

THE SOUL OF BOSTON AND THE MARATHON BOMBING



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Permissions. I, Mary Maxwell hereby permit anyone to print out my book for personal use. Our guest writers do the same. They are: Elias Davidsson, Julie Fehr, Montse Alarcón Flix, Felicity Hingston, Rory O'Connor, and "the Zoologist."

I do not own any of the pictures; I downloaded them from the Internet. I am grateful to the photographers for their work. If any do not want them to appear here, please contact me.

*To aunts everywhere
my aunt, your aunt,
great-grandaunts, step-aunts
expectant aunts*

*Jahar's Aunt Roza Tsarnaeva
and the ankle-braceleted aunts,
and the indomitable and inspiring
Aunt Maret*

BOSTON MARATHON, APRIL 15, 2013



Noah, age 5, injured son of Rebekah Gregory, who had amputation



The dry-docked boat where Jahar was captured. It had a written confession on the wall, but this was not discovered until later.



Two deceased boxers: Tamerlan age 26, Ibragim Todashev, age 27

PREFACE

I am a Bostonian watching this Marathon business mainly from Australia. It is completely past my ability to fathom how the whole city of Boston can go along with a trial – a murder trial – that does not pass the guffaw test.

Just think: if my view is correct, all sorts of people are in on a wicked deal – cops, lawyers, judges, *The Globe*, doctors, and others. There is so much at stake here! We're in huge trouble if those many persons are willing to act in bad faith.

Numerous kind souls are working hard to help Jahar Tsarnaev. I am not working to help Jahar. I am working to help me. I am sure I can see what's in store for society if we play along with all the false statements in this case. I don't want to be there!

Further, I want vengeance on them for doing it and for mocking us. Hey, my parentals are buried in Forest Hills Cemetery in Jamaica Plain and I'll not stand by and see them denigrated, *thank you very much*.

Look at this letter from Thomas Jefferson to Joseph Cabell:

“I felt the foundations of the government shaken under my feet by the New England townships. There was not an individual... whose body was not thrown with all its momentum into action....
God bless you, and all our rulers, and give them the wisdom, as I am sure they have the will to fortify us against the degeneracy of our government.”

Oops, that was dated 1816.

Several chapters will be about legal concepts – e.g., gag orders, tampering with evidence, proper instructions to a jury, the crime of cover-up, the Brady rule of exculpatory evidence. Let me start off into the legal side of the matter by pointing to an egregious act by Jahar Tsarnaev’s defense lawyers:

We see that in Motion 1101-1, Judge Clarke asked the judge NOT to say, in his Instructions to the Jury, that her client has pleaded Not Guilty to all charges. **What!** As far as I know that is a “first” in the annals of due process in America! So widespread is the *mis*belief that Jahar pleaded guilty, that no one even realizes his “team” of Public Defenders, should have been defending his innocence.

I want to persuade my fellow legal scholars that *it is not in their interest to let the Marathon Trial travesty pass by unnoticed*. And in fact it’s the legal profession that should clean it up. Note: there’s also mention of Gitmo-style interrogations occurring in Beth Israel Deaconess Medical Center. Yes. Do you really want this to be happening in Boston, doctors?

Must One Read the Whole Thing in Order?

Please shop around this book. There’s good stuff at the back, including five of the court documents. There are several other scripted terrorist incidents discussed, including the Boston Strangler case. I am told that Boston Police consider Albert DeSalvo’s conviction for it a joke. By the way, many people around the world do not feel too happy about what we do.

I’ll try to suggest as many *solutions* as I can think of for our current predicament. Solution-ing is my thing. Be warned: I tend to lean on the treasures of the past. I don’t see any reason why it would be impossible to restore the trust we once had in law and justice. It’s normal to trust leaders, and perfectly normal for them to “behave themselves.” There’s some conspiracy theory here, too, but I have kept it to a minimum, in Chapter 27.

Acknowledgements

This book would not have been possible without material sent to me by Josée Lépine, a francophone Canadian who sharpened up her English for Jahar's sake. Ms Lépine spent a fortune buying court transcripts, scrutinized them to the nth degree, and then shared them with all and sundry.

Goes to show that you never know where salvation may spring from! It took many geniuses to render the trial of Jahar Tsarnaev obtuse. They had to anticipate possible interference from many quarters and try to build-in all the necessary snares. Well, too bad. They did not foresee *la Canadienne*.

I also must credit Heather Frizzell who writes the blog USvTsarnaev.org. She alone tracked down the alleged weapon (a Ruger gun), and what I consider the relevant sting operation. Ms Frizzell then burned the midnight oil scrutinizing records of the Tsarnaevs' cellphone contacts.

I got technical help from Craig, Ian, Jason, Elizabeth, Heidi, Mairu, Sarah, Nerissa, Mal, and Cousin Steve. I enjoyed reading WritingtheWrongfor Jahar.com. Thanks to all.

Watertown Savings Bank gave me a venue and Hummox of 911tv.org said You'll never walk alone type thing.

Trish, Dee, and Deb yelled encouraging words, and Gumshoe commenters let me have it right between the eyeballs. Cooks at The Windmill provided nutrients. *Gracias*.

Attorney John Remington Graham acted pro bono as counsel to myself and two other amici, for which I am very grateful. It is an honor to be "in court" on this case.

I thank God I'm still allowed to hang around for a while.

Mary W Maxwell

August 21, 2019

From the website of Paul Craig Roberts, former Undersecretary of the United States Treasury:

Any US citizen that believes the falsified case of the Boston Marathon bombing is a dangerous and direct threat to American civil liberty and to the lives of millions of people on planet Earth.

The entire foreign policy of the United States in the 21st century is based on an orchestrated “Muslim threat.” The orchestrated threat was also used for a practice exercise in closing down one of America’s largest cities in order to manhunt with intent to kill a young man **chosen as the villain for the orchestrated event.**

American citizens were forced at gunpoint out of their homes while Homeland Security disrupted the life of an entire city. The entire exercise was based on a lie.

Attorney John Remington Graham has brought the case to the justice authorities, but the US Department of Justice (sic) has no interest whatsoever in justice.

Now comes forward an attorney, Mary Maxwell with a book. I read the first eight chapters, which was sufficient to confirm me in my independent conclusion that there was no Boston Marathon bombing by terrorists.

I recommend to you Mary Maxwell’s account. ... and we must respect a person prepared to stand up to the murderous American establishment and to challenge one of the founding myths of the American Police State and Washington’s wars against the world.

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Greetings to Latin American Readers!

Good day, persons in Massachusetts whose first language is Spanish! What I wouldn't give to be able to speak Spanish and write it! But I am boringly monolingual and so have asked a friend to do the translating here for me.

I want to lure you into my book. I am trying to get Bostonians interested in the Tsarnaev case, and I fully understand that you are an important part of this dear city – both today and in the future.

At the end of the book, Document 4 is in Spanish. It quotes an Affidavit written by Maret Tsarnaeva who is the aunt of the late Tamerlan Tsarnaev and his Death Row brother Dzhokhar, better known as Jahar. The document was translated into *Español* by Montse Alarcón Flix. That document helps prove the falseness of the whole Marathon incident of April 15, 2013.

Maret tells how the US government sent people to Russia to intimidate the family of the accused Jahar. This is shocking and many will choose not to believe it. Even barring that episode, there are many proofs that the bombing was not done by the Tsarnaev brothers, ages 26 and 19 at the time.

Since I can't provide all the information in Spanish, I will print a summary. If you like it, then please look on Youtube for the many Spanish-language videos about the Marathon – but most are “mainstream,” so caution is advised.

I may tell you that my late Dad, John Whalen, was fluent in Spanish and Portuguese and spent many an evening in the 1960s and 1970s teaching English to new immigrants in Boston. He did so as a free-lance volunteer, using such venues as the Mission Church.

I send you his best wishes!

Saludos a los lectores

Buenos días especialmente a las personas de Masachusets cuya primera lengua es el castellano! Qué no daría yo por ser capaz de hablar en español y escribirlo! Pero soy aburridamente monolingüe y por eso he tenido que pedir a una amiga que me haga esta traducción.

Quisiera engancharos a mi libro. Estoy intentando mantener a los bostonianos interesados en el caso Tsarnaev, y entiendo plenamente que vosotros sois una parte importante de esta querida ciudad – tanto ahora como en el futuro. Al final del libro, entre los appendices (a los que he titulado Exhibits) hay uno traducido al castellano.

El original fue escrito por Maret Tsarnaev que es la tía de Tamerlan Tsarnaev y Dzhokhar Tsarnaev, más conocido como Jahar. Creo yo que es la mejor prueba de la falsedad del incidente de la Maratón April 15, 2013 en su integridad. Véase Document 4.

En él Maret nos explica cómo el gobierno de los Estados Unidos envió gente a las repúblicas de la Federación Rusa para intimidar a la familia de Jahar (él se encuentra ahora en el corredor de la muerte en Colorado).

Tales hechos resultan chocantes y muchos elegirán no creérselos. Bien, incluso prescindiendo de ello, hay muchas evidencias de que el atentado no fue perpetrado por los hermanos Tsarnaev, que tenían en aquel momento 26 y 19 años respectivamente.

Como no puedo proporcionar toda la información en español, voy a añadir en la página siguiente un resumen. Si veis que os interesa, por favor buscad en Youtube los muchos vídeos en castellano sobre la Maratón - aunque la mayoría de ellos son “mainstream.”

Os podría contar que mi difunto padre John Whalen tenía cierto nivel de español y portugués y pasó muchas veladas en las décadas de los 1960s y 1970s enseñando inglés a nuevos inmigrantes. Lo hacía por su cuenta como un voluntariado, entregando los ingresos a la misión de la parroquia. Os envió sus mejores deseos.

Resumen de las “Main Theme” De Este Libro

Me gustaría demostrar que no hay caso contra Jahar Tsarnaev. Todas las pruebas de culpabilidad son endebles. El asesinato de Collier se ve en un vídeo tomado desde lejos, la ridícula fábula del secuestro de Danny, La radicalización de Jahar probada según sus “descargas” de Internet, su no-negra mochila, su floreada confesión en la pared de una embarcación.

Un vídeo del arresto de Tamerlán, desnudo, y el vídeo de Podstava demuestran que la historia de un tiroteo con la policía no sucedió. Juzgando por otros casos de terrorismo, el atentado de la Maratón fue probablemente un montaje del gobierno. Ni siquiera necesitamos escuadrñar sobre el uso de actores en crisis pagados por la acusación para mentir sobre los hechos; de tantísimas evidencias que hay en las ultrajantes acciones judiciales.

La Segunda Parte usa el aparato de carta al Gobernador y al Fiscal General, y Part, y un pretendido discurso de instrucciones al jurado, para destacar la importancia de cada rama del gobierno en el sostenimiento de la liquidación de la Constitución.

Otros asuntos en discusión son la destitución de los jueces, órdenes de silencio, SAM's (medidas penitenciarias especiales), los medios de comunicación como accesorio al crimen de atentado. Son enumeradas las faltas de los abogados: la impresionante ausencia de examen a los testigos, la inexistencia de cadena de custodia de la supuesta arma asesina, el no apercebimiento de un conflicto de intereses en el FBI en el asesinato del testigo potencial Todashev, e increíblemente el pronunciamiento por Clarke de que “él lo hizo” a pesar de que Jahar siempre se declaró no culpable.

La Tercera Parte buscará el castigo para los culpables, pero también vías para revocar la condena de Jahar.

PART ONE:
THROWING DOWN THE GAUNTLET

1. SURPRISES AT THE 2018 WATERTOWN LECTURE



(L) *Mary W Maxwell* (R) *Police Sgt John MacLellan*

Anyone can apply to give a lecture at a public library. Happily, the town of Watertown (“scene of the manhunt”) welcomed me to lecture at its Public Library on January 23, 2018, at 6pm. I played the role of Jahar Tsarnaev’s “new lawyer.”

The Prosecutor’s Original Case, in Twenty Points

I used a slideshow to recap twenty points the prosecutor (Carmen Ortiz) had made at Jahar’s original trial in 2015. Then I argued that they are all nonsense. Briefly, here are Ortiz’s 20 points:

1. On **Monday April 15**, 2013, Jahar Tsarnaev was near the Marathon Finish Line on Boylston St, wearing a black backpack.
2. In it was a pressure cooker, that Tamerlan got at Saugus Mall.
3. The brothers learned to make explosives from the Internet.
4. Jahar laid his backpack down near a tree in front of the Forum Restaurant, at 755 Boylston St, near 8-year-old Martin Richard.
5. At 2:47pm a bomb went off, and 13 seconds later Jahar caused a second bomb to bedetonated, **at 2:50pm**.
6. On **Thursday, at 5pm**, FBI released photos of two suspects to the media, without names, causing the brothers to flee.
7. Jahar had a gun (borrowed from a friend), yet he and Tamerlan went to the MIT campus to steal a *second* gun.
8. Around **10:24pm**, Jahar went to MIT Officer Collier’s car, and killed him (but failed to steal the gun; it was locked in a holster).
9. Around **11pm**, the brothers drove their Honda to Brighton Rd.

There, in Allston, Tamerlan carjacked a Mercedes SUV and Jahar helped kidnap the driver, Dun Meng (aka "Danny").

10. They went to Danny's ATM; where Jahar heisted \$800.

11. During the ride, the brothers asked Dun Meng if the rented SUV could be taken out of state.

12. They stopped for gas and snacks at a Shell station, at which point Danny escaped and ran to a nearby Mobil station.

13. The brothers went to Laurel St, Watertown around **12.30am Friday, April 19**, threw explosives, and shot at police, close-up.

14. This caused Officer Ric Donohue of the MBTA Transit Police to be seriously injured (by "friendly fire" from a cop's gun).

15. To escape from the shootout, Jahar jumped into Meng's car and accidentally ran over his brother. Jahar then disappeared.

16. Tamerlan arrived at hospital with gunshot wounds and died.

17. **Friday, after 7pm**, Jahar was apprehended in a boat.

18. Jahar had written a confession on the wall; it refers to Tamerlan's death. (It was not found till many days after).

19. The FBI arrested Jahar's roommates for hiding evidence.

20. In hospital, Jahar admitted to interrogators, who ordinarily handle high-value prisoners, that he bombed the Marathon.

Demolishing the Prosecution's Case

The official story, above, is **nonsense**. In the past, we got used to thinking that the authorities tell the truth, and that media report facts. But not anymore. The FBI, the *Globe*, and sadly, the courts, are now capable of massive deception. It is time you (yes, you) put a stop to it. After reading this book you will be embarrassed to realize how unquestioning you were.

Consider just three of the above points that you glibly accepted:

8. "The Tsarnaevs went to MIT campus to steal a cop's gun." Ask: if you needed a gun, would you try to get one from a cop, of all people? Or go to MIT campus for it? No, you would not.

10. They "drove their Honda and carjacked a Mercedes." If you were a fugitive from justice, would you add to your worries by involving a stranger, thus making him privy to your secrets? No.

13. They "shot at police, close-up." If you did that, you'd be asking for immediate death. Even a 19-year-old is not that silly.

What I mean is, despite the media laying it on thick, you should have used your brains to recognize the story's illogic. I'm at a personal advantage here: I have spent years looking into similar set-ups by the authorities. Note: readers won't be asked to take my claims on faith. Proper evidence will be given. Ah, evidence!

Demolishing the Pathetic Case against Jahar Tsarnaev

At my Watertown lecture I showed how each of the 20 points is unsupported. The following chapters of Part One map this out. I will argue that the boys did not go to MIT, did not do a carjacking, did not shoot at cops on Laurel St. Furthermore, Jahar's backpack wasn't black, and he never pleaded guilty. His pals were rounded up to prevent their refuting the false story, and in fact I end up blaming the FBI for the Marathon bombing.

My way of knocking the Marathon narrative consists mainly of showing you how the *court* cheated. The judge, George A O'Toole -- graduate of Holy Cross and Harvard Law -- let both the Prosecutor and Defense Team lie like rugs. Disgusting. Due process went out the window, bigtime. A handy rule of thumb is: If due process is not being followed, you know there are powerful forces, behind the scenes, managing the case.

Judicial Ethics

Judges are not gods, nor saints. They are us, ordinary guys and gals who won a prestigious position. Yet they should *become* gods or saints. They owe it to us. Over the centuries, society created helpful laws and protections for people and we do look to a court to deal with that idealistically, and, of course, unselfishly.

We need to get our society back on track. Let's think of the Marathon bombing as a blessing in disguise – the episode that pushed us to the limit and made us rethink our life. Rep. Tulsi Gabbard, campaigning for the presidency, recently pointed out that “a dark shadow” got cast over our land. Too right. There is a darkness of cruelty and of corruption. We can do better. Easy. As the nuns used to say: “Get thee behind me, Satan.”

But now let's pause for a happy word about Boston.

2. FEAR, CREATIVITY, AND OUR LEGACY



The Public Garden -- Look at all our forebears did for us!

Everybody is scared now. It's natural – you couldn't avoid feeling insecure when one of our greatest protections – the Rule of Law – is disappearing at a fast rate. You could not avoid worrying that the current level of crimes-in-high-places will soon give way to sheer thuggery. I think it will.

As it stands, whistle blowers get killed, occupants of desired offices get knocked off by competitors, and the big bosses arrange for cockfights, as it were, among the lesser people. No one in a responsible position comes to our aid.

And whose fault is that may I ask? It is your fault and my fault. One of the most visible changes in our culture is the accepting attitude we take to those crimes-in-high-places.

In the 1980s, when I doing a PhD in political science, it was becoming “sophisticated” to view *realpolitik* as a sort of given. The brazenness of the powerful is just “there,” you know, like the flora and fauna. Any student who would talk instead about the goodness of humanity would look the fool. And nobody wants to look the fool. Maybe that is how we came to be accepting of things that are the opposite of our legacy. The

media started to explain the “why” of political selfishness. We got converted to the idea that we have no power.

