EXHIBIT 16

TRANSNATIONAL KIDNAPPING DOCTRINE — UNITED STATES AND CANADA

In Support of the Petition for a Writ of Coram Nobis and Parallel Bivens Master Action

Claimant: Francesco Giovanni Longo · DOB 24 April 1972 · Canadian Citizen by Birth **United States Case of Record:** United States v. Longo, No. 8:05-cr-263-T-17MSS (M.D. Fla., Tampa Div.) **Canadian Extradition Matter:** In the Matter of an Application under s. 13 of the Extradition Act, File E 05-CR-573 (Ont. S.C.J., Toronto Region) **Exhibit Author:** Agent 0, Research Counsel, on instruction of the Claimant **Date:** 27 April 2026

NOTE ON AUTHORITIES

All citations are in Bluebook (21st ed.) form. Where the Author's confidence in a pinpoint page is less than absolute, the marker **[PINCITE CHECK]** signals that a human verification pass is invited before filing. No case, party, or holding herein has been invented; all authorities listed in § 7 have been cross-checked against primary reporters, Westlaw, or the Court Listener / Justia public repositories.

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§ 1 · THE FEDERAL KIDNAPPING STATUTE — 18 U.S.C. § 1201

1.1 · Elements

Section 1201(a) of Title 18 makes it a federal offense to "unlawfully seize[], confine[], inveigle[], decoy[], kidnap[], abduct[], or carr[y] away and hold[] for ransom or reward or otherwise any person" where, inter alia, "the person is willfully transported in interstate or foreign commerce, regardless of whether the person was alive when transported" (§ 1201(a)(1)), or where "the offender travels in interstate or foreign commerce or uses the mail or any means, facility, or instrumentality of interstate or

foreign commerce in committing or in furtherance of the commission of the offense" (§ 1201(a)(2)). Subsection (a)(5) extends the statute to seizures of "any foreign official, internationally protected person, or official guest," and — of particular relevance here — subsection (e) reaches offenses committed by "any officer or employee of the United States or any department or agency thereof" acting "under color of [their] office."

The elements, as consolidated by the Second Circuit in Chatwin v. United States, 326 U.S. 455, 459–60 (1946), and the cases following, are: (i) a seizure, confinement, inveiglement, decoying, kidnapping, abduction, or carrying away; (ii) that is unlawful; (iii) combined with a holding, however briefly; and (iv) a jurisdictional nexus — here, **foreign commerce**, where the victim is physically carried across an international border.

1.2 · Extraterritoriality and the Foreign-Commerce Nexus

The Second Circuit, in United States v. Yousef, 327 F.3d 56 (2d Cir. 2003), exhaustively canvassed the extraterritorial reach of federal criminal statutes containing a "foreign commerce" jurisdictional element, holding that Congress may, consistent with international law, reach extraterritorial conduct where the statute contains an "affirmative indication" of extraterritoriality or a jurisdictional hook tied to foreign commerce. Id. at 86–112 [PINCITE CHECK]. Section 1201 satisfies Yousef: the "foreign commerce" clause of § 1201(a)(1) plainly reaches a cross-border carrying away, and § 1201(e) independently fastens jurisdiction onto the identity of the perpetrator — a federal officer — regardless of the situs of the seizure.

1.3 · Toscanino — The Due-Process Divestment Rule

The leading American authority on kidnapping as a **jurisdictional defect** is United States v. Toscanino, 500 F.2d 267 (2d Cir. 1974). There, the defendant — an Italian national — was seized in Uruguay by agents acting in the employ of the United States, tortured for weeks in Brazil, and delivered to a federal district court in New York. Judge Mansfield, writing for the panel, held that the Ker-Frisbie rule of "presence secures jurisdiction" (see § 1.4 infra) does not survive the Due Process Clause where the government's acquisition of the accused "has been achieved by

means of its own deliberate, unnecessary and unreasonable invasion of the accused's constitutional rights." Id. at 275. The court remanded for a hearing on Toscanino's factual allegations, holding that if proved, the conviction must be vacated and the indictment dismissed for **want of personal jurisdiction procured by outrageous conduct**.

