff was asked to carry out Covert Operations with and against suspected And known terrorist Organizations/Groups.

continued

STATEMENT OF CLAIMS

During said operations the United States Government, the FBI and the CIA authorized and assisted the Plaintiffs use of firearms, weapons and training of Terror-Suspects by providing various forms of Logistics, information and monies.

Furthermore, the Plaintiff was given a letter of Immunity assured that no criminal charges would ever be derived due to Plaintiffs sanctioned actions and promised that the United States Government would duly note the Plaintiffs Patriotic Service.

The Defendants linking the Plaintiffs Criminal Indictment to terrorism directly violates the entire Contract and the letter of Immunity in particular.

2 Defamation of Character: The Defendant, Roger Bernard Handberg III, et al, has presented to the Press and Public false statements and claims about the Plaintiff being a terrorist and/or having links to terrorism, while the defendants full well knew, that the only links to Terrorism were those that occurred during the Plaintiffs employment as a Covert Operator for the United States Government and the Terrorist Task Force.

3 Fabricated Evidence: The Defendants et al, doctored lectures, statements, Audios and videos in order to secure search warrants of the Plaintiffs home and business. Subsequent search produced no terrorist material whatsoever.

Continued

STATEMENT OF CLAIMS

4 Lying to a Federal Judge in Order to Violate Plaintiffs Liberty Interests: During the course of an FBI investigation, Roger Bernard Handberg III, Assistant United States Attorney ^{and} _{OR} the FBI agents under his auspices, knowingly presented false statements to the United States Magistrate Judge, The Honorable Gregory J. Kelly.

5 Religious Discrimination: The Defendants et al conspired to investigate Muslims and Muslim Churches, especially those that attracted New Muslims and the Youth for terrorist activity and/or Criminal activity, with no other Probable cause except for the fact that they were Muslim.

6 The FBI and CIA and unnamed agents of both, conspired to create an indictment against the Plaintiff because in 2007, the Plaintiff refused to accept an operation in which Plaintiff would have to shoot on American Citizens abroad, as in the recent Benghazi incident in Libya.

7 Malicious Prosecution: Due to the Plaintiffs refusal to continue on as a Covert Operator for the United States Government, the Assistant United States Attorney, Roger Bernard Handberg III and the FBI have put forth a malicious prosecution of the Plaintiff.

STATEMENT OF FACTS

1 Breach of Contract: Tony Bivona a Special Agent from the FBI along with an unnamed CIA agent ^{stationed in} ~~from~~ London, a New York Police Detective assigned to the Terrorist Task Force Major Fouad from the Egyptian Secret Police and a number of Egyptian officials arranged a meeting with the Plaintiff in Egypt, 2005. The purpose was to recruit the Plaintiff to perform covert operations in places the American Government had no credible operatives. The Plaintiff agreed to take a particular operation in Pakistan. Arrangements were then made for Plaintiff to fly to the States, (New York) for preparations, briefings et cetera. While in New York at the Federal Building that has the African burial Ground inside, the Plaintiff met with the Head of the FBI's Terrorist Task Force. He along with Tony Bivona and another FBI Agent presented Plaintiff with a contract that stated the following: The Plaintiff would not be held liable for any unavoidable deaths, The Plaintiff would do his level best to inform the FBI and/or their Agents of any terrorist attack, before it took place but would not be blamed if unable to do so, The Plaintiff's activities would never be used to make him seem as a Terrorist. There were other points as well.

The Defendants recently exposing the Plaintiff on National T.V./Media as well as attempts to introduce links to Terrorism as 404 material against the Plaintiff violates these ^{terms} principles of the Contract.

continued

STATEMENT OF FACTS

2 Defamation of Character: The Defendants et al provided misleading and false information about the Plaintiff in Print, on the Web, on T.V. and on the Radio. Statements such as, the Plaintiff having links to Terrorism, AL-Qaeda, And that the Plaintiff was a terrorist-trainer. These statements along with being false defamed the Plaintiff's Character.