Today there is an additional cultural change -- many citizens have gone into denial, saying governments wouldn't do bad things like set up a terrorist act. I can see how folks don't want to believe scary things about their leaders. Many take refuge in mocking “conspiracy theorists.” They seem to believe that if it's painful to accept reality, why not just “go on vacation” for a few hours and wait it out.

In this book I don't go on vacation. I'd rather face the facts.

Good Fears and Bad Fears

All mammal animal species have an efficient system of emotions – the feeling of fear comes up when the animal needs it for guidance. It may guide him to run away. It may dissuade her from taking on a fight that she had earlier tried and lost. Animals need their fear system.

No doubt humans, too, have a healthy, protective set of fears. We curtail much of our desired behavior by simple inhibition. Embarrassment is a huge mechanism of control -- just the mere thought of “sticking out” is a worry. And that's good, generally, since it keeps us more or less willing to follow the society's routine. Every person ought to fit in.

But I say try to eschew that today. At least stop thinking that sticking out will somehow kill you. There are plenty of people who will support your stick-outery, you know. In fact they are dying for your company. I'm dying for your company.

Creativity

We are nothing if not creative. In the past, humans managed to overcome the woolly mammoth, crocodiles, and the Roman Legion. Today we can think of the jerks who are running the government as a cross between the woolly mammoth and crocodiles. It shouldn't take too much to plan our attack.

Even if they're more like the Roman Legion, we have a lot to work with that the multitudes, sweating under the Legion's rule, didn't have. To wit, we've got Roman history. The passage of time matters – it lets you catch up on the mistakes of others and learn from them. Ah, the study of history. So vital, so exciting.

Boston's Legacy

Is there a Bostonian with soul so dead that he never to his child has read "Make Way for Ducklings"? Is there a Catholic who ne'er trudged through Common snow to see the Christmas crib?

The big thing about Boston is that it is not overwhelming. Everyone owns it and everyone can absorb its proud history, just as everyone can relate to "Charlie on the MTA." I lived in Boston for the first 23 years of my life; for the last 48 years I've been elsewhere. Gee, just think of all the poor sods who never had the chance to do all that we could do in such a city.

OK, it's time to pay back for those pleasures. And here's the perfect opportunity to do it. It is well within the capacity of every citizen to say, about the 2015 Marathon trial, "I am not putting up with this." You can start to object. Maybe meet with a few friends at Tremont St, or Saugus Mall, or the Franklin Park lion's cage. Or at your home. In a later section of this book I offer to meet you in Central Square, Cambridge. But I *don't want* to be the leader. Isn't it better to have many leaders?

You can call the law schools listed in Appendix B. You can write to Boston's sister cities for help. Why not? They be: Barcelona, Hangzhou, Kyoto, Melbourne, Padua, Strasbourg, Taipei, and Beira in Mozambique. *Quel* collection!

Just don't do nothing. Naturally we are frightened today but we still have room for maneuver. Some day, at the rate things are going, *we won't have that*. Go on, jump on the Marathon case.

Here's a little ditty by Henry Wadsworth Longfellow to get you into the mood. **Paul Revere's Ride** (abridged, bolding added):

Listen, my children, and you shall hear
Of the midnight ride of Paul Revere....

....One, if by land, and two, if by sea;
And I on the opposite shore will be,
Ready to ride and spread the alarm
Through every Middlesex village and farm,
For the country folk to be up and to arm.



Then he climbed the tower of the Old North Church,
By the wooden stairs, with stealthy tread,
To the belfry-chamber overhead....
Beneath, in the churchyard, lay the dead,
In their night-encampment on the hill,
Wrapped in silence so deep and still
That he could hear, like a sentinel's tread,

The watchful night-wind, as it went
And seeming to whisper, "All is well!"
A moment only he feels the spell
Of the place and the hour, and the secret dread

Meanwhile, impatient to mount and ride,
Booted and spurred, with a heavy stride
On the opposite shore walked Paul Revere.
Now he patted his horse's side,
Now gazed at the landscape far and near,
But mostly he watched with eager search
The belfry-tower of the Old North Church,

And lo! as he looks, on the belfry's height
A glimmer, and then a gleam of light!

He springs to the saddle, the bridle he turns,
A second lamp in the belfry burns! ...
**That was all! And yet, through the gloom and the light,
The fate of a nation was riding that night....**

And the spark struck out by that steed, in his flight,
Kindled the land into flame with its heat.
He has left the village and mounted the steep,
And beneath him, tranquil and broad and deep,
Is the Mystic, meeting the ocean tides
It was twelve by the village clock,
When he crossed the bridge into Medford town.
It was one by the village clock,
When he galloped into Lexington.
And the meeting-house windows, blank and bare,
Gaze at him with a spectral glare,
As if they already stood aghast
At the bloody work they would look upon.

You know the rest. In the books you have read,
How the British Regulars fired and fled, —
How the farmers gave them ball for ball,
From behind each fence and farm-yard wall,
Chasing the red-coats down the lane,
Then crossing the fields to emerge again
Under the trees at the turn of the road,
And only pausing to fire and load.

So through the night rode Paul Revere;
And so through the night went his **cry of alarm**
To every Middlesex village and farm, —

A cry of defiance and not of fear,
A voice in the darkness, a knock at the door,
And a word that shall echo forevermore!
**For, borne on the night-wind of the Past,
Through all our history, to the last,
In the hour of darkness and peril and need,
The people will waken and listen to hear.**

3. THE NOT-PROVEN MURDER OF SEAN COLLIER



Can you see two men near that car? Are they identifiable?

This chapter is meant to persuade you that the media may lead you to believe a case was proven when actually no decent evidence came into the courtroom. I think all 12 jurors must have been in a trance when Sean Collier's murder was being discussed. They managed to convict Jahar of that killing "beyond a reasonable doubt" – on virtually no evidence at all.

Did you read that a witness cycled past the MIT cop and saw the cop get shot? I'm pretty sure I read that. But, nope, the witness, Nathan Harman, never said he did so! For one thing, it was dark. For another thing, he did not pause as he passed by Collier's cruiser; he cycled on past. He did not witness any shooting or even hear any noise of men talking or of gunshots. Honest.

Here is a bit of the testimony of this witness. The questioner is the prosecuting attorney, William Weinreb.

Q. Mr. Harman, How old are you?

A. Twenty-four.

Q. What do you do?

A. I'm a graduate student at MIT.

Q. Were you in your office on the night of April 18, 2013?

A. Yes.... I was there working on a problem set that was due the next day.

Q. Approximately what time did you leave?

A. After ten. Maybe 10:20. Once I noticed it was after ten, that's how I knew it was time for me to give it up ...

Q: Can you just, by using your finger, show us the route you took when you left on your bicycle? [on exhibit 638]...

A. Sure. I would have come right up here and then up that way ... There was a parked police cruiser, like, right here...

Q. Was there anything unusual about the cruiser...?

A. When I went by ... the front door was open, and there was someone leaning into the driver's side door. ... I mean, **they** were sort of bent around the waist with **their** head and sort of the upper part of **their** torso inside the car as I was coming up, and then **they** sort of stood up, startled, when I rode my bike by **them**. [But then Nathan said it was "he" not "they"]:

Q. And what happened exactly as you drove by them?

A. **He** sort of snapped up, stood up and turned around, and he looked startled, and then I just, you know, didn't think anything of it and rode off.

Q. Did he look at you? ...

A. Yes. **We made eye contact.** [All emphasis added]

That was accompanied by a video of the area, taken from far off. The jurors could see a person cycling by. Mr Matt Isgur, who runs the surveillance cameras at MIT, said under oath that there are 1200 cameras. Surely a few of these could have got a closer look? Why have a camera perched so high that it can't read licence plates or identify faces? Isn't there some fabulous equipment in MIT labs whose theft would be disastrous?

Recently MIT gave an "unsung hero award" to Isgur It says:

Matt Isgur has designed a mobile platform that allows for the rapid deployment of video surveillance in any environment. He helped install video surveillance technology around campus for undercover police cases... On the night of April 18th Matt helped the police and FBI use video to place the marathon bombers at the scene of Sean Collier's death.

Is Isgur proud that he "placed the marathon bombers" there? Testimony was also given by patrolman David Sacco and Sgt Clarence Henniger of the MIT police. Since the alleged time of death is **10:24pm**, that's the moment to concentrate on.

But there is an unexplained gap in the videotape (Court Exhibit 724 and 725) **at that time**. Do you recall President Nixon's secretary Rosemary Wood during the Watergate affair? She claimed she inadvertently erased 5 minutes of the tape when she stretched from her desk to a table.



Rosemary Wood demonstrating what happened

No one in court even asked to have the MIT gap explained! *Three problems* exist as to the moment of Sean Collier's death. First, as Nathan said, he rode past and **did not hear any noises**, as of gunshot or quarrelling, and saw no flash of a gun.

Second, the patrolman David Sacco was in his office. He testified that he got a call from a male on campus, on the internal 911 line at 10:20pm. The caller said he heard loud noises, possibly of trash cans. But he did not say exactly *when* this occurred. *Neither Sacco nor the caller* was asked to comment in court. This is ridiculous.

Third, Sgt Clarence Henniger of the MIT police said that, at 10:20pm, he drove his patrol car past the place at which the death occurred, **but did not see or hear anything amiss**.

At my Watertown lecture, Police supervisor Sgt John MacLellan told us that there's *another* eyewitness, but – amazingly -- she hasn't been sought out:

“Girl was at a night class at MIT. *Saw the officer get assassinated.* [!] She was so scared, she ran. Got on the bus. When she got home, told her father. Father called the police station, told what the daughter had just seen. And we sent a police car... [for her] to be interviewed, and as our officer was taking her we got the call about the shootout [in Watertown].”

-- As if that inconvenience would end such a valuable lead!

Tom Fontaine's Research, Based on Police Scans

One of the laypersons doing excellent sleuth work shortly after the Marathon is Tom Fontaine. He compiled the police scans relevant to the 10:20pm event. I'll put the voice of a dispatcher in *italics*; if it's officers in the field talking, I will underline.

10:28 pm *We just got a call from a concerned resident. They heard some (trash) cans banging or something there in the [inaudible], in the north courtside there. They said they seen an officer "sitting out there" and they were just curious what the noises were.*

10:29 pm Car 3 4r, car 18 4r, receiving a call for an armed robbery at 711, 589 Mass Ave, standby. We have a Hispanic male, black coat, black cowboy hat, and jeans, displayed a small silver firearm.

10:30 pm *[inaudible] ...location, officer down, officer down.*

10:32 pm *...what we heard was some kind of gunshots.*

10:32 pm *Car 1 and 2 if you can respond to 32 Vassar Street. Receiving reports of an MIT officer down at that location.*

10:33 pm Shots fired at 32 Vassar, at Main. Clear the air.

10:33 pm Yeah, the officer is down on Main, CPR in progress, gunshot wounds confirmed

10:34 pm Officer down. Come right now. PLEASE NOW!

10:34 pm *They're working it, they're trying to get them there.*

10:36 pm I want this area cordoned off. It's a crime scene.

10:40 pm Station 52 HP -- also please be advised, officer is missing his weapon.

10:41 pm Any updates on suspects? Any description?

10:41 pm *18, we have no suspect description at this time -- nothing.*

10:41 pm All right, we're on the move. 18 going to 711.

10:42 pm Right, just before this call, there was an armed robbery

at 711 and Central. White male, about 200 lbs., 5'11", cowboy hat, dark jacket, silver handgun shown. ...That is not the suspect in this, as far as we can tell.

10:43 pm *MIT officer has been shot, suspect supposedly has his weapon. Occurred on Vassar and Main - unknown direction of flight.*

10:49 pm The MIT officers are going to go back and check the surveillance cameras. MIT has two very good cameras and they are going to get a quick look at them and give us a good description. [Wow, lies in court!]

10:57 pm What I am getting is that the suspect should have blood on him. The officer is not in great shape, so if anyone sees anyone with blood on them, all units apprehend.

11:12 pm *Sir, request for SWAT to deploy with two canines.*

11:25 pm There is a photo floating around of our possible shooter. BU gave it to one of our officers. [-- end Fontaine tapes]

Dear Reader, the "Hispanic" man turned out to be Anglo. His name is Daniel Morley. His dad works at MIT. I speculate that the well-timed robbery of a 7-11 store was *created* to confuse the story or to offer corroboration of the killing of Collier.

Please note what I'm saying here, O Cops. I'm saying your mate Collier may have been killed as a "side show" – by police. Even if Morley did it, he was no doubt put up to it. I hear the 7-11 shop had a good picture of him -- yet no theft charges were laid.

Many people said FBI men were swarming around the MIT campus hours earlier that afternoon. Sgt Henniger has only said that that was "unrelated." How can he not feel obliged to say more, as many people think the swarm is connected to Collier?

One more thing. Was Sean Collier a whistle blower? He had been trained at the Somerset Police and later revealed that candidates for that police academy were required to pay money before being accepted. If he revealed that, maybe he intended to reveal more.

4. DUN MENG'S UNBELIEVABLE CARJACKING STORY



Dun Meng asks the manager of Mobil station to call 911 for him

At Jahar's trial the owner of the gas station gave testimony. The significance of the gas station is that it figures in the narrative of the carjacking. It is vital to note that the carjacking story was used **to give the public a way to link the bomb blasts at the 2013 Marathon with the accused persons, the Tsarnaevs.**

Supposedly the FBI's "revelation" on TV of a photo of Suspects One and Two gave the brothers a fright. So, on Thursday night, April 18 they allegedly ran around stealing a car, killing a cop, and finally throwing a pipe bomb at police on Laurel St, Watertown.

This chapter discusses important data from Russ Baker's website *WhoWhatWhy.org*. He and colleagues do excellent investigatory work on the Marathon case and they take a very skeptical approach to the carjackee, Dun Meng.

WhoWhatWhy recounts how there were several *different* police narratives as to the way in which Tamerlan Tsarnaev "admitted" to Dun Meng, aka "Danny," that he was a fugitive criminal.

Thanks to the very *number* of variations, we can say they don't add up to a reliable account. I'll emphasize one of Russ Baker's main points. It concerns a radio station, WMUR, that operates out of Manchester, New Hampshire, about an hour north of Boston. WMUR interviewed Danny a mere four days after the putative carjacking. (Meng was carjacked late Thursday night; the radio show was Monday.) He had Friday-to-Sunday to prepare.

Blame WMUR

You may recall that Dun Meng revealed his name only as ‘Danny’ to the public until close to the trial date – out of fear. WMUR’s talk host Nick Spinetto asked Dun Meng key questions.

Danny told Spinetto that Tamerlan had boasted about having done the April 15th Marathon bombing. Yet Danny did *not* say anything to Spinetto about the killing of Sean Collier, the MIT campus cop! How do *you* interpret that? Could it be that the organizers of the Danny element had not yet told him that he was supposed to say Tamerlan mentioned killing a cop?

By now, years later, Danny must realize that his carjack story has put Jahar on Death Row. He testified in court to Tamerlan’s supposed admission of the bombing and the killing of Collier. (As an aside, this is a bit confusing since it was Jahar, not his older brother Tamerlan, who got convicted for the death of Collier!)

Anyway, I am critical of Alisha McDevitt, the station manager of WMUR, an ABC station. Come on, Alisha, you have to take responsibility. If your radio station helped to terrify Massachusetts, you owe us some Valium. You must do your best to sort this stuff out. You can’t just say “No, thanks.”

The Logic of the “But For” Test

I learned in law school that we can’t use a “but for” test in a lawsuit. Say you gave me a birthday cake and I decided to bring a piece to my neighbor’s house and fell down on her front stairs. I can’t say “*But for* the cake I wouldn’t have sprained my ankle” (and sue you for donating that cake to me). Even though it’s true. But this is not court of law. We are a community, and we use logic. We can “but for” all we like.

I say the interview with Danny led everybody to think that the Tsarnaevs were fugitives from justice *and so were guilty*. “BUT FOR” the false narrative on radio stations such as WMUR, the jury may have acquitted Jahar. But for the carjacking story we’d

have no tie-in of the Chechen Muslims either to a Marathon bombing or to Sean Collier's death. In Chapter 3, we saw that proof of the brother's being at the MIT campus is sorely lacking.

Therefore, WMUR needs to do the right thing. You know, Ms McDevitt, it won't kill you to announce that you think Dun Meng misled your employee, Spinetto. You couldn't have known it back then, it's not your fault. **But today you can see the harm it did.**

Time To Get a Second Spinetto Interview

I mean the original problem – broadcasting Danny – was not your fault. But putting the Seal of the Confessional on things *is* your fault. You must ask Nick Spinetto to do another interview.

Danny won't agree to it? No prob. Spinetto can go on radio and read out what Russ Baker gathered up by way of analysis of the whole situation, at the *WhoWhatWhy* website. It compares the ever-changing statements about the carjack by police officials and by newspapers. Russ bothered to show us what the *NY Times* said on Saturday (naming the source as a “senior law official”).

“It was only after the suspects decided not to kill the owner of a sport utility vehicle that had been carjacked and **instead threw him out of his car around 1 a.m. — a decision that ultimately** undid their plans to elude the authorities — that they re-emerged on the authorities' radar.” -- NYT April 20, 2013

The last sentence means that Danny, once out of the car, was able to tell police that his SUV was a rental, so it had the ability to be tracked – hence there could now be a chase to Watertown.

Note: the “throwing out” of Danny never got mentioned again. That *NY Times* version fails to include the ATM story. It incorrectly gives the time of Danny's throw-out as 1:00am. In the *official* story, Danny jumps out of the car around 11:00pm.

Ms McDevitt, I'm not saying you should be concerned with what the *Times* said. But many of us, probably including you, have seen

the Podstava video. So we know that at 1:05am Tamerlan was falling into the clutches of the authorities, not kicking Danny out of a car. At the very least please correct *that* on your radio.

Danny Forgot To Say the Biggie That Night?