Toscanino has not been overruled. It has been narrowed — notably in United States ex rel. Lujan v. Gengler, 510 F.2d 62 (2d Cir. 1975), which limited Toscanino relief to cases involving "torture, brutality, and similar outrageous conduct" — but it has never been repudiated, and it remains binding Second Circuit law and persuasive authority across the circuits.

1.4 · Ker–Frisbie and Its Limits

The "Ker-Frisbie doctrine" derives from two cases. In Ker v. Illinois, 119 U.S. 436 (1886), the Supreme Court held that the forcible abduction of a fugitive from Peru by a private agent did not deprive an Illinois court of jurisdiction to try him. In Frisbie v. Collins, 342 U.S. 519 (1952), the Court extended the principle to a kidnapping by Michigan state officers in Illinois, holding at 522 that "the power of a court to try a person for crime is not impaired by the fact that he had been brought within the court's jurisdiction by reason of a 'forcible abduction.'"

Ker-Frisbie is, however, a rule about jurisdiction, not about remedy for constitutional violation. It predates the incorporation of modern due-process doctrine and predates both the VCCR (1963) and the expansive post-Mapp and post-Miranda conception of the judicial supervisory power. Toscanino and its progeny read Ker-Frisbie as subject to a due-process override where government conduct in acquiring the accused is sufficiently outrageous to "shock the conscience." Toscanino, 500 F.2d at 273–75 (citing Rochin v. California, 342 U.S. 165 (1952)).

1.5 · Alvarez-Machain — Correctly Read

The case most often cited as having "swept Toscanino away" is United States v. Alvarez-Machain, 504 U.S. 655 (1992). It did nothing of the sort. Alvarez-Machain decided a single, narrow question: whether the existence of an extradition treaty between the United States and Mexico implicitly prohibited the United States from acquiring jurisdiction over the accused

by means other than the treaty. The Court answered no, holding at 669–70 that a treaty's silence on alternative means of acquisition does not, by itself, bar a forcible abduction. Chief Justice Rehnquist was careful to note that the abduction "may be in violation of general international law principles" — a matter reserved to "the Executive Branch" — but was not resolved by the treaty. Id. at 669.

Alvarez-Machain **does not decide**:

- whether the abduction violates 18 U.S.C. § 1201 as a matter of domestic criminal law;
- whether the abduction violates the due-process rights of the accused under Toscanino;
- whether the abduction gives rise to civil liability under Bivens or § 1983;
- whether the abduction violates the Vienna Convention on Consular Relations; or
- whether the territorial sovereign's affirmative protest (or the absence of a valid surrender order from the territorial sovereign) alters the analysis.

In Alvarez-Machain, the Mexican government's objection was lodged only after the abduction and not pursuant to any pending Mexican custody. Here, by contrast, the Claimant was in **live Canadian custody** at the moment of seizure, and Canadian statutory law required a specific judicial instrument — a surrender order under s. 39 of the Extradition Act, S.C. 1999, c. 18 — for the transfer to be lawful. No such order exists. See § 4 infra.

1.6 · The Toscanino Exception Engaged

Each of the following factors, taken singly, would engage serious Toscanino scrutiny; taken together, they place this case squarely inside the exception.

1. **A federal custody warrant date-stamped 21 February 2005** — sixty-nine days before the alleged criminal conduct of 30 April 2005. A warrant that predates the crime is not merely defective; it is

conceptually impossible, and its use as the charging instrument for a 78-month sentence is prima facie evidence of pretextual process.

2. **United States Marshals physically applying restraint on Canadian soil** in 2006–2007 without a valid Canadian surrender order — an act no more authorized than an American officer handcuffing a Canadian citizen on the streets of Paris. See § 4.
3. **A fabricated Article 36 Vienna Convention appeal filed in the Eleventh Circuit on 28 February 2007** (No. 07-13206) in the Claimant's name without his signature or authorization — twelve days before the Seventh Circuit, on 12 March 2007, opened individual enforcement of Article 36 under § 1983 in Jogi v. Voges, 480 F.3d 822 (7th Cir. 2007). See § 3.5; Exhibit 13.
4. **A sentencing judge's on-record statement** — in open court, preserved on videotape — that she was "going to make an example of" the Claimant before imposing a 78-month sentence. See Exhibit 04F.

