

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

WILLIAM DAVID LINDHOLM)

CRIMINAL NO. 90-10080-WD

AFFIDAVIT OF ASSISTANT U.S. ATTORNEY
PAUL V. KELLY

I, Paul V. Kelly, being duly sworn do hereby depose and state as follows:

1. I am an Assistant U.S. Attorney and have been so employed for approximately seven and one-half years. Together with Assistant U.S. Attorney Frank A. Libby, Jr., I was responsible for the investigation and prosecution of the case of the United States v. Alfred Trenkler, Criminal No. 92-10369-Z, which was tried to a jury before U.S. District Judge Rya Zobel in November, 1993.

2. The Trenkler case involved the explosion of a bomb in Roslindale which took the life of one Boston Police Officer and severely maimed his partner. Following an intensive fourteen-month grand jury investigation, two defendants, Thomas Shay and Alfred Trenkler, were charged with conspiracy, receipt of explosives, and malicious destruction of property by means of explosives resulting in death and injury. The indictment was severed requiring two trials, one in July, 1993 (Shay) and the other in October, 1993 (Trenkler). The case against both defendants was extremely difficult and almost entirely circumstantial.

3. Following the return of the indictment in December,



1992, defendant William David Lindholm ("Lindholm") voluntarily contacted the U.S. Attorney's Office to bring to our attention information about Trenkler. Quite by accident, Lindholm had spent three days as the cellmate of Trenkler at the Plymouth County House of Correction shortly after Trenkler's arrest in late December, 1992. Lindholm had been serving the prison sentence imposed by this Court (97 months) on his conviction for distribution of marijuana and tax offenses at a Federal Correctional Institute, in Texas. He was returned to the District of Massachusetts sometime during the late fall of 1992 to appear before a federal grand jury to be questioned about his knowledge of the activities of others who were suspected of being involved in drug trafficking and money laundering activities in southern Massachusetts. While Lindholm was awaiting his return to Texas on a writ, he had a three-day encounter with Trenkler.

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4. During their stay together at Plymouth, Trenkler and Lindholm gravitated to one another, apparently given a similarity in age, background and common life experiences (both were originally from Milton, MA.). As their brief relationship evolved, Trenkler opened up to Lindholm and eventually confessed his role in the building of the bomb that exploded in Roslindale. For the benefit of the Court, I have attached hereto a copy of the complete direct and cross-examination of Lindholm during the Trenkler trial which details the statements and admissions made to Lindholm by Trenkler, and the evolution of this prison relationship.

LINDHOLM
44 ME 35
LINDHOLM - DRUG DE
TRENKLER - ELECTRONICS
EMPLOYED CONSTANTLY
EMPLOYED FROM
COLLEGE UP TO
92 INDICTMENT


5. There can be no doubt but that Lindholm's unexpected

post-indictment cooperation and testimony contributed in a significant way to the eventual conviction of Trenkler on all counts. Trenkler was subsequently sentenced to life imprisonment by Judge Zobel. Lindholm had no prior agreement with the government concerning his cooperation and had not been promised any rewards or inducements for his testimony. In fact, during the trial, when asked on cross-examination by Trenkler's counsel (Terry Segal, Esq.) whether he expected to receive any benefit for his testimony in the future, Lindholm responded that "I'll go on the record to say that I am not going to ask for any benefit, rewards, inducements, any time in the future." Transcript 13-124.

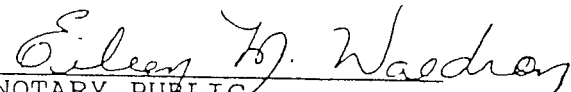
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6. Notwithstanding, Lindholm's statement during the trial, as cited above, the undersigned and Lindholm's counsel have since discussed this matter in some detail. The government acknowledges that Lindholm has provided "substantial assistance" as that term is now commonly understood, in a very serious case involving the taking of a human life, and believes that he should receive a reduction in his current sentence to reflect the cooperation provided.

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PAUL V. KELLY
Assistant U.S. Attorney

Sworn to and subscribed before me this 19th day of July, 1994.

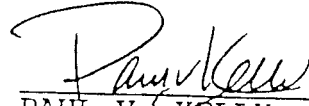

NOTARY PUBLIC

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
July 19, 1994

I, Paul V. Kelly, Assistant U.S. Attorney, do hereby certify that I have served the copy of the foregoing, to Roger A. Cox, Esquire, 89 Broad Street, Boston, Massachusetts 02110.



PAUL V. KELLY
Assistant U.S. Attorney