I'm trying to push for WMUR to fix up a *different* problem. To repeat: the Nick Spinetto interview was broadcast on Monday, 4 days after Danny had allegedly had the traumatic experience of a lifetime. In his WMUR interview, Danny does NOT mention Tamerlan's confessing to the killing of MIT cop Collier.

Yet, as Russ Baker discovered, the Associated Press – which I believe is run by the CIA – **had already announced** that MIT bit on the afternoon of April 19th, two days before the WMUR show. Yikes! Seems like Danny hadn't even hear that news.

Associated Press referred to Watertown's police chief Ed Deveau saying that Tamerlan had confessed *both* of his major crimes to Danny – as in “I did the Marathon bombing and I killed a cop.” Has Deveau got a secret pipeline to a planned narrative?

Russ Baker noted that the official Criminal Complaint, filed by Officer Daniel Genck on April 21st, 2013 – just one day before the Spinetto interview -- states that **Tamerlan told Danny about his role in the bombing**. But – I'm quoting Russ Baker -- the Complaint “notably says nothing about an admission to having killed Collier.” Oh my.

Is there a Defender anywhere who would not now *demand* that the charge against Jahar, of murdering Collier, be thrown out as Danny's attribution of blame is false. Also it has been said that the Defenders could have cross-examined Dun Meng under oath asking such little gems as “We see in the surveillance photo from the Mobil station that you have a set of keys in your back pocket. Does that set include your car key? Then how did Tamerlan drive off?”

But Dun Meng, a vital witness, was never cross-examined !!!

5. MCCOY RULING SPARES JAHAR, BUT SAM'S GET IN THE WAY *(published June 14, 2018)*



(L) Jahar on boat, showing he's unarmed (R) William Fick

Every person on Death Row has an automatic right to appeal. In my Watertown lecture I had no trouble at all showing how the evidence against Jahar was so flimsy that his conviction was a disgrace. I also noted that his Public Defender, Judy Clarke, had said, in her opening speech, in 2015, “It was him.” This made every Bostonian, including myself, assume that Jahar had admitted guilt.

Well, no he hadn't. He never deviated from pleading Not Guilty to each of the 30 charges related to the Marathon bombing.

During my lecture, I noted that there was a Louisiana case at SCOTUS (the **Supreme Court Of The United States**) from a state prisoner, Robert McCoy, who was convicted of murder in 2008. McCoy appealed on the grounds that his *attorney* had insisted on “conceding guilt” – supposedly to win a sentence less than the death penalty. Louisiana's appeal court turned him down.

During the break between my lecture and the Open Mic session, an audience member brought me his cell phone, which said that SCOTUS had denied McCoy's demand for a new trial. I was truly shocked. The right to plead innocent has been in business for eight centuries with no one challenging that basic right.

Anyway, good news -- the guy with the cell phone was mistakenly reading from the earlier denial in *Louisiana v McCoy*. Whew! Subsequently, on May 14, 2018, the US Supreme Court, handed down its ruling. Justice Ruth Bader Ginsburg wrote the opinion:

“Held: The Sixth Amendment guarantees a defendant the right to choose the objective of his defense and to insist that his counsel refrain from admitting guilt, even when counsel’s experienced-based view is that confessing guilt offers the defendant the best chance to avoid the death penalty. Pp. 5–13.”

That does not mean Mr McCoy walks free. He walks back to the district court and gets a new trial. But I say Jahar will walk out the door. His case will at the very least fall under the McCoy ruling, that is, Jahar has to be entitled to a new trial. But once the appellate judges – *en banc*, three of them – get a load of what has gone on they will surely see that this was a false trial and the accused was a classic patsy.

Strategy Is As Strategy Does

Did Judy Clarke and her team really intend that the “strategy” of conceding guilt would spare Jahar from the death penalty? As widely discussed in the media, the strategy was for the Defense Team (budget for the defending of this case: \$5 million) to say Jahar was pushed into it by his older brother, the late Tamerlan.

Note: Judge O’Toole did not allow the defense to go into any aspect of Tamerlan’s activities. He granted the *prosecution’s* Motion in Limine to preclude any mention of Tamerlan. This is unheard of. And what possible justification for it was there? Jahar’s indictment included counts for aiding and abetting!

Why choose this path anyway? It is known that strategies don’t usually impress a jury. Of course, when you have a “strategy,” you want the word of a witness like Dun Meng to be correct. Meng’s extraordinary tale must be OK. He said he had pulled over to read a text message and Tamerlan’s car just happened to pull up behind his. Out of that car steps a perfectly confident carjacker,

Tamerlan. By “confident” I mean he did not worry that the driver might dial 911, might refuse to let him in, or anything else.

The Mind-Boggling Affidavit

Now to the affidavit that Jahar’s aunt, Maret Tsarnaeva, wrote – with the assistance of Minnesota attorney Jack Graham, a copy of which is part of the *amicus* brief filed by myself and two others. See Document 3 at end of this book. (It’s Doc 4 in Spanish.)

You really need to get angry, and scared, at the standover tactics seen in the home of Jahar’s parents in Russia (technically, the Russian Federation). The aforementioned defense team, on the taxpayers’ tab, made 14 trips from Boston to Russia!

William Fick, known as Bill Fick, had lived in Moscow in the 1990s. His job? “He designed and managed an array of projects to develop access to the Internet,” after the collapse of Communism. (I recall that no sooner had the Berlin Wall fallen in 1989 than Rupert Murdoch was in Poland, under an assumed name, modernizing the telephone system. I guess he foresaw it.)

On April 17, 2015, Maret signed the following affidavit. As with all affidavits, it carries a penalty of perjury:

On or about June 20-21, 2013, during their first trip to Russia, which lasted about ten days... Judy Clarke and William Fick... visited my brother Anzor Tsarnaev, and his wife Zubeidat, respectively the father and mother of Dzhokhar [Jahar]. My mother, my sister and I were present at this meeting. Zubeidat speaks acceptable English. Mr. Fick is fluent in Russian. The lawyers from Boston strongly advised that Anzor and Zubeidat **refrain from saying in public that Dzhokhar and his brother Tamerlan were not guilty.** They warned that, if their advice were not followed, **Dzhokhar’s life in custody near Boston would be more difficult** [Good God!]

— Mme Clarke and Mr. Fick also requested of Anzor and Zubeidat that **they assist in influencing Dzhokhar to accept**

the legal representation of the federal public defender's office Mr. Fick revealed **that Dzhokhar was refusing the services** of the federal public defender's office in Boston, and **sending lawyers and staff away when they visited him in custody.**

... Dzhokhar's parents expressed willingness to **engage independent counsel**, since Dzhokhar did not trust his government-appointed lawyers. Mr. Fick reacted by saying that the government agents **would obstruct independent counsel.**

In any event, I [Maret] am aware that, following the meeting on June 20-21, 2013, Mme Clarke and Mr. Fick continued to spend time with Anzor and Zubeidat, **and eventually persuaded Zubeidat to sign a typed letter in Russian to Dzhokhar**, urging him to cooperate wholeheartedly with the federal public defender's office in Boston. [Emphasis added]

In Australia, Martin Bryant, who was falsely accused of shooting 35 people to death (see my book *Port Arthur: Enough Is Enough*), eventually changed his Not Guilty plea to Guilty, after Carleen Bryant, his mother, told him she could not visit him again if he pleaded guilty. The *defense* lawyer had instructed her to say that!

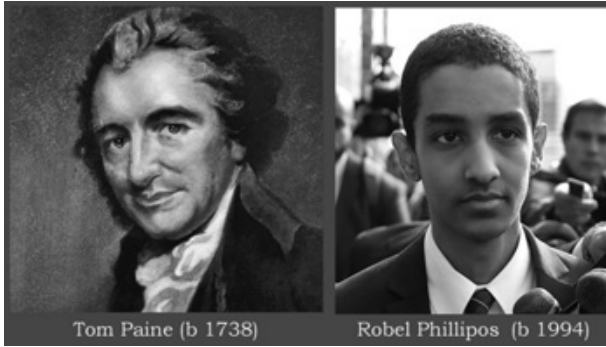
I phoned Aunt Maret last week. She reports that at the Mahachkala meeting, she suggested: "We hear there is another suspect for the Marathon bombing. Why don't you talk about him as a way of defending Jahar?" In response, Judy Clarke, God bless her, said "That's a good idea. We could do this, Bill." Whereupon, Maret says, Bill Fick got red in the face and angry and said "We are *not* going to do that."

According to Fick's website fickmarx.com:

"Bill has tried multiple federal cases and has obtained acquittals or dismissals of charges involving fraud, regulatory crimes, computer crimes, firearms, narcotics, immigration, bank robbery, child exploitation, and sex offender ... and fought for fair sentences on behalf of clients who elected to plead guilty or were convicted at trial."

Sounds like he could have done a better job defending Jahar.

6. GAGGING THE FRIENDS OF A “TERRORIST”



Robel was Jabar's classmate at Cambridge Rindge and Latin

This chapter is about the gagging and censoring of people who try to break through the disinformation, lies, and propaganda and tell the truth. But first let's put the fight between lies and truth into context.

In many animal species there is a trait for lying. Of course it can't be done through words, except in *H sapiens*, but it has the same purpose. The liar attempts to better his situation by deceiving others. He may puff himself up to look stronger; she may pretty herself up to attract a mate (or *he* may pretty himself up, as in the peacock species). Or an animal may sneak up on its prey by pretending to have a different, harmless intent, etc.

Human Deception and Self-Deception

Humans are fabulous liars, and fabulous self-deceivers as well. Surely this trait is so deeply wired in that we are not going to overcome it any time soon. We need dishonesty! It helps our individual survival. But if dishonesty is causing a society to lose control of reality, we had better stop glorifying it and apply some discipline. Typically, societies -- especially through their religions -- have done this by **promoting the value of truth**.

Being truthful does pay, for the society. Since the individual wants to live in a society that functions well, he should give in and suppress some of his behaviors. I think this is routinely achieved when a culture proffers *ideals* to its members, including to its

children. We all have an emotional ability to get excited about our group's **ideals**. As far as I know, people feel proud of the ideals shared by the society -- it fits in with belongingness and identity. Somehow we do grasp that an ideal is "real," and that it won't be easily tossed aside.

Margaret Thatcher remarked in the 1980s that there is no such thing as society – there are only individuals. Was she correct? Well, yes to the extent that it is possible to break down the ideals of a group and leave folks rudderless. She was perhaps attempting to do exactly that by her remark.

Humans self-deceive. We often have self-deception about motives. Let's say Thatcher's motive was as I hinted – to harm society. Some analysts would say she doesn't realize that she's doing that. I think they could be right. The whole subject of our leaders' *unawareness* of their wickedness wants urgent inspection.

Trying To Keep a Lid on Free Speech

If there were complete **ensorship** imposed on the masses by a few individuals at the top – one thinks of China in the Mao era – the controllers would have neatly disposed of their main problem -- people would not be able to consult friends about changing the system. They also couldn't refer to the words of Holy Scripture that might give them a basis for solidarity to fight off their cruel oppression. In China, mere adherence to any religion was enough to get you tortured.

There is ever-increasing censorship in our society today. It should certainly be interpreted in the same way as China's. Namely, its purpose is to keep people from conspiring against the top dogs and also to keep them from passing around words of strength such as those furnished by ideals.

Tom Paine, pictured above, was the great champion of free speech. He is best known for his writings: *Common Sense* (imagine that: common sense!) and *The Rights of Man*. Paine, son of Quakers, was constantly on the street, waking people up both in revolutionary America and France.

One can hardly overestimate how much Paine bequeathed to posterity. I grew up in the Paine tradition. His ideals were *taught in schools*. Yup. They inspired Supreme Court rulings. Americans highly prized the right of each person to criticize government, and yak about policy. Note: Paine was imprisoned in Paris under Robespierre and came very close to being guillotined.

The Manipulation of Culture

So what's going on now? How did the high ideals of free speech in America lose their vigor? There were two methods. One was simply that a corrupt Congress passed outrageous laws such as "the Patriot Act." That occurred within six weeks of the "Great Lesson" of 9-11. (Embarrassing, eh?)

The other method was by cultural change. Yuri Bezmenov explains, in a superb 1983 interview with Ed Griffin which can be seen on Youtube, how he was assigned by his Soviet leaders to ruin American culture. "You start with the three-year-olds. A complete cultural change takes only 15 years."

There is also the matter of *omission* from the textbooks. Kids today are not shown the rules about honesty. One can assume they would not "get" the Pinocchio fable or George Washington's "I chopped down the cherry tree" gig.

I doubt if kids know about putting history "down the memory hole" as was Big Brother's policy in Orwell's *1984*. Orwell spoke of twisting the meaning of words entirely such as "war is peace" and "slavery is freedom." In Jahar's case we had a white backpack being called black, by *lawyers!*

Tightening the Noose

Legislatures around the world, supposedly guided by UN Security Council Resolution 2253, have passed laws to criminalize free speech. Germany and other countries got a jump on this law by making "Holocaust denial" and "Holocaust minimization" criminal. The alleged justification is that denial hurts the feelings of families whose loved one's died (in Nazi concentration camps) -- a familiar excuse by those who don't want investigation. Many

Germans are arrested every year for this free-speech crime. In Tasmania, Australia there has been a taboo for 20 years on discussing the Port Arthur massacre. You can guess there's a reason for that, right?

Gagging the Relatives and Friends of Jahar

Jahar was a sophomore at UMass Dartmouth. Four friends of Jahar were interrogated by the FBI, including Robel Phillipos, who was jahar's high school pal at Cambridge Rindge and Latin. Robel was charged, and convicted. Of what? Of "lying to the FBI." Fathom it! Some FBI officials must have known about the Marathon bombing in advance. Their purpose in arresting Jahar's friends so quickly must have been to stop them from giving interviews. A side benefit would be to magnify society's "terror."

Robel's lie was that he said he was asleep when the two other boys plotted to throw Jahar's goods in the dumpster. One of the boys testified against Robel. Oddly, part of Robel's punishment was house arrest for a year – complete with ankle bracelet. (Isn't that rich?) Former Massachusetts Governor Michael Dukakis was a character witness for Robel. Not that it had any effect!



Dias and Jahar

Three of the boys have finished jail and been deported: Azmat Tazhayakov, "Cabbie" Matanov, and Dias Kadybayev. Why aren't all decent Bostonians yelling and screaming about this? Isn't it part of our tourism appeal that we are stacked with revolutionary heroes? Battle on the Lexington Green, anyone? Or the fact that John Adams penned a Massachusetts Bill of Rights that led to the big US one? Have a look at some of the rights named in the state constitution:

Constitution of Massachusetts of 1780 -- a must read

Preamble: The body politic is formed by a voluntary association of individuals; it is a social compact by **which the whole people covenants with each citizen** and each citizen with the whole people that all shall be governed ...**for the common good.** ...

PART THE FIRST ... A DECLARATION OF RIGHTS

Art. V. **All power residing originally in the people, and being derived from them,** the several magistrates and officers of government vested with authority, whether legislative, executive, or judicial, are the substitutes and agents, **and are at all times accountable to them.**

Art. VII. Government is instituted for the common good, for the protection, safety, prosperity, and happiness of the people, and not for the profit, honor, or private interest of any one man, family, or class of men; therefore the people alone have an incontestable ... right to institute government, and to reform, alter, or totally change the same when their protection, safety, prosperity, and happiness require it.

Art. VIII. **In order to prevent those who are vested with authority from becoming oppressors, the people have a right ... to cause their public officers to return to private life....**

Art. XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice.

Art. XII. No subject **shall be held to answer for any crimes or no offence until the same is fully and plainly, substantially and formally, described to him;** or be compelled to accuse, or furnish evidence against himself; and **every subject shall have a right to produce all proofs that may be favorable to him;** to meet the witnesses against him face to face...

Art. XIII. **In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.**

Art. XIV. Every subject has a right to be secure from unreasonable searches and seizures of his person, **his houses...**

Cab Driver Khairullozhon Matanov on Tamerlan's Beard

A guy named Matanov, age 22, saw Tamerlan on Marathon Day, indeed dined with him at Satwas Restaurant. Matanov observed that Tamerlan was in full beard only a few hours after the bombing, contrary to his clean-shaven condition in the FBI's photo. Of course no dosage of testosterone can make you come up with a beard in a few hours.

On Friday, April 19, 2013, Tamerlan's death was announced (recall he was allegedly killed in a shootout and also was run over by his careless brother). The helpful friend, Matanov reflected that the Marathon pix of a shaven Tamerlan, shown on TV by the FBI, must be wrong. He said so to various people, possibly even to innocent "fares" riding in his taxi.

While other friends of Jahar were rounded up immediately, this boy did not get arrested for more than a year, but he was surveilled in a harassing way. At *his* trial we heard:

Q. Did he exhibit any other behavior that suggested that he was aware that he was being followed? A. Yes... on May 19, 2013, Mr. Matanov was under surveillance again, and the surveillance team noticed that on several different occasions throughout the day that he was making some evasive driving styles. He was making sharp turns, traveling in an erratic manner on the Expressway, going through different lanes of traffic quickly.... [**to evade the FBI's dangerous stalking!**].

Julie Fehr (aka Cheryl Dean) wrote to Matanov in jail. She says:

"He replied, saying that himself and the brothers were innocent. The feds had deployed a big drone to follow his every move until they arrested him. He said 'it was like huge hawks circling a tiny sparrow just waiting for the perfect time to swoop down and devour that little sparrow for no reason at all just to be cruel'."

8. HOW BLACK MUST BLACK BE, REGARDING A BACKPACK?



ABC's Brian Ross shows Terry Moran an irrelevant pressure cooker.

Today almost all media belong to one of six corporations. Their ability to control the minds of all of us is phenomenal. In 2017, when a US Senate seat was vacated in Alabama, 20 people decided to run for it – 19 boys and one girl, i.e., me. You might think a candidate who parachuted in from Australia would be eye-catching enough to get media coverage, but no.