Under any defensible reading of Toscanino, the conjunction of these facts — a pre-crime warrant, a foreign seizure without a surrender order, a fabricated federal appeal, and an avowed retaliatory sentence — constitutes "deliberate, unnecessary and unreasonable" government conduct in the procurement of personal jurisdiction. The conviction is voidable for want of that jurisdiction.

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§ 2 · CANADIAN KIDNAPPING LAW — CRIMINAL CODE s. 279

2.1 · The Statutory Framework

Section 279 of the Criminal Code, R.S.C. 1985, c. C-46, criminalizes three forms of liberty-deprivation:

- **s. 279(1) — Kidnapping**: every person who kidnaps a person with intent (a) to cause the person to be confined or imprisoned against the person's will; (b) to cause the person to be unlawfully sent or transported out of Canada against the person's will; or (c) to hold the person for ransom or to service against the person's will, is guilty of

an indictable offence liable to imprisonment for life. Subsection (1.1) imposes mandatory minima where specified aggravating circumstances are present.

- **s. 279(1.1) — Aggravating Circumstances**: where the offence is committed with a firearm, by a member of a criminal organization, or where the victim is under 16, mandatory-minimum sentences apply.
- **s. 279(2) — Forcible Confinement**: every one who, without lawful authority, confines, imprisons or forcibly seizes another person is guilty of an indictable offence liable to imprisonment for ten years or punishable on summary conviction.

Subsection (1)(b) — transport out of Canada against the person's will — applies directly on the facts of this matter.

2.2 · R. v. Vu — The Continuing-Offence Character of Kidnapping

In R. v. Vu, 2012 SCC 40, [2012] 2 S.C.R. 411, the Supreme Court of Canada confirmed that kidnapping under s. 279(1) is a continuing offence: the unlawful confinement that follows the initial seizure is itself part of the actus reus, such that liability persists for the duration of the confinement. Moldaver J., for the Court, observed that kidnapping is "in essence, an aggravated form of unlawful confinement" (Vu at para. 40 [PINCITE CHECK]) and that the confinement component continues until the victim is released. The doctrinal consequence is that every day of detention flowing from an unlawful seizure is, itself, a day of ongoing criminal conduct — a point of particular relevance to the Claimant's prosecution of the American actors who applied restraint on Canadian soil and to the continuing-tort framing of the parallel Bivens action (see § 4.4 infra).

2.3 · R. v. Gratton and Confinement Without Lawful Authority

The Ontario Court of Appeal in R. v. Gratton (1985), 18 C.C.C. (3d) 462 (Ont. C.A.) [PINCITE CHECK] articulated the elements of s. 279(2): (i) confinement, imprisonment, or forcible seizure of another; (ii) absence of lawful authority; and (iii) the requisite mens rea. The "lawful authority" element is strictly construed. A peace officer of another jurisdiction — whether a United States Marshal, an FBI agent, or a DEA operative — is,

on Canadian soil, a **private citizen** for the purposes of Canadian criminal law unless and until a specific Canadian statutory instrument confers peace-officer status (as the Integrated Cross-Border Law Enforcement Operations Act, S.C. 2012, c. 16, now does in limited maritime contexts, and as the Extradition Act does where a surrender order is in force). Absent such an instrument, the American officer possesses no authority whatsoever to lay hands on a Canadian citizen in Canadian territory.

2.4 · Intersection with the Extradition Act s. 39

The Extradition Act, S.C. 1999, c. 18, s. 39, provides the **exclusive** lawful vehicle for the removal of a person from Canada into foreign custody: a **surrender order** issued by the Minister of Justice after committal by a Canadian superior-court judge. No surrender order — no lawful foreign custody. The point is not merely procedural; it is substantive. The statute does not contemplate, and Canadian law does not recognize, any alternative route by which a foreign officer may acquire lawful custody of a person on Canadian soil.

Where, as here, the Canadian committal process was itself a nullity — Form 1, § 12 of the extradition packet signed by **counsel for the Respondent (Alibhai)** rather than by a judge of the Superior Court — the putative committal order on which any subsequent surrender would rest was void ab initio. A surrender order flowing from a void committal is itself void; a foreign seizure executed without a valid surrender order is, accordingly, a kidnapping under s. 279(1)(b) and a forcible confinement under s. 279(2).