3 Fabricated Evidence: On January 31, 2011 the defendants et al used a confidential Informant to record the following:

Confidential Informant (C.I.) - Listen, there's a... there's an acronym, you have to learn this...

Mr. Jimenez - Okay...

C.I. - SMEAC, S-M-E-A-C, okay? Situation, right? The Mission. The Execution. The Admin/Logistics. And, the Control.

Jimenez - Yo, ahh, you gotta write that down for me, man, so I can memorize that stuff.

C.I. - I'm gonna teach you, man. I'm surprised abu taubah isn't teaching you these little things you gotta learn. You know? But, um, we're going to do right. You know? And when the time ^{is} comes, we be ready for it.

Kevin Thuman, Special Agent FBI presented this conversation as though the Plaintiff had said it. And used that fabricated evidence to obtain a warrant to search Plaintiff's Home and

3 Fabricated Evidence continued: and Business, and to establish that Plaintiff was involved in providing military training to Jonathan Jimenez.

On 2011-03-24 Kevin Thuman reported that: "MARCUS DWAYNE Robertson... continues to provide military-style strategic and tactical training to Jonathan Paul JIMENEZ... to include instruction on the utilization of the SMEAC order." "Agent note: SMEAC (Situation, Mission, Execution, Administration, Logistics, Command/Signal) is a five paragraph order utilized by components of the United States Military in the issuance of orders to troops."

4 Lying to a Federal Judge in Order to violate Plaintiff's Liberty Interests: On the 22nd of August, 2011, Special Agent Adam Topping appeared before The Honorable Gregory J. Kelly a United States Magistrate Judge and being duly sworn stated; among other things: That Robertson had instructed someone how to kill people by saying to the one who asked Robertson, "How do you kill someone?" Robertson replied "You do it in a good manner, You kill them with kindness."

Adam Topping presented this to the Honorable Gregory J. Kelly with the meaning, "Robertson was prepared to make him a killer." During the entire AFFIDAVIT Special Agent Adam Topping does not quote the Plaintiff even once regarding training, fighting, killing or any violent activity. Yet Special Agent Adam Topping swore that Plaintiff was providing material support and training for violent terrorist activities.

Continued

Statement of Facts

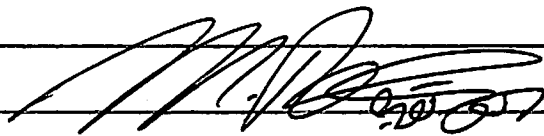
5 Religious Discrimination: The Defendants et al admit in that their investigation began as an investigation into the Islamic Churches in the Orlando Area, especially those that had a large number of youth and/or New Muslims. This is a direct religiously discriminatory action.

6 In 2007 the Plaintiff met with Special Agent Tony Bivona, and two agents from the CIA in New York. The purpose of the meeting was to determine a plan of action for CIA operations in West Africa. During the course of the meeting the Plaintiff got into an argument with the CIA agents because the Plaintiff refused to take an operation wherein he was required to intentionally shoot on American Citizens. After this incident, the plaintiff was "Flagged". Meaning, the Plaintiff had to go through multiple security checks whenever travelling. The Plaintiff can provide Audio and other evidence.

7 Malicious Prosecution: Ever since the incident with the CIA in 2007 the FBI has been attempting to assassinate my character in the hopes that I would not be believed if I ever went public. I have been followed, spied on and numerous attempts have been made to entrap me. Presently the defendants et al are attempting to violate my due process by malicious prosecution. Because the Plaintiff refused to do an illegal act.

Relief Requested

Wherefore the Plaintiff requests that the Court order the Defendants et al to comply with all the terms of their contract, honor the Immunity letter and cease and desist the defamation of the Plaintiffs character. Plaintiff further requests damages in the amount of \$75,000 and punitive damages in the amount of \$75,000. This, and any and all relief the Court deems necessary.



MARCUS Robertson Pro Se
09, November 2012