On the hustings I gave some nifty speeches, but the media guys filmed only the “main” candidates. Next morning, *their* speeches would appear on CNN. Truly the press’s silence is just as controlling as its noise. Luckily the Internet has made a big dent.

The Jahar Case Could Easily Have Been Tossed Out

I believe the Marathon bombing was planned well in advance by savvy people. They chose the idea of a homemade bomb. The Oklahoma City bombing of 1995 also had a “homemade” bomb, allegedly launched from a Ryder truck. Such personalized details may make it all sound plausible.

It is odd that they goofed on a major “point of law.” The plan was (I mean must have been) to saddle a boy with a backpack and then show how he was able to make it explode during the Marathon race. They got the color wrong, and yet this posed no problem. The media were able to put us through the paces of a trial with that glaring error sticking out like canine appurtenances. At least one person noticed – Jahar’s aunt Maret. She stated:

“I am the paternal aunt of Dzhokhar Tsarnaev who has been prosecuted ... upon indictment of a federal grand jury returned ... for causing one of two explosions on Boylston Street ... As I understand the indictment, if Dzhokhar did not carry and detonate an improvised explosive device or pressure-cooker bomb as alleged, all thirty counts fail I am aware of several photo exhibits, upon which the FBI relied, or of evidence which their crime laboratory has produced....

“...these plainly show that Dzhokhar was not carrying a large, nylon, black backpack, including a white-rectangle marking at the top, and containing a heavy pressure-cooker bomb, shortly before explosions in Boston on April 15, 2013, as claimed by the FBI and as alleged in the indictment for both explosions.

On the contrary, these photo exhibits show unmistakably that Dzhokhar was carrying over his right shoulder a primarily white backpack which was light in weight, and was not bulging or sagging as would have been evident if it contained a heavy pressure-cooker bomb. The only reasonable conclusion is that Dzhokhar was not responsible for either of the explosions....

Parallel Universes

I believe the human mind is very capable of living with two conflicting realities. Thus even if you were to present to someone the clear facts in the case – that the indictment mentions a black backpack and yet the FBI “discovered” the bomber by sifting through photos, so they said, zeroing in on a kid wearing a white (or silvery) backpack, it “wouldn’t be a problem!”

Here is a lengthy sample of what we were told by ABC writers: Look at how many times an authority-type person is said to be the source as to what happened. I will underline their titles:

ABC, April 17, 2013: In a major breakthrough, federal investigators have recovered the mangled remains of one of the bombs planted along the route of the Boston Marathon Monday, according to two counter-terrorism officials briefed on the case.

The officials told ABC News the remains show a medium-sized pressure cooker, packed with wires, a circuit board, nails and ball bearings. Michael Sullivan, former director of the ATF [Alcohol, Tobacco, Firearms], told ABC News such clues are “critically important” to the investigation. [Oh, for Pete’s sake]

Rep. Dutch Ruppersberger, member of the House Intelligence Committee, told ABC News the bomb analysis could lead to a break for law enforcement.

Earlier today, doctors caring for the 170-plus victims of the deadly bombing reported [to whom?] that they have been pulling nail-like objects from those struck by the explosions – likely shrapnel from inside the bombs. “Nails or sharp objects,” Dr. George Velmahos, chief of trauma at MGH [and Harvard] said. [They’re] numerous... 10, 20, 30, 40 in their bodies....

A spokesperson [really? who?] for Brigham and Women’s Hospital, reported similar injuries, apparently caused by carpenter nails and small ball bearings. Others were hurt by environmental shrapnel -- objects close to the blast -- and still more were injured just by the blast of air that slammed them against walls. Law enforcement officials ... revealed that the marathon route had been swept twice by bomb detection units and declared clear. “[But] people can come and go and bring items in and out” Boston Police Commissioner Ed Davis said. [Oh, I see.]

ATF special agent in charge Gene Marquez also said the only devices involved in the bombing were the two that detonated and there were no additional threats. [How can he be so sure?] Davis and several other local and federal officials implored the public to provide any evidence, including observations, by calling the FBI Tipline. FBI special agent in charge Richard DesLauriers said they had already received “voluminous” tips.

Today on “Good Morning America,” former White House counter-terrorism advisor Richard Clarke said he believed this would be a case broken either very quickly or one that could require a much longer forensic effort. Officials today appeared to be preparing the public for the latter.



At trial, the prosecution showed this as Jahar's backpack!

“This is the most complex crime scene we’ve ever dealt with in the history of our department,” Commissioner Davis said. Late Monday a tip about possible explosives led federal agents to search an apartment on the fifth floor of a building in Revere. Authorities said the white smoke seen shortly after one of the detonations indicates small bombs with a simple, low-velocity, explosive mixture -- not military grade.

“They knew how to make the bomb go BOOM,” said Nick Casale, security expert and former NYPD officer. [Fancy that.]

ABC News’ Lee Ferran, Angela M. Hill, Cindy Galli and Matthew Mosk contributed to this report. [In particular, what did they contribute?]

Since I think the FBI, not Jahar, did the bombing, it seems that all those remarks are specious, including the one from a top surgeon. Without doubt the mainstream media, aka CIA, were in on the event, and probably scripted all the minutia in advance.



**Dzhokhar's
backpack NOT
matching up!**



**Tamerlan's
backpack NOT
matching up!**



**CRAFT team
member @ bomb
site #1 - MATCH!**

How To Unpack a Quote

Now look at ABC's headline (by Ross and Karetzky) of May 1, 2013, a fortnight after the Marathon: "**Boston Suspect Month Before Attack: I Know How to Build a Bomb.**"

If you had only glanced at that headline – and many people do only notice the headlines, you'd go away thinking that Jahar *did* say "I know how to make a bomb," right? Read on:

"Just a month before three people were killed and more than 260 others injured when a pair of bombs ripped through the crowd near the finish line at the Boston Marathon, bombing suspect Dzhokhar Tsarnaev bragged to his friends that he knew how to build explosives, criminal complaints against three new suspects revealed today."

Hello? The statement that Dzhokhar pronounced about his bomb-making ability came from police? It says the source is a "criminal complaint." That's usually written by police.

Let's continue: "Buried in the footnotes of court documents filed against three friends of Dzhokhar's is a reference to a chilling statement one of the friends, Azamat Tazhayakov, made to investigators in the days after the deadly attack." So Azmat told this to the reporters, did he? No. We continue:

"Tazhayakov also informed the FBI agents that while eating a meal with Dzhokhar and [friend Dias] Kadyrbayev approximately one month prior to the Marathon bombing, Dzhokhar had explained to Kadyrbayev and Tazhayakov that he knew how to make a bomb," the court documents say."

Please re-read that. It's all in quotes, and attributed by the two journalists to "court documents." It almost sounds like Azamat has spoken those very words to a judge or at least signed a written statement. Wait. Inspect it more closely, please. It says "[Azmat] Tazhayakov **informed the FBI agents.**" Ah. I think that means that the FBI is the source for this media publication.

See? It says *They say* Azmat said that -- to *them*. Well, fine. We can chase after the proof of the FBI's claim, right? Wrong. You will never be able to track down any recording of an interview that an FBI agent conducts. Why? Because there are none. The FBI's "policy" is to *not* record any person's statement. Rather, they listen and then write it up on a Form 302. You have to depend on the FBI agent to write the 302 honestly.

A Word about Todashev, and Elena Teyer

In the current appeal of Jahar's case it's rumored that there is an FBI video a video of Ibraghim Todashev! Not from the FBI visit that proved fatal, but one made weeks before he died. Todashev was a boxer and friend of Tamerlan. The FBI admits to killing him in May 2013 in his home. He had supposedly been writing a confession when he allegedly – very allegedly – threw a coffee table at FBI agent McFarlane.

Todashev had been married to Reniya Menukyan, the daughter of Elena Teyer -- Elena is the person who shouted to Jahar as he was leaving the courtroom "We support you." Now they have INDICTED Reniya. Wait till you hear why:

“[Reniya] falsely stated to agents of the FBI's Joint Terrorism Task Force that a named individual with whom she associated had returned to Atlanta, Georgia, on a bus after his employment in Massachusetts ended in or about August 2011 when in fact and as the defendant well knew, the defendant met that individual in the State of New York on or about September 13, 2011, and drove him to Atlanta, Georgia.”

Moral of the story: If the powerholders want to put you away, they can. If they wish to thwart any lawsuit you file, they'll dismiss it. Todashev's dad filed suit for his son's death. It was dismissed. No cotozen should ever accept an internal FBI "investigation" of an FBI employee. The rule is *Nemo iudex in sua causa*. "No man can be the judge in a case in which he has an interest."

8. SHOOTOUT ON LAUREL ST? PICK THE BEST LIAR

(published at GumshoeNews on January 27, 2016)



At 1.05am, Tamerlan was face down on Mt Auburn St sidewalk being frisked. We hear him yell “Podstava” – Russian for “I’ve been set up”



Then he was arrested, unwounded, stripped and taken away

In what condition did Tamerlan arrive at hospital? He didn't die from gunshot. He was arrested unwounded, on Mt Auburn St, Watertown at 1:05am. A local guy, “Big Headphones” captured it on camera and it's still on Youtube. This “*Podstava* video” shows Tamerlan yelling *Podstava* – Russian for “I’ve been set up.” Soon after, he was put in a cop car naked; we saw it on CNN with Gabe Ramirez reporting. But officials ignore **both** those good videos.

As for Tamerlan being elsewhere -- on *Laurel* St -- at 12:30am, whose witnessing do you want to hear? I offer you four sources:

- the cop who fought with the apprehended Tamerlan,
- an ambulance attendant who saw the wounds,
- a hospital director or similarly-titled medical boss, or
- the lady who saw it all from her second-floor window.

Most of the quotes below appeared at WhoWhatWhy.org. We are talking about the Laurel St scenario in Watertown. That's where the *official* story claims the Tsarnaev brothers shot at cops and threw pipe bombs or IED's – improvised explosive devices.

An additional part of the story “that every Bostonian knows” is that Jahar escaped by jumping into an SUV, running over his brother. The timing of all this is just after midnight, the wee hours of Friday, April 19th. Four days after Monday's Marathon.

The Cop. I think this quote was taken from a District Attorney's investigation (investigation? hello?). It says there was concern that the criminal **could be wearing an explosive vest**, endangering the life of any cop who touched him.

“Boston Police Superintendent-in-Chief **Dan Linskey** saw another ... officer holding Tamerlan on the ground and he ran over, worried that the suspect might be wearing an explosive vest -- worried that he might blow up the cop. The pair began to strip the suspect's clothes. An ambulance arrived for [Officer Ric Donohue]. And cops called for an ambulance for the suspect.”

The Ambo (Australian term for an ambulance medic). This bit makes use of trial transcripts provided by Josée Lépine at: thebostonmarathonbombing.weebly.com:

“Michael Sullivan, a Boston paramedic ... was qualified to work in any of the 3 ALS ambulances fielded every evening by the City of Boston.

“Prior to an equipment breakdown, Sullivan's ALS ambulance had been directed to the Watertown area to be ‘ready’ after reports of the Laurel street gunfire exchange went out over the police scanners.

“Testifying for the defense on Trial Day 52, April 29th, 2015 Sullivan described the wounds of the unidentified injured man he found already strapped down in the BLS A14 ambulance: “When I first got in the truck, I noticed that he had multiple trauma, and he had some -- and road rash.” [That is what your skin gets if you are dragged by a car.]

“The two police, in the ambulance, corrected the paramedic with 26+ years of experience. ‘No, no, no. It was a blast-type injury from an errant explosive device,’ he was told.

“He elaborates: ‘Some looked like they were apparent gunshot wounds, and others looked like shrapnel-type-appearing wounds.’ [Grammatically I think it should be ‘shrapnel-type’ or ‘shrapnel-appearing.’ ‘Shrapnel-type-appearing’ is hedging too much.]

“Sullivan described the patient [Tamerlan], handcuffed and on his back, as combative, growling, rearing up, sweaty, pale, and resisting efforts to treat him. The man was suffering from shock and would allow only very limited medical intervention.”

The Big Cheese at the Hospital. Our third source for Pick the Best Liar is actually a twofer: **Richard Wolfe**, MD, Chief of Emergency Medicine at Beth Israel Deaconess Hospital in Brookline and a **Dr Schoenfeld** of that hospital’s Trauma Team.

“The trauma team immediately put a breathing tube in Tsarnaev’s throat, Dr. Schoenfeld said, then cut open his chest [with anesthesia?] to see if blood or other fluid was collecting around his heart. The technical term is a thora-cotomy, releasing blood from the chest cavity and possibly massaging his stopped heart. He was also apparently given massive amounts of blood to replace what he had lost.”

Frankly I don’t know how a hospital would “apparently” give massive amounts of blood. Isn’t there a written record? Don’t nurses have to sign for something like that? How else would one get reimbursement from Blue Cross? As for Wolfe, the boss, I have seen him on Youtube. A more self-confident person does not walk the earth. Dr Wolfe is bearded and grandfatherly. He testified:

“This was a trauma arrest, multiple injuries, probably, we believe, a combination of blast, potentially gunshot wounds.” Asked how many wounds, he said: ‘Unable to count....The person arrived at the hospital in (cardiac) arrest.’”

The Lady at the Window. Finally – please remember I am preparing to tell you my method for picking out liars – there was a local who saw it all, from her second-floor bathroom window on Laurel Street. **Jean McDonald** said “He was on his belly; he was moving.” “I saw him [Tamerlan] trying to lift up his head.”

Another boy was shown on CNN that night (as below). I’m guessing he “posed” in order that we be confused. CNN won’t explain it. Note: this boy lacks the curly hair of a Chechen.



unidentified

Self-Deceiving

Dear Reader, how are you going with these sources of the case against Jahar? Did you feel comfortable with Dan the cop, Michael the ambulance driver, the two docs at Beth Israel Deaconess, and/or Jean the second-story lady?

Ever since I heard that 9-11 was not dinki di, I’ve figured that when they put on a show – Port Arthur, OK City, Virginia Tech, Sydney siege -- they have to have, at the ready, a bevy of liars. And, as Randolph Nesse, MD, a leading sociobiologist says, we evolved the ability to self-deceive, as an adaptation to being better deceivers. That is, it helps if you believe what you are peddling.

So, naturally I’m not going to accept *any* of these observer’s reports of the s wounds. When there is a wide range of “facts” from observers -- road rash, blunt hit on the head, countless bullet wounds, a blast, did I miss something, perhaps a pregnancy? -- I know they all have to be wrong. The body was not Tamerlan's.

A big game of lying is involved here. If even one person says the boy ran over his brother (the road rash symptom), and other members of the group did *not* see the marks from that, we have to treat it all as fiction, don’t we?

You will read in Appendix A that Watertown Police Commissioner Deveau said on radio that a car dragged Tamerlan 40 feet.

The Watertown Library Again. This chapter was *not* an attempt to give the reader a good glimpse of the 12:35am Laurel St shootout. I say the 1:05am Podstava video from Mt Auburn St proves *there was no* Laurel St shootout, at least none with any Tsarnaevs. Let's pursue a few more details about Laurel St.

At the 7pm Open Mic session that followed my Library lecture on January 23, 2018, I was pleased that Sgt John MacLellan contributed some details. For one thing, I asked him to clarify the identity of "the *other* naked man" who was photographed up against a wall with a Feeb standing next to him. It is definitely not Tamerlan; I will give him the nickname Billy.



unexplained CNN photo – "Billy"

MacLellan, the police supervisor, said: "I was there at that scene. I went up to that scene and I told them to release him. We tried to contact this gentleman from that night, we put it out on social media. We tried to contact him because it was an outside agency who stripped him... and wanted to apologize to him."

Yours Truly interjected with horror "An *outside* agency?" Reply: "It was Boston police or state police; it was not Watertown police. Apparently the story that was told to us is that he did not speak English, they were telling him to show his hands, he wouldn't. Whether he was under the influence of alcohol or didn't understand, he might have had bombs so they told him 'Keep taking things off, keep taking things off.' -- I didn't see that, but that's the story we were told."

OK. Now let's look at this sergeant's testimony in 2015:

Testimony at Jahar's Trial by Sgt John MacLellan

A. The older brother. Q. What happened? A. I was standing in the middle of the street. I had an empty weapon at the time but the suspect didn't know that. I was giving him commands, "Get on the ground." He had nothing in his hands. My thought was he was strapped with explosives. I was telling him to get on the ground; I didn't want him to get near me. He was coming closer. Sergeant Pugliese put his hand on his shoulder, and he collapsed in the middle of the ground -- in the middle of the street.

...[Pugliese] said "We have got to cuff him. We have got to cuff him." And I jumped on top and tried to help him. Q. Did he turn out to be strapped with any explosives? A. No. Q. What happened to prevent you from cuffing?

A. As we were trying to ascertain if he had anything on him and trying to get his hands, I was yelling out, "You still got someone down range. Watch down range. Watch down range." And almost immediately I heard, "Sarge, here he comes. Here he comes." Q. Who are you referring to? A. The defendant. [Jahar] Q. What was he doing?

A. He was in the Mercedes now. You could hear the grinding of gears. You could hear that the vehicle was turning around. I looked up and it was coming towards us. Q. How fast was it coming? A. Very fast. Q. What happened? A. I told Sergeant Pugliese to disengage. I told him, "Get off him. Get off him. Here he comes." I pushed off and the vehicle struck the suspect and what I thought struck Sergeant Pugliese.

It was a very violent -- the car was jumping back and forth. [Tamerlan] got stuck up under the wheels. And as it passed, I saw Sergeant Pugliese there, I asked him, "Are you all right?" He said, "I'm okay." The vehicle continued on... it was bouncing back and forth. It struck the front of Officer Reynolds' vehicle. Q. What happened to -- the suspect who was caught up under the Mercedes, was that Tamerlan Tsarnaev? A. Yes, it was. (Notice the Defense didn't ask "Hey, how did you know that?")