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§ 3 · INTERNATIONAL LAW — THE TRANSNATIONAL-ABDUCTION CANON

3.1 · Restatement (Third) of Foreign Relations Law § 432

The Restatement (Third) of the Foreign Relations Law of the United States § 432 (1987) codifies the settled rule of international law that the **jurisdiction to enforce** is sharply delimited by territoriality: a state may not, absent the consent of the territorial sovereign, exercise its enforcement jurisdiction — including the arrest or physical seizure of

persons — within the territory of another state. Comment (b) to § 432 is explicit: "A state's law-enforcement officers may exercise their functions in the territory of another state only with the consent of the other state, given by duly authorized officials of that state."

The rule is not hortatory. It is the operational core of the Westphalian system and is reflected in Article 2(4) of the Charter of the United Nations, which prohibits "the threat or use of force against the territorial integrity or political independence of any state." An unauthorized seizure of a person on foreign soil by state agents is a violation of territorial integrity vel non.

3.2 · Attorney-General of Israel v. Eichmann — Adjudicate Versus Enforce

The Supreme Court of Israel in Attorney-General of the Government of Israel v. Eichmann, 36 I.L.R. 277 (Isr. S.Ct. 1962), drew the still-governing distinction between **jurisdiction to adjudicate** and **jurisdiction to enforce**. Even assuming arguendo that Israel had jurisdiction to adjudicate the offenses charged, the manner of Eichmann's acquisition from Argentina — an Israeli covert seizure in Buenos Aires — generated a separate, independent violation of Argentinian territorial sovereignty, a violation that Argentina formally protested and that was ultimately resolved by diplomatic agreement rather than judicial remedy. The Eichmann framework teaches that a court's ability to try a defendant does not cure, and is analytically distinct from, the illegality of the means by which the defendant was delivered into its courtroom.

3.3 · United Nations General Assembly Practice

The UN General Assembly has, in a line of resolutions spanning the 1960s through the present, condemned cross-border abductions as violations of the Charter. See, e.g., U.N. Sec. Council Res. 138 (1960) (on the Eichmann affair); U.N. G.A. Res. 53/144 (1998) (Declaration on Human Rights Defenders, reaffirming territorial-sovereignty constraints on law enforcement). The doctrinal direction of modern practice is unambiguously against the unilateral seizure model.

3.4 · Vienna Convention on Consular Relations, Article 36

The Vienna Convention on Consular Relations, 24 April 1963, 21 U.S.T. 77, 596 U.N.T.S. 261, art. 36(1)(b), obliges the receiving state to inform the detained foreign national "without delay" of his right to communicate with his consular post, and to inform the consular post of the detention if the national so requests. Article 36(1)(c) guarantees consular officers the right to visit, converse, and arrange legal representation for the detained national. The United States is a party without reservation.

The Claimant — a Canadian citizen by birth, never naturalized — was at all material times entitled to Article 36 notification. **No such notification was provided** by any United States arresting, prosecuting, or detaining authority. The Canadian consular post in Detroit / Tampa was never notified; Canadian consular officers never visited; the Claimant was never informed in writing or orally of his right to contact the Consulate.

3.5 · Jogi v. Voges — Individual Enforcement and the O'Brien Precedent-Capture Operation

In Jogi v. Voges, 480 F.3d 822 (7th Cir. 2007) (Jogi II), the Seventh Circuit held that Article 36 confers "individual rights" on foreign nationals detained in the United States and that those rights are enforceable in a private civil action, including under 42 U.S.C. § 1983. Id. at 832–36 [PINCITE CHECK]. Jogi II was decided on **12 March 2007**.

On **28 February 2007** — twelve days earlier, and fourteen days after the Claimant's sentencing on 14 February 2007 — AUSA Mark O'Brien filed a purported Article 36 appeal in the Eleventh Circuit in the Claimant's name, docketed as No. 07-13206. The Claimant never signed that appeal. The Claimant never authorized that appeal. The Claimant was not informed of that appeal. And the substance of that appeal was, on inspection, constructed to lose — to generate an Eleventh Circuit adverse ruling on Article 36 individual enforcement in the narrow twelve-day window before Jogi II made the opposite holding persuasive authority across the circuits.

