

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

CLINT A. LORANCE,

Petitioner,

v.

Case No. 18-3297-JWL

COMMANDANT, United States Disciplinary  
Barracks, 1301 North Warehouse Road  
Fort Leavenworth, Kansas 66027,

Respondent.

**DECLARATION OF KEVIN HUBER**

1. My name is Kevin Huber. I am an American citizen and resident of the state of North Carolina.

2. On July 2, 2012, I was serving as a U.S. Government contractor in the Zharay District of Kandahar Province, Afghanistan as an Aerostat Operator, essentially a floating blimp with cameras, commonly known to American Forces as “the eye in the sky.”

3. In other words, I operated a 22-Meter (72 feet) Aerostat stationary airship (blimp) with a powerful MX-15, fully digital, high definition camera system with a high-magnification, step-zoom spotter lens.

4. My airship was capable of up-close, positive identification of people on the ground at a distance up to 5.5 kilometers away. It also streamed 1080-pixel high-definition video.

5. With information obtained from my aerial surveillance, I shared information about the conditions on the ground daily with Army intelligence officers, ground commanders, the CIA, or any other American agency in need of the images or videos captured with the airship’s technology.

6. Often, this information revealed to ground forces enemy activities, scouting, coordinated movements, and positively identified fighting aged males armed with AK-47 assault rifles, using ICOM radios, shadowing American Forces, and empowered commanders to anticipate and meet unfolding threats that they on the ground could not yet observe or interpret. This is largely why we were called the “eye in the sky.”

7. On the morning of July 2, 2012, I was on duty when Sergeant Watson came into my command and control center (CNC) and asked that I cover with the aerostat a Platoon that had just stepped off Strong Point Payenzai (Lorance’s Platoon).

8. Sergeant Watson related to me that his team had intercepted radio chatter indicating that the Platoon was about to be ambushed by Taliban attack.

9. Sergeant Watson requested that I get aerial surveillance on the Platoon to see what enemy movements might be happened beyond eyesight of the Platoon on the ground.

10. I brought my airship down from 2100 feet to 1600 feet for a closer look and positioned the MX-15 camera toward the Platoon's location.

11. Within seconds, I had positive identification of the American patrol. They were crossing from their Strong Point (patrol base), across a road, and into a field just south of the village of Payenzai.

12. Also within seconds, I saw three fighting-aged males shadowing the American patrol at a distance of about 300 meters. In my experience, they had every indication of Taliban or insurgent fighters because they were armed with AK-47 assault rifles and using ICOM radios while moving along the back wall of the village toward the American position.

13. From my direct experience in this area of operations, I knew that Old Chilliwack Road was a Taliban bastion and a known route of approach used by the Taliban and controlled by the Taliban.

14. I reported by observations to my military chain-of-command, that the Patrol was being shadowed and scouted by a hostile, armed Taliban group of three insurgents with ICOM radios and automatic weapons.

15. After my report, my surveillance ended and I went on to other duties.

16. Later that afternoon, I recall a report that some LT was arrested and taken off the line. I thought that was bizarre.

17. When I learned of Lorance's trial, I reached out to his defense counsel, Guy Womack, by email, knowing that the information I possessed about armed fighting-aged males scouting the Platoon was helpful to the defense.

18. Mr. Womack neither acknowledged receipt of my email nor responded.

19. In approximately June 2012, another American soldier shot and killed an Afghan father and his son.

20. This prompted Afghan President Hamid Karzai to personally visit our location and to express his concern about civilian casualties.

21. Given what I saw the morning of July 2, 2012, and in light of President Karzai's visit only weeks prior over civilian casualties, I really just wonder if Lorange was getting the shaft.

22. I filed a report about my observations the morning of July 2, 2012, and a videotape of what I observed through my camera was preserved.

23. Neither the prosecution nor the defense contacted me about the investigation or trial.

24. Had they, I would have testified as I have today in this affidavit.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/19/2019

  
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KEVIN HUBER