I don't think MacLellan is making the whole thing up. So please try to imagine that the guy being discussed here is not Tamerlan or Billy but "anonymous. Note: Chapter 26 below, which requests the coroner to hold an inquest into the death of Tamerlan, provides more trial testimony about the shootout.

MacLellan claims he released "Billy" without getting his ID. Nowadays even a jaywalker has to show ID. But the identity of the man who allegedly *got run over* deserves more investigation. The FBI says it fingerprinted the person who arrived in the ambulance from Laurel St and it was Tamerlan. I say NO. Another witness, Mr Floyd, testified that he was watching the scene from his third-floor apartment. He said, **when the car ran over Tamerlan you could see the taillights bounce up.**

That implies that Tamerlan was not just caught under the car but suffered being squashed by it. And yet, after this, according to MacLellan *and* Pugliese, Tamerlan was combative. (They also said that about Rodney King in 1992, and I took that to be a lie.) I do not trust Mr Floyd's testimony about the taillights.

Podstava! The all-important takeaway from this chapter is the Podstava video. It totally wrecks the narrative of Tamerlan getting killed during a shootout with police. I'm sure Tamerlan did not do a carjacking, did not attempt to harm MIT's Sgt Collier, and did not participate in the shootout – which allegedly left him wounded at 12:35am. You can't be a wounded man at 12:35am on Laurel and then be a healthy man at 1:05am on Mt Auburn.

And since the government and media are willing to say you can, they are unscrupulous and vicious – or stupid and pathetic.

Where Is This Book Going?

Part One is listing *ways to refute* Jahar's guilt. (Really, the grand jury shouldn't have even let it come to trial in the first place.) But I prefer to concentrate on what we as a society should be doing about judicial corruption and media fictions. Skip over, if you wish, to Chapters 11, 16, 20, 21, and 29. And please consider forming a group, however small, to think up some action to take.

9. I ACCUSE THE FBI OF BOMBING THE MARATHON *(first published at GumshoeNews, January 6, 2017)*



Abu Ghraib – this is how we end up as a lawless culture.

See the photo of that female American soldier humiliating a prisoner? She did not invent the practice. She was trained to do that. If you are American, you participated in her training. You say you had nothing to do with it? Hrmph! That means you think there is no such thing as a society – that it’s all just a bunch of individuals running amok.

Oh – you claim that you live your own good life and are self-sufficient? Nice try, but nobody is self-sufficient. How did the tap water in your kitchen get into the tap? How did you learn to read? Will you call the fire department if your house burns?

I’m satisfied that Jahar had nothing to do with Marathon. The following tale in *Wikipedia* (retrieved February, 2018) is a total lie:

“During questioning, Dzhokhar alleged that he and his brother were motivated by extremist Islamist beliefs and the wars in Iraq and Afghanistan, that they were self-radicalized ... and that he was following his brother’s lead. He said they learned to build explosive devices from an online magazine, and that they had intended to travel to New York City to bomb Times Square.”

Chapter 1 listed 20 of the Prosecution’s points, e.g.: 1. At the finish line Jahar detonated a bomb (murdering people, causing

bodily harm and damaging property). 2. At MIT he killed Sean Collier 3. In Allston he stole money from an ATM. 4. At Laurel St Watertown he engaged in a shootout and also threw an IED.

Forget all that. Someone else, probably the FBI, did #1 and 2, and no one did #3. As for #4 “it’s complicated.” Now I’ll take a different approach. I’ll nominate crime *scenes*, without saying who was there doing the crimes. Then we will run to a law book and find out what the crimes are and what penalty they attract. Subsequently I will accuse the FBI of Marathon-related crimes.

Identifying Four Crime Scenes

Crime Scene 1: The Finish Line on April 15, 2013 at 2:49pm. Two bombs exploded. These are said to have killed Martin Richard, age 8, Krystle Campbell, age 29, and Lu Lingzi, age 23, injured 264 people, and caused property damage on Boylston St.

Crime Scene 2: MIT campus on April 18, 2013 at 10:24 pm. Officer Sean Collier was reportedly shot dead in his cruiser car.

Crime Scene 3: The custody of police or FBI on April 19, 2013 from 1:05am to 6am -- please consider *custody* to be a movable location. Tamerlan was captured at 1:05am unhurt, was seen on CNN video going naked into a car, and then somehow died.

Crime Scene 4: The yard of the late David Henneberry’s house 62 Franklin St, Watertown, on April 19, 2013, circa 8pm. Police had lifted the manhunt (why?). Mr Henneberry then went out to the yard, saw a body and blood in his boat, and called police. Police in a helicopter flew over the boat, using thermal imagery. They ascertained that there was a body in the boat, warm but not moving. Some combination of police, FBI, and others shot 228 bullets at the boat – a crime of attempted murder of Jahar.

Looking for the Applicable Law and Punishment

At those crime scenes I allege something happened. Let’s now consult **Massachusetts General Law**. The MGL is divided into five parts of which Part IV is about crime. You can easily look up a crime to find its definition and the applicable penalty.

Crime Scene 1 is the finish line. Crimes: the murder of 3, the injuring of 264, and the damage to property.

The MGL stipulates the punishment for **murder** as *life imprisonment*. Massachusetts has repealed the death penalty for crimes in that state. (Since Jahar's case is federal you may wish me to quote federal law rather than state law but it's good to know what the MGL says.)

-- The penalty for **grievous bodily harm** is _____. I will leave it blank so you can practice looking up the law.

-- For **property damage**, MGL Chapter 266, sec 126A specifies 2 years imprisonment, and loss of driver's license for 1 year.

Crime Scene 2 is the MIT campus. Crime: murder of Officer Sean Collier. Penalty: same as shown above for **murder** via bomb killings. i.e., life imprisonment.

If you are wondering why I am not citing the law with respect to "theft from an ATM" it's because that had to do with the carjacking of Dun Meng and I believe that did not happen at all.

Crime Scene 3 is "custody." I believe Tamerlan was killed while in custody. So once again we cite the MGL's penalty for murder.

Crime Scene 4 is Henneberry's yard. An attempt was made to kill Jahar in the boat (228 bullets should have done the job). So whoever planned that murder is up for the same penalty. Legally an attempted murder "is just as good as the real thing." I am not sure if the resulting GBH to Jahar (he was massively wounded) would be *added* to that charge of attempted murder.

Blackstonian Crimes -- Obstruction of Justice

Once you get the hang of it, it is easy to determine punishments. We turn now to crimes against justice. These were enumerated by Sir William Blackstone in his 1769 *Commentaries on the Laws of England* -- a best seller in the American colonies in 1789. Truly. It would be nice for people to rekindle their interest.

So far, I've been arguing that the very crimes that landed Jahar in jail ought to be laid at the doorstep of persons who actually did them (e.g., crimes of murders and property damage). But now I shall mention ones that nobody has, so far, been accused of -- crimes against justice.

It seems to me that the trial was full of these *Blackstonian crimes*. The trial could not have been just, given that the defense attorney Judy Clarke suppressed the fact that Jahar was pleading not guilty. And were the witnesses fake? The trial in 2015 took place 800 years after the Magna Charta, which promised:

“No bailiff for the future shall, upon his own unsupported complaint, put anyone to his ‘law,’ without **credible witnesses** brought for this purpose.” [Emphasis added]

I think the medical persons at Beth Israel committed perjury in describing the death of Tamerlan. I believe as indicated in Chapter 3, that the camera supervisor at MIT, Matt Isgur, produced a misleading video of the event. I wager Dun Meng's story is Perjury City. (But an alternative is that stooges carjacked Dun Meng, just as stooges may have been on Laurel St.)

And there's the *Wikipedia* lie, that Jahar, when interrogated in hospital, confessed he was planning to bomb Times Square. By the way, even carjackee Danny never claimed that! He only said the brothers asked if his rented car could travel “out of state.”

Not only was there perjury galore at trial, there must have been the suborning (recruiting) of those lies by persons that were putting the false narrative together. In Volume 4 of Blackstone's *Commentaries*, you may be surprised to hear how severe were the punishments for court personnel.

He noted that a **conspiracy to falsely accuse an innocent** man was considered so heinous that it could bring a “villainous judgment.” The judge would let a man go to the property of his harmers and have “**their lands wasted, their houses razed, and their trees rooted up.**”

Most of what Blackstone catalogued is still with us thanks to the common law. Our nation inherited, in 1776, the common law that had been accumulated through court cases in England over centuries. Legislatures often modify it and add new statutes.

J'Accuse

The book at hand, *The Soul of Boston and the Marathon Bombing*, had a previous subtitle *Indicting the Players*. Here are the players:

I accuse Attorney General **Loretta Lynch, head of the DOJ**, of arranging for potential witnesses, such as Silva and Dias, to be imprisoned so the public could not communicate with them as to Jahar's innocence. Intimidating a witness is of course a crime. But Lynch committed further crimes of obstruction of justice by **setting Silva up for drug crimes**. I accuse Lynch also of imposing Special Administrative Measures, on Jahar to render him incommunicado. That is the **crime of cover-up**, is it not?

I accuse the first-name-only visitors to Russia from the defense team (can you imagine), **Charlene, Olga, Jane**, who had the unmitigated cheek to instruct the Tsarnaev family to go along with the conviction despite innocence. (Blackstone would faint.)

Not only do I accuse Public Defender William Fick of that Blackstonian crime, for which he should be indicted, I have drafted a request for his disbarment.

In Chapter 13 we'll see that Dzhamaly Maazovich, an uncle of Jahar, was prevented from offering exculpatory evidence. Dzhamaly told "**Alicia**" he had documents proving Jahar's innocence and would bring them to court himself. She asked, "How do you intend to bring them into the USA?" He reports: "US visas were supposedly being arranged. Alicia on the previous visit in February 2015 had collected from us the information, passport details and photos of me and my sister, Roza Tsarnaeva. Later, Alicia repeatedly consulted with us, saying "You will be able to travel." After my conversation with Alicia held on April 14, 2015 in Moscow, the Tsarnaevs were refused entry visas."

-- I recommend prosecuting Alicia for this.

General Law of Massachusetts, Chapter 268, section 13 E:

(b) Whoever alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to ... shall be punished, by a fine or imprisonment for not more than 5 years...

The theme of MGL Chapter 268 is in line with the law maxim *Contra spoliatorum, omnia praesumuntur* – “Everything can be held against the person who destroys (or hides) evidence.” See? The law contains all that is needed to sort things out. The law is our friend -- as long as we bother to employ it.

Speaking of Jahar’s elderly relatives, it will be described in Chapter 13 below that his aunts who made it to the trial were put into ankle bracelets when they arrived. They were *visitors*, not suspects. A nice Massachusetts civil rights law extends to visitors. It is referred to at the website of the state Attorney General, thusly:

The Attorney General’s Civil Rights Division enforces and safeguards Constitutional and statutory civil rights and liberties on behalf of Massachusetts **residents and visitors** and “may bring enforcement action.”

That means the AG, Maura Healey, can prosecute someone for what was done to the aunts. The aunts also have a right to sue.

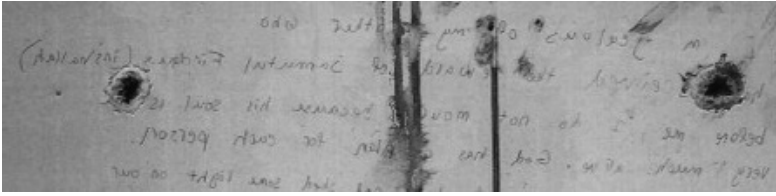
Now What about Crimes Regarding Fraud?

Switching to federal law for a moment -- 18 USC 371:

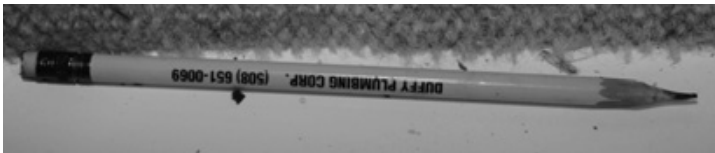
“If two or more persons **conspire** either to commit any offense against the US or to defraud the US, or any agency thereof in any manner or **for any purpose**, and one or more of such persons do any act ... each shall be fined under this title or imprisoned not more than five years, or both.”

That’s a bit vague for my taste, but recently it was used by the DOJ in 2018 to indict 13 Russian individuals and entities for “defrauding the United States” by their interference in the 2016 presidential election. So it’s there for us to use if we want. Fraud is most often invoked when it has caused someone financial loss.

Other species of lying are not so easy to criminalize. The First Amendment allows you to say what you please, including telling whoppers. But the media can't do it to deceive the public.



Ask: who penned that confession on the boat? Isn't it odd that the MSM (mainstream media) accepted that a wounded boy could do such a neat job – writing with a pencil, on fiberglass? And it indicates Jahar was aware of his brother's death, but supposedly in Beth Israel Jahar kept asking “Where is Tamerlan?”



Trial Exhibit 824: The offending pencil, still sharp! Any fingerprints?

What of *Wikipedia* saying that Jahar learned bomb-making, and was an extreme Islamist? There is no evidence for it. I mean no other-than-FBI evidence. As shown below, Quantico's laboratories at FBI HQ are fabulous suppliers of false evidence. Elias Davidsson has discovered that the supposed jihad online magazine “Inspire” is actually based in Israel. (See Appendix F.)

Wikipedia tries to cover itself by pretending to quote “facts” (the interrogators said that this is what Jahar said), how far can that go? Is it a crime? I claim it constitutes the crime of treason.

The Crime of Treason

“Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years....” -- 18 USC 2381

The phrase “levying war” should include any act of violence committed against the government or against the population. In my 2011 book, *Prosecution for Treason*, I argue additionally that any Congressperson who signs legislation that violates the Constitution thereby commits treason, as the people are left without their normal protection, i.e., the parchment. And further I say that a judge who knowingly condemns an innocent person to death commits treason, as in levying war on the people.

In my letter to Governor Baker, in Chapter 16 below, I note the relevant *state* law, Massachusetts Chapter 264, section 2: “Whoever commits treason against the commonwealth shall be punished by imprisonment in the state prison for life.”

Should a **judge’s rulings** be included in the law against using color of law to deprive a person of rights? (42 USC 1983). Normally no, but consider the case of *Cronin v Town of Amesbury*: It was a Massachusetts case where the judge held that a cop acting for personal interest – not in the line of duty – is NOT immune as he is not at that moment doing his job. Think about it!

Misprision

Also, treason is so terrible that if you know about it and fail to report it, *you* are a felon, for “misprision.” Per 18 USC 2382:

“Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be **fin**ed or imprisoned not more than seven years, or both.”

The Crimes Apparently Committed by the FBI. Allow me to demonstrate how strong is our intellectual barrier on recognizing crime when committed by “coverts.” Those guys even boast about the “plausible deniability” that disguises their performing of illegal acts – and we don’t object! And how did we tolerate such

an open “crime” as the FBI chief Richard DesLauriers, saying on TV about Suspects One and Two: “**We are enlisting the public’s help to identify the two suspects. ... Other photos should not be deemed credible.**” What?

Or consider this, retrieved from fbi.archives.gov in 2017, long after it was proven that Tamerlan was a “regular” to the FBI. Special Agent in Charge of the Boston Division Vincent **Lisi**, Colonel Timothy **Alben** of the Massachusetts State Police, and Commissioner Edward **Davis** of the Boston Police [stated]:

“Members of the Joint Terrorism Task Force did not know their identities until shortly after Tamerlan Tsarnaev’s death when they fingerprinted his corpse. Nor did [they] have the Tsarnaevs under surveillance at any time after the assessment of Tamerlan Tsarnaev was closed in 2011. The Joint Terrorism Task Force was at M.I.T., located in Cambridge, Massachusetts, on April 18, 2013, on a matter unrelated to the Tsarnaev brothers.” [Liars.]

And what of the rounding up of Jahar’s friends, in order that they be prevented from defending the accused? As the cops were in uniform, their rough behavior to intimidate the lads could well fit under “1983” color of law. Thank you, Congress.

Of Whom Is Our FBI the Handmaiden? I claim the FBI bombed the Marathon, as they were the agency visibly involved, both on the street and in court. But it’s known that the CIA is more powerful. In at least one Boston case, that of Whitey Bulger, the FBI helped criminal informants to commit murder. But Bulger himself had been MK-Ultra’d when he was in prison in younger days -- and MK-Ultra is CIA. (Whitey was offered 3 days off his sentence per month if he would participate in LSD experiments. He agreed, then suffered mentally for life.)

If you can help show agency involvement, please do so by way of: a Truth Commission, a citizen-led grand jury, a private lawsuit, a RICO civil action, a citizen’s arrest, an attempt to become a legislator, a move to disqualify bad lawyers, judges, and doctors, a civil rights lawsuit, an inquest -- or “raising the hue and cry.”

10. PHOTO GALLERY



I asked my friend Ian to fiddle with the picture above. He inserted Trump to the right of Jahar's hat, and inserted Josef Stalin (who died in 1953) at the top right. Ian hadn't tried photo-shopping before – that's how easy it is to do. This picture is at 755 Boylston St. It was shown to the court (*without* Ian's additions!). But is Jahar also an insertion here? I don't know. This pic was tendered as evidence that Jahar was at the place where a bomb was found.

Jahar was supposedly standing close to "his victims," the Richard family. Look at the three persons on left, leaning on the railing – Jane, who suffered an amputation, Martin who died, and his Mom. Some have noted that Jane has very straight hair yet in a photo taken minutes later it's curly. (See page 260 of this book.)

I have no intention of using pictures to find the bomber. I have argued that an entirely false story has been mounted against Tsarnaev. He did not bomb the Marathon. My way of showing Jahar's innocence is NOT via pictures – it's via the mishandling by a court. Personally, I dislike the way Youtubers, such as Peekay, act as if photos and videos tell the truth. We rarely know their source, or their chain-of-custody. In Chapter 30 I'll discuss a sneaky use by *National Geographic*. of a "reenactment" of the Marathon bombing. Still, let's walk through some of the official pix now.