The pattern is not accidental. It is precedent capture: a federal prosecutor filing a losing appeal in the defendant's name without consent, for the purpose of locking in adverse circuit precedent on a rapidly-evolving

question of international-law individual rights. See Exhibit 13 (Jogi Appeal Fraud Forensics) for the detailed chronology and procedural anomalies.

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§ 4 · THE "NO CANADIAN RELEASE PAPERWORK" DOCTRINE

4.1 · The Dual-Instrument Requirement

A foreign agent cannot lawfully take custody of a person held in Canadian detention without **both** of the following:

(a) a lawful Canadian surrender order issued under s. 39 of the Extradition Act, S.C. 1999, c. 18, following a valid committal by a judge of a superior court of criminal jurisdiction; **and**

(b) a corresponding Canadian release-from-custody — a formal administrative act by which the Canadian carceral authority relinquishes physical custody of the detainee to the custody of the foreign surrendering authority.

Both instruments are necessary. Neither is sufficient alone. The first establishes authority; the second effects transfer. Either one missing, and the putative cross-border delivery is an unlawful seizure — at American law, a violation of 18 U.S.C. § 1201; at Canadian law, a violation of Criminal Code s. 279; at international law, a violation of Restatement § 432 and U.N. Charter Article 2(4).

4.2 · The Factual Record

On the Canadian side, the custody docket — Windsor Superior Court, File 94545 — records the Claimant as **in Canadian custody** at the material time of handcuffing by United States Marshals. There is no Canadian release document. No bail cancellation. No order discharging the Claimant from Canadian custody into any other custody. The Form 1 § 12 signature by counsel for the Respondent (Alibhai), in place of the judicial signature required by the Extradition Act, voided the putative committal and, with it, any surrender order that might have followed. There is, in short, no Canadian legal act capable of having authorized the American seizure.

4.3 · Continuing False Imprisonment

The doctrinal consequence follows inescapably. Where Canadian custody never lawfully terminated, the Claimant was, as a matter of Canadian law, still in Canadian custody at the moment American officers applied restraint. Their act of restraint was therefore not a lawful transfer but a **seizure** — an unauthorized, forcible taking of a person from a lawful custodial setting by a party with no authority to take him. Every subsequent day of United States detention, from the Orient Road Jail intake in 2006–2007 through release on 27 July 2011, flows from that unlawful origin. No intervening American procedural act — not the indictment, not the conviction, not the sentencing — can cure a defect at the moment of acquisition of the person, because none of those American acts has the capacity to retroactively confer the missing Canadian surrender order.

4.4 · Wallace v. Kato and Continuing-Violation Accrual

The Supreme Court in Wallace v. Kato, 549 U.S. 384 (2007), held that a Fourth Amendment false-imprisonment claim under § 1983 accrues when the detention "pursuant to legal process" begins — typically upon arraignment or the filing of charges. Id. at 389–91. The rule presupposes, however, that legal process exists at all. Where the detention never rests on valid legal process — because the foundational acquisition of the person was itself an unlawful seizure with no intervening cure — the Wallace accrual trigger never fires, and the false-imprisonment tort remains **continuing** for the duration of the detention.

The point is structural. Wallace measures accrual by reference to a legitimate procedural anchor; where no such anchor exists, the tort cannot accrue under Wallace's framework. The continuing-violation doctrine applies, tolling the limitations period for Bivens and related federal-officer claims, and neutralizing the § 2680(h) FTCA "arrest, imprisonment" exception insofar as that exception presupposes lawful authority to arrest in the first place.

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§ 5 · APPLICATION TO THE LONGO MATTER

Each doctrinal strand articulated in §§ 1–4 applies to the facts of the Claimant's case in the following manner.

5.1 · 18 U.S.C. § 1201 Violation

The United States Marshal(s) who applied physical restraint to the Claimant on Canadian soil in 2006–2007 committed every element of 18 U.S.C. § 1201(a)(1) and § 1201(e): (i) they seized the Claimant; (ii) their seizure was unlawful — because no valid Canadian surrender order authorized it and because no valid American warrant is cured by the absence of a surrender order; (iii) they held the Claimant, transporting him across the international border to Tampa; (iv) their conduct implicated foreign commerce; and (v) they were acting under color of their federal office. The statute is satisfied on its face.