Here is a clear shot of the brothers, allegedly at the 2013 Marathon. But more likely it was taken BEFORE 2013. Note Tamerlan's lack of a beard. His family insists that he grew a beard for religious reasons in 2012 and never shaved it off. I think Jahar, too, is looking a bit young there. The facial features seem OK. I guess it to be a real shot of the Tsarnaevs; but INSERTED like Trump and Stalin.

Now for a picture of Tamerlan supposedly taken at the Marathon, which was shown in Court. I can't see the face well enough to judge, but the body does not seem heavy enough for Tamerlan.



Any normal defense attorney would have that photo tossed right out as the context is not discernable. Supposedly it was taken on Dartmouth St. Oh, really?

The following shot was frequently run *as a video* on TV as proof that the brothers were at the Marathon. No one was asked to explain why the boys were walking single file. Or how there would be so much empty space in which to parade at such a crowded event. (I tried to attend the 2019 Boston Marathon starting at 2pm. It was so crowded you could not get near it.)



Jahar and sister Ailina have a resemblance. Both siblings have a similar chin, but it doesn't stick out as much as the chin of the "Coram Boy" or "Dorito boy" – as we shall now see.



Court Exhibit 22K

This is the one I call “Coram boy, as it led me to write a petition for Coram Nobis, as described in Document 5 of this book. I said the normally portrait layout of the frame was altered into a square in order to crop out the problematic (wrong-color) backpack he had on.

Later I judged that it may not even be Jahar; I believe it is an actor. And I offer the possibility that he is touching his chin to disguise the fact the chin is too prominent to be Jahar’s.

Now look at “Dorito boy.” This photo is supposed to prove that Jahar went into the Shell station to buy snacks. He too is a chin grabber. Also he may be left-handed, as when we see him take an item from the shelf with his left hand. On the right is, allegedly, Dun Meng making his escape from the SUV while it was parked at Shell. I am guessing, but only guessing, that both are actors.





However, I think the photo below is genuinely of the brothers, and so probably taken on a different day. (Tamerlan is in the black circle, standing outside the shop.) I think it is genuinely Jahar as his face resembles his Mom's:



Now see him below at an ATM, from which he allegedly stole, en route to Shell. It's from a surveillance video that includes footage of this boy walking into the bank's little foyer. I say ATM boy is *not* Jahar, and he also doesn't seem to be the same as Coram boy.



Next, I offer these family pictures so you can compare Jahar's facial features with "ATM boy."



A typical batch of groomsmen. Red-vested Jahar seems to be best man



Graduating, Rindge and Latin '11

In this dishonest world we can't believe anything anymore. There's a surveillance video of brothers coming down some stairs at their gym, which the voice-over says was near the day of Marathon. I doubt it. In it Jahar looks only age 17 or so.

And then there's the naked man video, which Gabe Ramirez of CNN narrated in a live broadcast in the wee hours of April 19. It *is* Tamerlan, according to his family, yet the court ignores it. (See Appendix A of this book: "The zoologist" gives real-time notes of what was being said on radio that night about Tamerlan.)

What the Court Provided

Jurors were shown images intended to support 10 claims:

1. that both boys walked on Boylston St at the 2013 Marathon
2. that Jahar stood near 8-year-old Martin Richard
3. that Jahar put a backpack on the ground with a bomb in it
4. that Jahar talked on his cell phone at the crucial time
5. that the boys walked away, not panicking like the others
6. that the boys killed MIT cop Sean Collier, to get his gun
7. that Jahar used Dun Meng's ATM card to steal \$800
8. that they parked Meng's SUV near the Shell station pumps
9. that Jahar bought snacks at the Shell convenience store
10. that the brothers shot at cops on Laurel St.

To repeat, I think all evidence provided by the prosecution to convict Jahar is garbage, notably: the cuckoo story of the brothers bothering to carjack when they already had a car, or the one about choosing to purloin a gun from an MIT cop, or the one about Jahar running over Tamerlan. I don't rely on the above pix.

Note: If any of the fake Jahars or fake Anybody's would like to confess, I am all ears. They surely didn't foresee that their five-minute acting job would land a fellow millennial on Death Row. It would also be nice to hear from any of the groomsmen in the wedding picture. They probably knew Jahar well enough to know that he not only didn't have the motive to bomb the Marathon, he didn't have the brains.

Some places we could meet are: outside the Roxbury Mosque at 100 Malcolm X Boulevard, or in the Andala Coffee House which is smack dab near the Central Square redline T, or in the Newsfeed Cafe of the BPL.

Are you a nontraveler? I will come to you -- as far as any of the Purple Line trains will take me. (I don't drive in the US, as my Aussie brain is committed to the left side of the road.)

Please email me at MaxwellMaryLLB [@gmail.com](mailto:MaxwellMaryLLB@gmail.com)

PART TWO

YOU WILL FIND THE LAW EMPOWERING

11. JULIE FEHR'S 17 DEVASTATING QUESTIONS

(published at GumshoeNews, November 21, 2016)



Defense team: David Bruck, Miriam Conrad, Wm Fick, Judy Clarke

The law is our best friend. It can sort out any difficulty. What if these questions, written by non-lawyer Julie Fehr (aka Cheryl Dean), had been used at Jahar's trial?

1. To **Judy Clarke**, Dzhokhar's "death penalty lawyer":

When the remnant of a black backpack was shown in court and said to be Dzhokhar's backpack, why didn't you mention that Dzhokhar's backpack was white? This was the only piece of evidence linking Dzhokhar to the bombing site, yet no one on the defense team seemed to think it was important.

2. To **David Bruck** of the Defense Team:

Before the trial started, during a status conference, you stated to the prosecution: "We all know that this case is all about sentencing". Why would you say this? Were you just an extended member of the prosecution? Isn't there a professional obligation, never mind a moral obligation, to defend your client?

3. To **Officer St. Onge**:

You are the one who reportedly came face to face with Dzhokhar on Spruce St. after he fled Laurel St in the SUV, then jumped out of the SUV and got away on foot. He was wounded and bleeding -- why didn't you run after him? Surely you could have caught him. It then took law enforcement 19 hours to find him.

4. To **Matthew Isgur**, the man who manages the cameras on the MIT campus:

When you took the stand, the prosecutor played a video, Exhibit 724, made of excerpts from a one-hour video you put together, covering 10pm to 11p.m. on the night of April 18, 2013. You said there are 1200 cameras on campus. Why did you show only a very far-away picture?

5. To **Carmen Ortiz**, the Prosecutor in this case:

Why did you edit that video, omitting the actual time when Collier was killed?



US Attorney Carmen Ortiz

6. To **Sgt Clarence Henniger** of campus police:

As a member of the MIT campus police for 40 years, you knew the scene intimately. On April 18 you told media that the FBI had been on campus that afternoon (hours before Sean Collier was killed). Why were they there?



Sgt Clarence Henniger

7. To **Richard DesLauriers**, Boston Head of FBI:

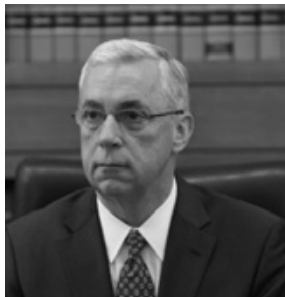
Why did you allow officer Sean Collier's cruiser to be completely destroyed barely 3 weeks after the bombing? It had not crashed or had any chemical contamination. Isn't that destroying evidence? The defense had not even seen the cruiser before it was destroyed. What is your excuse?

8. To **Marian Ryan**, District Attorney Middlesex County:

At your press conference you were asked the question, “Why weren’t trained dogs brought in to find an allegedly bleeding and wounded Dzhokhar, as he fled and hid from the Watertown ‘shootout’”? You couldn’t answer that then. Why not? Please answer now.

9. To **George A O’Toole**, judge in the case:

Why did you put hundreds of documents under seal?



Judge George A O’Toole, Jr

10. To **Jeff Bauman**, the man whose legs were blown off:

You say that you locked eyes with Tamerlan Tsarnaev while he was standing beside you at Bomb Scene One. How can you lock eyes with someone who is wearing very dark type sunglasses?

11. To **Judy Clarke**:

Why did defense staff in Russia, in 2015 -- after the trial had started -- beg family members to ask Dzhokhar to plead guilty?

12. To **Carmen Ortiz**

Where is the receipt for the gas allegedly purchased at the gas station, while Dun Meng, the carjackee was in his SUV with both Tsarnaev brothers, just before he bravely “escaped”? It was testified to in court that gas was pumped into the car and purchased, that is, paid for. You managed to find Tamerlan’s high school diploma (in his own car!), but no gas receipt, which was essential to prove the whole carjacking story.

13. To **Dun Meng**:

Why didn’t you provide the key piece of information in your first interview, about Tamerlan confessing that he killed Collier? And

it was noted that while you were in the witness box you kept your gaze at a teacher from Northeastern, Professor James Fox. Were you depending on him to guide your answers?

14. To **Loretta Lynch**, US Attorney-General:

Why did you allowed the cruel and unusual and unwarranted Special Administrative Measures to be imposed? Muslim “terrorists” are all under SAM’s, all to “protect” National Security. However, the flimsy 5 reasons given by Carmen Ortiz who asked for the SAM’s did not include “to protect National Security” as one of the reasons. Tell us the real reason.

15. To **Nathan Harman**, MIT student:

Heather Frizzell has done a test run, on a bike, at the relevant stretch of the MIT campus. She found that to turn her head and look at Collier’s car would have occupied about one second and that this would not have given her a chance to notice that Dzhokhar’s clothing had writing on it. Did you slow down?

16. To **Judy Clarke**:

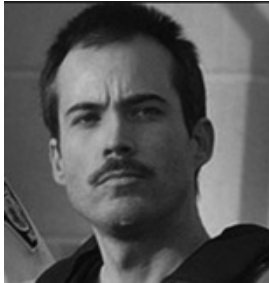
Why did you say in your opening statement, “It was him” pointing to your client? How did you know this? Since Dzhokhar never changed his plea to guilty, what legal right did you have to announce on the first day of trial that “it was him”?

17. To **Carmen Ortiz**:

We saw a surveillance video of Dun Meng inside the gas station to which he “escaped” after being carjacked by the Tsarnaevs. In the video we see his keys hanging from his back pocket. (Shouldn’t they still be in the ignition?) Why weren’t Dun Meng’s car keys tested for Tamerlan’s fingerprints? Were the door handles tested?

Conclusion: Julie Fehr concludes her list by saying: “Dzhokhar Tsarnaev should be safe and warm, at home, right now, never having stepped foot into the Supermax solitary H Unit in Florence, Colorado, where he is today.” Note: Julie Fehr is writing a book about this case. It is drawn from articles she wrote at GumshoeNews under the pseudonym Cheryl Dean.

12. JUDY CLARKE'S OTHER CLIENTS/PATIENTS



Eric Rudolph



Susan Smith



Ted Kaczynski

I do not believe that Jahar Tsarnaev, or his late brother, thought up the idea of bombing the Boston Marathon. I also can't accept that Eric Rudolph thought up the idea of bombing the 1996 Olympics in Atlanta. He had earlier bombed an abortion clinic and a lesbian bar – I don't believe that either!

Let me float here the conjecture that all abortion-clinic violence, all serial murders, all attention-grabbing murders, such as a Mom drowning her kids, come from Tavistock in UK, the HQ of mind-control. They are part of a media-related effort to set the tone for our culture, shock us, and distract us.

Wikipedia says that the judge liked the way Judy Clarke acted as Public Defender of Susan Smith, a Mom who drowned her kids, so he raised Judy's fee to \$83K. She seems to be 'on call' for the feds to defend anyone according to the feds' wishes.

If the Susan Smith case is for-real, my guess is that she did those murders (of her children, by drowning) under mind control. Production of Manchurian Candidates is big business in the CIA and is now also used by the mafia. And we know the Mafia and the CIA are wed, right?

Note: Another possibility is that it wasn't she who drowned her children. Just as it was not Jahar Tsarnaev who bombed, killed, and carjacked. It can all be fiction, or "mangled" facts.

Mind Control Could Be the Key Here. Daniel McGowan's book *Programmed To Kill* shows that the *courtroom* goings-on for **most famous murder cases** were risible. Albert DeSalvo could not have been the Boston Strangler, given the way the Law dealt with him. DeSalvo's court-appointed lawyer, F. Lee Bailey, cooked up a mean trick. He had Albert tried for a *lesser crime* [attempted rape], and during the case he, the defender, **mentioned to the jury** that Albert had told a prison inmate that he was the Strangler.

The jury members, knowing that their neighbors read that in the news, would then not dare stick up for the accused. There was no cross-examination to challenge any aspect of Albert's having done those murders! (It may pay to look up all of Bailey's cases. The famous ones were probably all scripted.)

One of Judy Clarke's clients was Eric Rudolph. Did he really do the exploding shrapnel violence at the 1996 Olympics? Highly unlikely. Now consider his role as 'religious devotee' in the matter of bombing an abortion clinic. If he wanted to protect fetuses from abortion, would he be likely to become a killer in order to bring about that end? Nonsense.

Note, too, that Eric was said to have **hid for five years in the hills while on the FBI's Most Wanted List**. Are you able to believe that? Isn't it more likely that he was in custody of his mind-controllers? I wager he did some other killings or robberies during that time. And had he been caught, the police could say "Voila! We found our escapee."

It is a fact from the MK-Ultra program that sometimes a whole family is mind-controlled. If so, you'll have built-in commentators when the crime is committed. In the case of Ted Kaczynski, it was a brother who turned him in. The newspaper had displayed Ted's handwriting in a note, and the Bro 'recognized' it, and said (I paraphrase) "Gee I'll bet my brother is the Unabomber. Tsk tsk."

A Broad-brush Statement on Mind Control

There are persons who do criminal acts under hypnosis. Many of the MK-Ultra survivors admit that they carried out murders, beyond their rational control. They are called Manchurian Candidates, so named after a fictional story -- not to be confused with *patsies* (who do not do the deed at all).

But what of the many “middle managers” who helped out in the Port Arthur massacre, or the Boston Marathon, or 9-11? Could it be that some of them are mind-controlled yet lead apparently normal lives? It seems likely to me that Judy Clarke did not grow up as a free citizen.

How about George Bush who played a role in 9-11? He was definitely tortured as a child. As was, certainly, his father. Please read Brice Taylor’s book, *Thanks for the Memories*, for an introduction to the torture methods available to the military and the CIA. Much of this was declassified in 1975.

Pizzagate

It looks as though we may be entering a new era, thanks to exposé of John Podesta’s emails when he worked for Hillary Clinton. He was also a White House Chief of Staff for Bill Clinton. Podesta refers casually to trafficking of children for VIP sex parties. Meanwhile in Australia, Fiona Barnett has told of her life of horror as a child torture victim. She claims that top government people are all in this. I believe her.

Are you wondering how so many elected officials could be persuaded to change their way of life to take up such practices? The likelihood is that they grew up inside the game. They were then *placed into* important offices. It is easy for the powerful to control election results. I am the author of a book that covers these crucial matters: *Deliverance! – A Royal Commission and Pizzagate Reveal Society’s Hidden Rulers*. Also, please read Wendy Hoffman’s book *Enslaved Queen*, Kathleen A Sullivan’s *Unshackled*, or see Trish Fotheringham on Youtube, and Fiona Barnett’s new book *Eyes Wide Open*.

What Sgt MacLellan Said about Mind Control

At my January 23, 2018 Watertown Library lecture, Sgt MacLellan also gave unexpected comments about Tamerlan. He asked me “While we’re wrestling with him, his brother ran him over -- **how does he get there physically if this is just a big theatrical show?**” Sergeant continued: “I had my hands on [him]. I watched Tamerlan bleeding to death...I was the patrol supervisor that night of the shooting and the [IED] bombing.”

Sgt MacLellan sort of congratulated me. He said: “You have a lot of gall for getting up and doing this. But I can tell you **unless the government is mind-controlling me** and taking control of my whole life that’s not what’s going on here, guys” [referring to my claim that the Tsarnaevs were not present on Laurel St].

It does seem to me that MacLellan is having a bit of doubt. But note: he may have encountered two boys shooting at him who were not the Tsarnaevs.

Sorry to say, I am suggesting that this “theatric” is so big that they could have hired an unwitting boy to die (imitating Tamerlan) and another to run away. The CIA has been known to hire body doubles.

Note: it’s peculiar that Sgt St Onge who last saw “Jahar” on foot, after he abandoned the vehicle yet again, could not catch him. And why not just shoot him? That seems to be all the rage.)

I feel confident that the real Jahar did not suffer any gunshot wounds from a putative Laurel St encounter. The man who discovered Jahar on Friday evening, David Henneberry, did not claim to see blood on the outside of his boat, only on the inside. And there was no ladder for Jahar to use to climb into that boat! Mr Henneberry has since passed away, but others may know of anything peculiar about the incident.

Finally, I emphasize that although this chapter says Judy Clarke had mind-controlled clients, I don't mean to imply that Jahar was mind-controlled. He was a typical teenager; with a normal brain.

13. THE UNCLE AND THE ANKLE

(published December 20,

2015)



Getting fitted for a leg bracelet that will track your every move

The Uncle

Here, slightly abridged, is an affidavit written by an elderly relative of the accused person Jahar (proper name Dzhokhar) Tsarnaev. All **bolding** was added by me:

I, Tsarnaev Dzhamaly Maazovich, born in 1954 year in the town of Tokmak, Kyrgyzstan....

Anzor's father, Zaindi Tsarnaev, now deceased, was my (first) cousin....

For two years, starting from June 2013 to April 2015, me personally and members of my family, brother Said-Hussein, sisters Roza and Taus, as well as family members of Anzor Tsarnaev repeatedly talked at the meetings that took place during the visits of defense lawyers appointed by the USA government **to protect the legal interests of Dzhokhar Tsarnaev in criminal proceedings.**

The lawyers and their invited experts to this case, as they introduced themselves to us, had visited Grozny (Chechnya) and Makhachkala (Dagestan), at the least, fourteen times....

For two years, our meetings and the contents of conversations were, it seemed to me, of a strange nature. Representatives of the defense team for Dzhokhar were collecting information about

everything: our way of life, our lives, the origin of the Tsarnaev family tree, where we work, what contacts we have.

They were interested in everything, except the facts proving the innocence of the Tsarnaev brothers, to which we had unsuccessfully tried to draw the attention of defense, because we were openly ignored.

Representatives of the defense team were confident in the innocence of the brothers, Tamerlan and Dzhokhar. In particular, the lead defense lawyer Judy Clarke herself agreed, adding in the conversation, **“we know it – they are innocent.”**

From the words of my brother, Said-Khusein Tsarnaev, I learned that on August 7, 2014 the meeting with representatives of the defense team, which took place at the hotel “Grozny City.”

Charlene, who presented herself as an independent investigator involved in the case by Dzhokhar’s lawyers; Jane, presented as a social worker and psychologist; and Olga (a translator from New Jersey, who arrived with the team), translating the conversation, openly admitted to my brother that they knew that Dzhokhar and Tamerlan were not guilty of the bombings, and with this **they were apologizing that the Tsarnaevs have had to endure the tragedy involving criminal allegations.**

My last personal conversation with the representative of Dzhokhar’s lawyers team, Alicia, introduced to me as assistant to the state-appointed defense attorney, during which I had to speak through an interpreter named Elena.

I had met with Alicia and Elena on April 14, 2015 at noon in the hall of the “Ararat – Hyatt” hotel. Later we moved to a cafe on the second floor.

Our conversation lasted around 40 minutes. And suddenly Alicia said to me, “Dzhokhar’s guilt has been proven by the prosecution in court, **please convince Dzhokhar to take the blame for the bombings in the marathon so that he is not given the death penalty.**”

I was shocked by her revelation and request and said, “what are you talking about, we and you both know that the boys are innocent and there is a lot of conclusive evidence of it, and representatives of the defense, who visited earlier in Dagestan and Chechnya, admitted to us that they had known themselves that Tamerlan and Dzhokhar were not involved in the Boston bombings.”

To this Alicia had stated, “If Dzhokhar does not accept the guilt and does not express remorse, then the court will issue him a death sentence, however Dzhokhar is insisting upon his own, **that he is ready to die rather than allow for Tamerlan to be blamed for the bombings** and to plead guilty for himself and his brother.”

I asked Alicia to explain why the defense was not using in the court proceedings the commonly known facts of the non-involvement and innocence of the Tsarnaev brothers. ...I called on her of **the necessity to involve all potential witnesses, whom under various pretexts the FBI had isolated** so that they are not allowed to testify in favor of the defendant Dzhokhar Tsarnaev.

At that same moment I had admitted to Alicia that we have collected many documents proving the complete innocence of Tamerlan and Dzhokhar and that **we intended to present them to the court**. Alicia asked if I could show her these documents. I categorically refused to show them, and said that I shall present them in the right place and at the right time.

After this she asked, “How do you intend to bring them into the USA?” At that time, US visas were supposedly being arranged for the Tsarnaevs, including myself, in any case, Alicia on the previous visit in February 2015 **had collected from us the information, passport details and photos of me and my sister, Roza Tsarnaeva**.

Later, Alicia repeatedly consulted with us, saying “you will be able to travel, your documents will soon be ready, do not refuse the

trip.” We did not intend to abandon the trip, as we were determined to take part in the trial by presenting the evidence of the brothers’ innocence through Dzhokhar’s lawyers.

After my conversation with Alicia held on April 14, 2015 in Moscow, the Tsarnaevs were refused entry visas to the United States for participation in the court trial. It is exactly for this reason that not a single representative of the Tsarnaev family had been present at the court trial in Boston.

Signature,

Dzhamaly Tsarnaev

-- End of affidavit



Chechnya on right, mid-page, Dagestan under it near Caspian Sea

The Ankle

When Jahar's mother's relatives came to Boston in April 2015 to attend his sentencing hearing – to speak on his behalf -- they were forced to wear GPS ankle bracelets. I can think of two reasons – one, so the media could – and did -- describe them in a mocking way. (“You know what troublemakers those auntie-terrorists are.”)

The other reason was a practical one. It was necessary to sequester these Russian ladies so they could not share *their* knowledge of Jahar's innocence.

They also were **not allowed to talk to the prisoner**, despite making such a long trip to attend the trial. Ah, the ties that bind. But Jahar did break down and weep in court when he saw his elderly aunt, Patimat Suliamenov, in the witness box, saying that he was a good boy.

So now we hear that members of the immediate family were given the no-visa treatment. Add that to the abominable “SAM's – Special Administrative Measures” -- imposed on Prisoner Jahar. Note: they should be renamed “SAMFMs” – Special Administrative Measures for Muslims.

Jahar has been ordered by the Judge to pay \$101 million (for restitution to victims) and thus, as Julie Fehr has lamented, his ability to buy things in the prison commissary is impaired.

As for the grandaunts who did arrive, they were reportedly teased by “protestors” at their hotel. Hmm. I may be pretty disgusted with my fellow Bostonians, but I doubt any of them would go to the trouble of harassing elderly people.

Especially some ladies from Kyrgyzstan whose only sin is being related to a good boy who was made Patsy of the Year by whoever it is that runs the US government.

Say, who *is* that anyway?

14. SHOW TRIALS -- JUDITH SHKLAR'S FIVE CRITERIA

(published September 9, 2015)



Judith Shklar (1928-1992), professor of Government

Some political scientists understand law better than law professors. This is because they are in the habit of seeing legal events and ideas in a broad context of life. The late Judith Shklar is one such political scientist. She had a way of seeing law as it related to personal psychology and culture, in her magnificent 1968 book, *Ordinary Vices*, and as it relates to politics in *The Liberalism of Fear* (1978).

Her 1964 book, *Legalism*, reflects her thinking about Stalinist Russia. Soviet leader Josef Stalin famously held political trials known as “show trials.” These helped him remove any challengers. He set an example to all persons as to what the dictator might do to them if they did not conform.

Shklar wrote, in *Legalism*, page 149:

“What distinguishes most, though not all, political trials is that **they scorn the principle of legality, which, ideally, renders criminal law just.** To some degree most political trials follow Goebbels’s famous dictum that trials should not begin with the idea of law but with the idea that this man must go. The judge will be subservient to the prosecution, the evidence false, the accused bullied, the witnesses perjured, and the rules of law and procedure ignored.” (1964: 149)

The onlookers to such a case need not be concerned with “what really happened.” The real happening is the dispatching of the accused person to his or her fate, or, more generally, the asserting of the right of the rulers to do whatever they please.

The Boston Marathon Bombings

We do not know who planted the bombs that caused injuries at the Finish Line of the 2013 Boston Marathon. The jury verdict against Dzhokhar Tsarnaev does not clinch it for us. For, while the jurors were shown some evidence, they were deprived of key relevant evidence, and heard much false testimony, some of which deserves the adjective “fantastic.”

Let’s map out whether Tsarnaev’s trial, in the US, was a show trial, according to the five characteristics named above by Judith Shklar. I’ll deal with each of the five, reversing the order in which she listed them.

1. (Shklar): **“The rules of law and procedure ignored”**

The initial police complaint was laid by Officer Daniel Genck. The purpose of a complaint is to establish that there’s a case to answer. Genck stated that he compared the faces of two men as shown on an ATM video with their Massachusetts Registry of Motor Vehicles (RMV) mug shots.

“I have reviewed images of two men taken at approximately 12:17 a.m. by a security camera at the ATM and the gas station/convenience store where the two carjackers drove with the victim in his car.

“Based on the men’s close physical resemblance to RMV photos of Tamerlan and Dzhokhar, I believe the two men who carjacked, kidnapped, and robbed the victim are Tamerlan and Dzhokhar Tsarnaev...”

Genck was entitled to claim that he had found a match. I say he should only have said “the two men *who Dun Meng alleges* to have carjacked him”. I say he ignored the rules.

There is also the strange deviation from the norm by FBI. The US has a bureau, subordinate to the office of the Attorney General, called the FBI, Federal Bureau of Investigation. It has no police power to tell the citizens what to do. Yet in the wake of the Boston Marathon bombing, an FBI agent went on television to *instruct* the public not to use any photographs except “authorized” ones in the search for the suspects. Amazing!

FBI agent Richard DesLauriers said:

“[These are the only photos] the public should view to assist us. **Other photos should not be deemed credible**, and they unnecessarily divert the public’s attention in the wrong direction and **create undue work for vital law enforcement resources....**”

Also, the mother of the boys stated, as soon as the manhunt for her sons began, that the FBI and CIA had often been in touch with them over a few years. This refutes the FBI’s proclaimed ignorance about the two Tsarnaev brothers.

2. (Shklar): “The witnesses perjured”

Watertown police officer Sergeant John MacLellan testified at the trial of Dzhokhar Tsarnaev that the accused had hurled a pressure cooker bomb at him, on Laurel Street, during confrontation with police, on April 19, 2013.

This cannot be true. No such confrontation, at which the Tsarnaevs were free to shoot at police, could have taken place. The *Podstava!* video was posted on Youtube on May 11, 2013. It shows the older boy, Tamerlan, lying face down on the sidewalk, being frisked and then escorted to a police car. So he must have been in custody from that moment onward.

Is the Podesta video genuine? The Tsarnaev family members in Russia have confirmed that the appearance and the voice are that of Tamerlan. The photographer of that video nicknamed Big Headphones, seems from the text of the video, to be a resident of Watertown living on Mt Auburn Street from which some of the video was shot – not Laurel St. And recall that the family also

agrees that the naked man being led to a cop car is Tamerlan. He shows no signs of having been wounded.

3. (Shklar): **“The accused bullied”**

Before his trial, Jahar was in hospital. Despite his being very injured – and bereaved of his closest family member – he was interrogated by a Gitmo team as a “high value” detainee, injured from gunshot. Also, it is not clear why law enforcement would send bullets into a boat rather than find other ways to apprehend the suspect. He was, of course, only a suspect, not a fugitive.

During the period of imprisonment, has there been any bullying? The public has hardly seen Jahar, so we can’t know what he may have endured. However, it was reported officially that he was in solitary confinement most of the time. That is known to lead to mental derangement and is considered torture.

As for the accused being bullied in court, this did not happen, as he did not take the stand. Perhaps he wanted to take the stand, and may have been bullied out of it.

4. (Shklar): **“The evidence false”**

A piece of false evidence is the text of Jahar’s “confession,” allegedly written by him on the wall of the boat.



How did so many bullets get inside the boat without killing Jahar?

“I do not mourn because his [Tamerlan’s] soul is very much alive. God has a plan for each person. Mine was to hide in this boat and shed some light on our actions.... The U.S. Government is killing our innocent civilians but most of you already know that. As a M (bullet hole) I can’t stand to see such evil go unpunished, we Muslims are one body, you hurt one you hurt us all. ...Now I

don't like killing innocent people it is forbidden in Islam but due to said (bullet hole) it is allowed.”

How would he have known that Bro was dead?

5. (Shklar): **“The judge will be subservient to the prosecution”**

American courts run on an adversarial system, with each of the two private parties expected to “do its worst.” The judge is neutral and adjudicates the matter by applying law. In a criminal case, one of the two parties is usually the state prosecutor; the other is the defendant, rather than a plaintiff and a defendant.

The judge should still be neutral as between the two parties, but “equality” is hard to achieve. Jurors are treated only to what the judge will allow as admissible evidence. What if someone is leaning on the judge?

Here we are attending to Judith Shklar’s fifth criterion for a show trial, that “the judge will be subservient to the prosecution.” There always exists a tendency for a judge to be more state-friendly than accused-friendly. That can be deduced from the fact that legislatures have at times recognized a need to make specific enactments to *protect* accused persons!

In the strange behavior of Tsarnaev’s defense team we see the biggest hint of “subservience of the judge to the prosecution.” That is to say, if the defense acts against its own client we suspect the prosecutor to be the cause of that. (Why else would it happen?) If the prosecution is thus “in charge” of the defense, it probably controls the judge as well.

Federal District Judge George A O’Toole, in this trial, did not noticeably rise above the fray and curtail any of the prosecutor’s moves. The following are some of the items, other than those mentioned above, that may cause one to see this judge as subservient to the prosecution:

-- He allowed every manner of emotional pitch to be made by the victims of the bombing, including references to patriotism.

- He allowed the pre-trial holding of Dzhohkar in solitary.
- He never alluded to the state of bereavement (and physical injury) the accused was in.
- He did not take judicial notice of many issues that members of the public were talking about, such as a possible drill that day.

Most startling is Judge O'Toole's refusal to take judicial notice of relevant side events. One is the death of Tamerlan's friend Ibraghim Todashev -- it looked to many people as a way of getting rid of a person who could have pointed to the real bombers.

My answer to the question posed above: Does the Tsarnaev trial appear to be a show trial in the sense in which Judith Shklar described political trials? No, not strictly speaking. Her model was the Soviet style of trial where the whole point was to try someone conspicuously to make everyone afraid of government.

By contrast, Jahar's trial was accidental. He was probably meant to die in the boat, with the 228 bullets. They never wanted him to be tried -- so it's not a show trial. Yet, as it turned out, it does provide a perfect template for how to do somebody in. And citizens fall for it, as the trappings of court are still impressive.

Where do we we stand today? I see three layers of power today: the Top Dogs, the Members of Government, and Us. The Top Dogs are in control of the layer immediately under them, the government. But this need not continue. We at the bottom can control the government.

This is from the Preamble to the Massachusetts state Constitution:

The end of the institution of government... is to furnish the individuals who compose it with the power of enjoying and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity and happiness. [Emphasis added!]

15. I Was in Prison and You Visited Me



Martin Bryant, in Oz prison since 1996; Jahar Tsarnaev, since 2013

Headline: “Lawyer’s Trying To Explain Rude Gesture.” Can you believe they mean Jahar is giving the finger, as above? One newspaper said that the jurors were “stunned” when they saw it. That is not humanly possible. I suggest that the people of Boston would be stunned if a lad of that age did NOT give somebody the finger after being bullet-wounded (totally illegally, and totally unprovoked) by a team of uniformed, armed men.

I want a properly convicted person to get what he deserves. That is, a loss of liberty. For every crime, the law specifies the punishments – a fine or prison term. No punishments can be added on. If the convict acts unruly in prison, she might lose some “privileges,” such as phone calls or exercise time. But other than loss of liberty, **no further punishing is legal**. If it’s assault or torture on the prisoner, or theft from him, then of course it is **criminal** on the part of the person who does it.

Getting a little bit short with Roman Catholicism these days. Why doesn’t “the Church” speak out against the evils? In catechism class we heard this:

“I was hungry and you fed me; I was thirsty and you gave me to drink. I was sick and imprisoned and you visited me.” It’s at Matthew 25:36. It led to rules of the Church, in which we became obliged, I repeat *obliged*, to do such things as visit the sick and the imprisoned. Parishes should have organized buses to jails.

(Update: On October 29, 2018 I attended the Federalist Society lunch at Omni Parker House. The speaker was US Attorney General Jeff Sessions. Funnily enough, a priest jumped up to protest Sessions' talk. He said in a loud voice "I was hungry and you fed me; I was thirsty and you gave me to drink. I was imprisoned and you visited me." Boston police escorted him out, politely.)

SAM's. Jahar Tsarnaev is under restrictions known as Special Administrative Measures, as discussed in Chapter 5. The ACLU in Boston wrote to Judge O'Toole asking **to be allowed to argue against** subjecting Jahar to the onerous SAMs:

"The attorney-client provisions of SAMs are no trifling matter. They threaten Tsarnaev's Sixth Amendment rights; they limit the information that Tsarnaev's attorneys can pass on from Tsarnaev to other people; and they give the Bureau of Prisons apparent authority to decide which documents defense attorneys can show Tsarnaev himself." *[Judge O'Toole denied the request.]*

Jahar's being kept incommunicado is a blatant indication of the government's wish that he not be able to tell people what he did on Marathon Day. You may think this can only last a while, but Martin Bryant, the patsy in Australia, has been kept incommunicado for 21 years. Please assist both parties!

Judge O'Toole slapped a Restitution fee of a million dollars onto Jahar, that he must pay back to the victims. Perhaps this indebtedness is used against him such that a friend sending money for Jahar's commissary account (e.g., to buy toothpaste) will find that her gift is instead donated to the Restitution fund.

Now we look at Matanov, a friend of Tamerlan whom we met in Chapter 6. He complains about prison cruelty in Plymouth, MA:

Steve Annear, in Bostonmagazine.com, November 4, 2014, says: "A spokesperson from Plymouth County Correctional Facility referred *Boston* to the US Marshal's office for all inquiries about the allegations of prisoner abuse. A spokesman for US Marshal's office declined to comment on 'security-related matters.'" Let's see what Matanov had to say:

They harass me so much I couldn't take it anymore, and I flood out my cell again, This time I didn't cuff out, so that's why they ~~seiz~~ sit up and came with the team of like 7 people, First they spray the pepper spray, Left me in the cell for couple minutes I couldn't take a breath, ~~my~~ hands I try to take breath from under the door, LT spray that thing right on my face than I put my hand out so they could handcuff me, they handcuffed me, I fell down my hands are on my back with the cuffs, then those people came into my cell when I was like half dead not moving at all they jump on me so badly one of them stick his finger to my right eye (it's swollen right now full of blood) after the same person start sayin, "you.. muslim, terrorist" and kick my head (I have a concussion right now, they won't let me go to ER), until they put the cuffs to my leg ~~than~~ I pass out from pain, then I woke up when one of them twist my hand and heard one of them saying "we have to take him out walking" they took

I think it's safe to say that prisons are run by "parties unknown." Whitey Bulger was recently beaten to death shortly after being transferred to a prison in Virginia. Officials are supposedly trying to figure out if a former enemy did it (or he knew too much?). Bulger had been an LSD experimentee. It has been done to many prisoners, perhaps so they can be let out to do Manchurian tasks.