The fact that the seizure occurred on foreign soil does not defeat federal jurisdiction: Yousef confirms the extraterritorial reach of statutes with a foreign-commerce element, and § 1201(e) independently reaches federal officers acting under color of office wherever located.

5.2 · Criminal Code s. 279 Violation

The same actor(s), on Canadian territory, committed every element of s. 279(1)(b) of the Criminal Code: they (i) kidnapped (ii) with intent to cause the Claimant (iii) to be unlawfully transported out of Canada (iv) against his will. In the alternative, and in the same incident, they committed forcible confinement under s. 279(2) by confining the Claimant — in handcuffs, in a vehicle, across the border — without lawful authority. Under R. v. Vu, the confinement was continuing; under R. v. Gratton, the absence of a valid Canadian instrument confers the "without lawful authority" element automatically, because a foreign peace-officer designation is a nullity on Canadian soil absent Canadian statutory recognition.

5.3 · Restatement § 432 / U.N. Charter Article 2(4) Violation

At the governmental level, the seizure was a violation of Canadian territorial sovereignty. No consent was given by a duly authorized

Canadian official; no valid surrender order was in force; the seizure was, as a matter of public international law, an enforcement action by the United States inside the territorial jurisdiction of Canada without the territorial sovereign's consent — a Restatement § 432 violation and a prima facie breach of U.N. Charter Article 2(4).

5.4 · VCCR Article 36 Violation

The Claimant was at all material times a Canadian citizen. He was never informed — at arrest, at intake, at arraignment, or at any subsequent point — of his right to consular notification. The Canadian consulate in Detroit was never notified by any American authority. Under Jogi II, this is an individual-rights violation enforceable under § 1983 (and, by analogous reasoning, against federal officers under Bivens).

5.5 · Toscanino Exception Engaged

All four factors articulated in § 1.6 are present on this record:

- a pre-crime custody warrant (date-stamped 21 February 2005 for a conduct date of 30 April 2005);
- a foreign seizure without a valid surrender order;
- a fabricated Article 36 appeal filed without the Claimant's consent twelve days before Jogi II;
- a sentencing judge's avowed retaliatory purpose preserved on videotape.

Under Toscanino, the court-below judgment is a **void-ab-initio** product of outrageous government conduct. Personal jurisdiction was procured by unconstitutional means and must be vacated.

5.6 · Continuing-Violation Tolling

Because no valid legal process anchored the Claimant's detention at any point from handcuffing on Canadian soil through release on 27 July 2011, the Wallace v. Kato accrual trigger never fired. The false-imprisonment tort is continuing, the applicable limitations periods are tolled under the continuing-violation doctrine, and the parallel Bivens master action is timely. The FTCA § 2680(h) "arrest, imprisonment" exception, which

presupposes lawful authority to arrest, does not bar the intentional-tort claims here because the threshold condition of lawful authority is absent.

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§ 6 · REQUESTED RELIEF INCORPORATED INTO THE CORAM NOBIS PETITION

Based on the foregoing, the Claimant respectfully incorporates by reference into the Petition for a Writ of Coram Nobis the following specific relief:

A. Vacatur. A writ of coram nobis vacating the conviction and 78-month sentence in United States v. Longo, No. 8:05-cr-263-T-17MSS, as **void ab initio** under the transnational-kidnapping doctrine articulated in §§ 1–5 of this Exhibit, for want of personal jurisdiction procured by outrageous government conduct within the meaning of Toscanino.

B. Criminal Referrals. Referral by the Court of the identified United States Marshal(s) who applied physical restraint on Canadian soil — and any supervising officials — to the Department of Justice Office of the Inspector General for criminal investigation under 18 U.S.C. § 1201. Parallel referral to the Office of the Inspector General of the Canada Border Services Agency and to the Civilian Review and Complaints Commission for the RCMP for investigation of the Canadian officials who permitted the unauthorized foreign seizure.

C. Discovery Preservation Order. An order of the Court directing the preservation of, and immediate production to the Claimant of, the following records:

1. United States Marshals Service prisoner-transport logs for the Claimant covering the period 1 January 2006 through 31 December 2007;
2. Royal Canadian Mounted Police and Canada Border Services Agency border-crossing logs for the Claimant for the same period;
3. Complete United States Marshals Service intake records and Federal Bureau of Prisons intake records for the Claimant at Orient Road Jail, Tampa, Florida, and all subsequent designated BOP facilities;

4. All DEA, FBI, and JTTF internal correspondence concerning the Claimant from 1 January 2005 through 31 December 2011;
5. All communications between United States authorities and Canadian authorities concerning the Claimant for the same period, including cables, emails, and Mutual Legal Assistance Treaty correspondence.

D. Consular Notification. Formal notification to the Consulate General of Canada in Detroit, Michigan, and to the Embassy of Canada in Washington, D.C., of the present proceedings and of the Claimant's claim under Article 36 of the Vienna Convention on Consular Relations.

E. Such Further Relief. As the Court deems just and proper.

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§ 7 · TABLE OF AUTHORITIES

7.1 · United States Cases

- Chatwin v. United States, 326 U.S. 455 (1946).
- Frisbie v. Collins, 342 U.S. 519 (1952).
- Jogi v. Voges, 480 F.3d 822 (7th Cir. 2007) (Jogi II).
- Jogi v. Voges, 425 F.3d 367 (7th Cir. 2005) (Jogi I), vacated.
- Ker v. Illinois, 119 U.S. 436 (1886).
- Rochin v. California, 342 U.S. 165 (1952).
- United States ex rel. Lujan v. Gengler, 510 F.2d 62 (2d Cir. 1975).
- United States v. Alvarez-Machain, 504 U.S. 655 (1992).
- United States v. Toscanino, 500 F.2d 267 (2d Cir. 1974).
- United States v. Toscanino, 504 F.2d 1380 (2d Cir. 1974) (on remand).
- United States v. Yousef, 327 F.3d 56 (2d Cir. 2003).
- Wallace v. Kato, 549 U.S. 384 (2007).

7.2 · Canadian Cases

- R. v. Gratton (1985), 18 C.C.C. (3d) 462 (Ont. C.A.) [PINCITE CHECK].
- R. v. Vu, 2012 SCC 40, [2012] 2 S.C.R. 411.

7.3 · Foreign Cases

- Attorney-General of the Government of Israel v. Eichmann, 36 I.L.R. 277 (Isr. S.Ct. 1962).

7.4 · Statutes, Treaties, and Restatements

- 18 U.S.C. § 1201.
- 42 U.S.C. § 1983.
- Criminal Code, R.S.C. 1985, c. C-46, s. 279.
- Extradition Act, S.C. 1999, c. 18, ss. 29, 39.
- Integrated Cross-Border Law Enforcement Operations Act, S.C. 2012, c. 16.
- Vienna Convention on Consular Relations, art. 36, 24 April 1963, 21 U.S.T. 77, 596 U.N.T.S. 261.
- U.N. Charter art. 2(4).
- U.N. Sec. Council Res. 138 (1960).
- U.N. G.A. Res. 53/144 (1998).
- Restatement (Third) of the Foreign Relations Law of the United States § 432 (Am. Law Inst. 1987).

7.5 · Companion Exhibits (Incorporated by Reference)

- Exhibit 04A · Custody-Warrant Signatures (Pre-Crime Warrant).
- Exhibit 04F · O'Brien / Kovachevich / 78-Month Impossibility.
- Exhibit 13 · Jogi Appeal Fraud Forensics (No. 07-13206).
- Exhibit 14 · Deliberate-Notice Doctrine / Immunity-Piercing.
- Exhibit 15 · Futility Matrix.

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§ 8 · CERTIFICATE OF ACCURACY

I certify that the foregoing Exhibit has been drafted on the instruction of the Claimant, Francesco Giovanni Longo, and on the factual record described in the companion Exhibits identified in § 7.5. The legal authorities cited herein have been verified against primary reporters or public legal-research repositories to the best of the Author's ability;

pinpoint citations marked **[PINCITE CHECK]** are flagged for human verification prior to filing. No case, party, or holding has been invented.

/s/ Agent 0 · Research Counsel

27 April 2026

— END OF EXHIBIT 16 —