At age 89 Whitey got punished in prison for masturbating. He said he was just rubbing ointment to his genitals. Surely the decision to punish him was pure harassment. I googled for "masturbation in prison" and was appalled to learn that it is punishable all over the place. I have long been aware that prisoners are given many harassings on top of their sentence. For instance, jails *extremely* overcharge for phone calls that the prisoner makes to his family. Also, the late Martina Correia, sister

of the judicially murdered Troy Davis, said that a family often makes a long trip to the prison and is then told that the visiting day has been changed, and they just missed it. This is deliberate.

Matanov Deported

Matanov has now been deported to Uzbekistan. He should learn about civil rights legislation, as it is an antidote to police brutality. The codified federal law of this is at 18 USC 242:

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State...or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States,

or to different punishments, pains, or penalties, “on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both;

and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon... shall be fined under this title or imprisoned not more than ten years, or both;”

and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.”

Jahar, too, can file a claim for police brutality -- the 228 bullets -- even while he’s in jail. And Katherine Russell, the widow of Tamerlan, or his daughter when she turns 18, can file for compensation for the wrongful death of Tamerlan.

See Bill of Rights on next page; I’ve bolded relevant items. Note 8th amendment forbids cruel or unusual punishment. Jahar’s solitary is cruel, Matanov’s macing, unusual. These constitutional “rights” are the way we protect ourselves – *we have to enforce them.*

BILL OF RIGHTS. I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or **abridging the freedom of speech**, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. **II.** A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. **III.** No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law. **IV.** The right of the people to be secure in their persons, houses, papers, and effects, **against unreasonable searches and seizures**, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirm-ation, and particularly describing the place to be searched, and the persons or things to be seized. **V.** No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury ... nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, **nor be deprived of life, liberty, or property, without due process of law**; nor shall private property be taken for public use, without just compensation. **VI.** In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, **by an impartial jury of the State and district wherein the crime shall have been committed**, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; **to have compulsory process for obtaining witnesses in his favor**, and to have the Assistance of Counsel for his defence. **VII.** In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the US, than according to the rules of the common law. **VIII.** Excessive bail shall not be required, nor excessive fines imposed, **nor cruel and unusual punishments** inflicted. **IX.** The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people. **X.** The powers not delegated are reserved to the States respectively, **or to the people.**

16. WHAT MASSACHUSETTS GOVERNOR CAN DO: OPEN LETTER TO CHARLIE BAKER *(published September 10, 2015)*



An Algonquin chief. "By the sword we seek peace." Hmm.

Your Excellency, Dear Governor,

Greetings from the Antipodes. I write to you to propose a few interesting solutions to the Dzhokhar Tsarnaev problem. It has recently come to the notice of many citizens that the Marathon bombing was done by the FBI, the mafia, a Security contractor, or some seemingly official group.

It must be awkward for you, Governor, that a Massachusetts citizen, Dzhokhar ("Jahar"), is in a *federal* prison, whilst the folks of Boston have caught on to the above-mentioned issue re the Marathon. How to relieve the situation? I have a few suggestions having to do with your control over Citizen Jahar.

It was an error that the murder of Sean Collier was treated by the feds as a *federal* crime. Massachusetts should have tried him for that. We all would have seen that there is no evidence.

Under the US Constitution, Jahar cannot face double jeopardy. He can never again be tried for the killing of that cop. But you can still file a *new* charge against Jahar, such as "attempted robbery." They say he tried to steal Collier's gun, and failed.

The name of the game is extradition. We all need to speak to Jahar and the feds have made it impossible, by putting him under SAMs – Special Administrative Measures. Any crime you name is OK (loitering?) as long as it gets him back to Massachusetts. Also Sgt Henniger of MIT seems to know of other things going on that day at MIT -- these may have brought about Sean Collier's death. Please have a chat with him at the Cambridge Police.

Treason. I am the author of *Prosecution for Treason*, published in 2011. Oddly I'm one of only a few scholars interested in the topic. Back in 1994, Anthony Chaitkin published the wonderful study, *Treason in America from Aaron Burr to Averill Harriman*. I now suggest that you charge Jahar Tsarnaev with treason.

The killing of a policeman accords well with the classic concept of treason. The Whiskey Rebellion of 1794 involved farmers who harmed the federal tax collectors in Pennsylvania. For this, two men were convicted of treason against the United States.

If Sean Collier was killed while on duty, this could (I think) be treason against the state. I have not located any Massachusetts statute to define this crime, so I presume the common law applies. There is, however, a statute to specify the punishment, *viz.*, Massachusetts Chapter 264, section 2:

“Whoever commits treason against the commonwealth shall be punished by **imprisonment in the state prison for life.**”

Knowing what I know about the ‘podstava’ to which the Tsarnaev brothers were subject, I feel sure they did not kill, or even go near, Sean Collier. So, I'll grant it would be slightly an abuse of process to use the law to prove a point. But it would make people think, and we certainly need that. Let them learn!

Treason is spelled out in Article III sec 3 of the US Constitution:

Treason against the United States shall consist only of levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No person shall be convicted of Treason except on Testimony of two Witnesses to the same overt Act.

US Supreme Court Justice Antonin Scalia recommended, in the case of Jose Padilla who was said to have been planning to bomb a building in Chicago, that the proper charge would be treason. That is based on Padilla's "levying war." I wish Padilla had come up for treason charge and then the public could see how that differs from the amorphous charge of terrorism. In Tsarnaev's case, the charge referring to the exploding of a bomb was the "use of a weapon of mass destruction," defined as harming 4 persons.

State Sovereignty. Your Excellency, I am, like you, a Republican. My devotion to states rights is solid. I naturally applaud the decisions in *Lopez* (1995) and in *Morrison* (2000). The expansion of the Constitution's commerce clause has, in my opinion, been *ultra vires*, and *ultra vires* things have the same effect on me as the tines of a fork screeching on a plate.

Yes, I am about to offer a state-sovereignty solution to the *ultra vires* events of April 19, 2013. There we saw (and I mean the whole world saw, to its great consternation) an unwarranted imposition of martial law on the people of Watertown. Quite the visual it was, with house-to-house searches, Humvees, and machine guns on the streets. All ordered by your predecessor, Governor Deval Patrick, who was formerly a US Attorney.

Announcing That the Emperor Is Unclad. The hour grows late. Maybe we should get it over with. This would entail confronting the strange developments that have been going in the US since the 1980s. We now have huge police forces, generously budgeted private "security" companies, foreign troops stationed in every state under the perfectly unconstitutional National Guard Partnerships for Peace program, and who knows what else.

Ever since an FBI informant, Emad Salem, audio-recorded the instructions from his FBI handler, proving that the 1993 bombing of the basement of the World Trade Center was a 'sting' operation, Americans have had the chance to realize – if they care to – that for the FBI to carry out a bombing is not rare at all. It's practically Standard Office Procedure. Since we can now see that the Marathon event was this type of thing, it may be time to stop

all pretense that it is anything else. The trial of Jahar can be just the ticket to straightening it all out.
Oh how the Framers knew, in 1787, that dangers lurked.

What Can Be Done Legally, by the State of Massachusetts

The ability of one of the 50 states, or better yet, a combination of states, to correct the unconstitutional, nay criminal, takeover of the nation by the feds, is, of course, great. A Massachusetts governor has power to use force, as specified in Amendment LVII, of Chapter 2 of that state's constitution as follows:

“Article VII. The general court shall provide by law for the recruitment, equipment, organization, training and discipline of the military and naval forces. The governor shall be the commander-in-chief thereof, and shall have power to assemble the whole or any part of them... to employ them for the suppression of rebellion, the repelling of invasion, and the enforcement of the laws.”

It is the “repelling of invasion” that we are concerned with. I realize it goes against the grain to speak of one's national government forces as invaders, but as Confucius said, it is the beginning of wisdom to call things by their right names.

The Framers gave *Congress* the authority to call forth the militias of the states to repel invasion, meaning invasion by foreign powers or by Indian tribes. Article I, section 8, clause 15 is clear on this. But the state also has the right. It was held that the president could call out the militias (as he did for the War of 1812), but that the governors of states could call up their own militias when they deemed it necessary, as in cases of invasion.

In 1812, Massachusetts governor Caleb Strong had asked the State Supreme Judicial Court if it was his call, rather than the president's, to send Massachusetts militia men to war. The court said yes, but later, in *Houston v Moore* (1818), the US Supreme Court overrode that. As I understand it today, you, Sir, can call out the militia. (It is misleadingly named the National Guard, thanks to Elihu Root's chicanery in preparation for World War I

-- but that's another story). The fundamental basis for all of this is that the people are the militia. It is rooted in English law that the people are the best enforcers of law. The people, even when not organized, form the "posse comitatus," the group of able-bodied persons who can meet an emergency.

It remains only to ask if it would be legal for **a state to act with armed force** against an illegal incursion on its territory **by national troops**. I believe that merely to ask the question is to see the answer. However, I'll say no more, as I realize the very thought is almost unbearable.

Legal Tactics: Prosecutions and Civil Lawsuits

If we are facing up to the criminality of the FBI as seen, possibly, on April 15, 2013 at the Finish Line of the Marathon, we might think both of applying **criminal law, and of civil action** to seek damages. Were we advising people in another nation how to do it, it would seem easy, maybe even pleasant.

Various types of **court action** can be imagined that aim at unwanted incursions by the feds onto state territory. On the lowest rung we find the kind of simple lawsuit that ask for an injunction or **restraining order**. Presumably one can go to a local court to request that a judge write such an order. Of course, Governor, since you represent a state you go right to the top, per Article III, sec 2 of the United States Constitution: "In all Cases ... in which a State shall be a Party, the Supreme Court shall have Jurisdiction." (As happened in *Massachusetts v Laird* re Vietnam war.)

As for prosecuting a violent crime that a federal *agency* may have committed against a state or its folks, your state attorney general, Maura Healey, can prosecute any party that commits a crime within the state's territory. Some people think there is a "sovereign immunity" involved. The US government does enjoy immunity from lawsuits, but **in no case could sovereign immunity protect against criminal liability**.

No member of government is allowed to commit a crime. he has no immunity from prosecution. Recall *Cronin v Amesbury*, a Massachusetts case decided at the First Circuit in 1996.

What crimes are we talking about? Any crime, from assault and battery to murder (as in the murder of Tamerlan Tsarnaev, age 26), and destruction of property. Those who are to be charged could be anyone from the top leaders to the smallest fry. There is also the set of crimes known as accessory or **accomplice**. Clearly **many media persons** provided cover-up for the crimes connected to the Marathon -- accessories after the fact.

Even surrounding the trial of Tsarnaev in April 2015, there was unending deception pouring from the media that had **the effect of making the wrong person look guilty**. There are also crimes related to obstruction of justice, including by lawyers. Normal lawsuits for damages are inhibited by sovereign immunity but of course the major exception is found in 42 USC 242 and in Massachusetts civil rights law.

RICO Law. Your Excellency, if ever there were an underused law, it is the Racketeer Influenced and Corrupt Organization Act, RICO, as codified at 18 USC 1961 to 1968. It can be used for prosecuting criminal enterprises, and also for civil tort actions.

When an individual is the plaintiff, she has to show how the racketeers caused her some economic loss. Massachusetts could file a RICO suit against an organization such as the FBI, claiming major economic loss related to the 2013 Marathon! There is a two-year statute of limitations in federal RICO, but this tolls from when the loss occurred. Let's say the deployment of local police outside the Moakley Courthouse in April and May 2015 was costly. You would have until May 2017 to file a claim, but RICO *prosecutions* have 10 years: till April 2025.

In conclusion I thank you for listening. Don't worry, I do know it all sounds crazy. If it turns out that I am imagining things about the FBI and that they are not a criminal organization, that will be wonderful. No one will be more pleased than myself to admit to having misread the situation completely.

Yours respectfully,
Mary Maxwell, PhD, LLB

17. IS THE BOSTON GLOBE AN ACCESSORY AFTER THE FACT? *(published June 5, 2016)*



Boston Globe reporter Eric Moscovitz. Headline: Marathon Terror

One hears that the media are “doing us in.” Or that the media control Congress. One hears, from writers, such as myself, that the media deliberately design our culture. Let’s ask -- if any of their operations **break any laws**.

In South Australia, Criminal Law Section 139 says:

“A person who deceives another, and by doing so --

- (a) dishonestly benefits him/herself or a third person; or
- (b) dishonestly causes a detriment to the person subjected to the deception or a third person, is guilty of an offence.

Maximum penalty, imprisonment 10 years.”

Why don’t we hear much of that crime? Because there is also a *tort* of fraud: you can sue if a person’s deceit caused you a loss. As with medical malpractice, the doctor is much more likely to be sued than prosecuted, as patient -- and attorney -- can win money.

What about the Crime of Assault?

Ransacking the criminal law for a possible charge here, I am thinking of assault. These lies about the Marathon led to a martial-law order by Massachusetts Governor Deval Patrick. **That in itself was terrifying** to many people. Of course the lies about two youths having done a bombing also caused terror. Under common law, the crime of assault includes hurting a person by scaring them. No visible damage to the body is required. The

physical damage is to one's physiology. TheFreeDictionary defines *assault*:

“an intentional act by one person that creates an apprehension in another of an imminent harmful or offensive contact. An assault is carried out by a threat of bodily harm coupled with an apparent, present ability to cause the harm. It is both a crime and a tort.”

Would you put up with a neighbor terrorizing you? You could sue him (a tort) or “press charges” and thus prosecute. I think we need to get serious about pressing charges.

Have a look at what *The Boston Globe* purveyed, in regard to the famous carjacking incident:

“Carjack Victim Recounts His Harrowing Night”
by Eric Moskowitz, Globe Staff, April 25, 2013

The 26-year-old Chinese entrepreneur had just pulled his new Mercedes to the curb on Brighton Avenue to answer a text when an old sedan swerved behind him, slamming on the brakes. A man got out and approached the passenger window. It was nearly 11 p.m. last Thursday.

The man rapped on the glass. Danny [Dun Meng], unable to hear him, **lowered the window** — and the man reached an arm through, unlocked the door, and climbed in, **brandishing** a silver handgun. “Don’t be stupid,” he told Danny. He asked if he had followed the news about Monday’s bombings. Danny had. “**I did that,**” “**And I just killed a policeman in Cambridge.**” He ordered Danny to drive.

Danny described 90 harrowing minutes ... **where they openly discussed driving to New York**, though Danny could not make out if they were planning another attack. ...

[Danny’s cell phone rang.] “If you say a single word in Chinese, I will kill you right now,” Tamerlan said. Danny understood. His roommate’s boyfriend was on the other end, speaking Mandarin.

“I’m sleeping in my friend’s home tonight,” Danny replied in English. “I have to go.”

“Good boy,” Tamerlan said. “Good job.” [Emphasis added]

No, seriously, can you imagine Tamerlan talking like that?

Globe reporter Eric Moscowitz continues: When the younger brother, Dzhokhar, was forced to go inside the Shell Food Mart to pay, older brother Tamerlan put his gun in the door pocket to fiddle with a navigation device -- letting his guard down briefly after a night on the run.

In a flash, [Danny] unbuckled his seat belt, opened the door, and sprinted off at an angle that would be a hard shot for any marksman. “F—!” he heard Tamerlan say, feeling the rush of a near-miss grab at his back (*what?*) ... Danny reached the haven of a Mobil station across the street ...

His quick-thinking escape, authorities say, allowed police to swiftly track down the Mercedes, abating a possible attack by the brothers on New York City [!] and precipitating a wild shootout in Watertown that would seriously wound one officer, kill Tamerlan, and leave a severely injured Dzhokhar hiding in the neighborhood.

Lies! Whoppers! So did the writer of the false carjacking story, Eric Moscowitz, commit the crime of assaulting anyone? I doubt it, as the element of the crime necessary for a conviction is that the person *intended* to cause fear (and the threatened attack has to be ‘imminent’). However I presume the *planners* of the Marathon event did have in mind to cause fear. That was probably a main goal of the whole affair. Create “turbulence.”

Accessory After the Fact. Cover-up of a crime is a crime. It is also a crime to assist a murder by, say, providing a false alibi. Legally you would be called an accessory after the fact. In my opinion, *The Globe* was an accessory after the fact of the bombing as to the many ways in which it covered up what really happened. Its corporate officers can be charged.

All of that is nothing compared to the effort to stop our very process of clear thinking. A major effort is made by media to produce some things that are false -- *and recognizably so!* Julian Rose said, on December 22, 2106:

“The profession of MSM journalism has descended into truly toxic levels of printed and broadcast disinformation. One can now virtually count on the fact that what is being said on any topic of political significance, will be a carefully scripted trotting-out of government and corporate propaganda.”

Let's name two issues here. One is what Rose said: **fake news**. The other is the amazing fact that *media people make the events happen*. I consider myself sufficiently well versed in the following four false-flag operations to say that they were not as reported:

Nine-eleven: no Muslim hijackers; Port Arthur massacre in Tasmania no presence of alleged killer Martin Bryant there; Sydney hostage-taking: no religious or political motivation; Paris Hebdo (“*Je suis Charlie!*”): no resentment over a cartoon.

Yet the four events did happen. The role of media in filling us with wrong reports is that of supporting the *criminals*. I say they are levying war on the people and thus the relevant crime is in those cases is **treason**. The federal crime is at 18 USC 2381:

“Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies ... is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000

Let's see some **bold lies**, excerpted from book by *Globe* writers Scott Helman, and Jenna Russell. The name of the book is *Long Mile Home*, 2014. I say it is utter fiction, aimed at promoting Jahar's guilt, pre-trial. And, as I just said, the writers on the subject of the Marathon bombing may well have been in on it before it happened.

The following is from pages 241-246:

The slayings had come at a turning point in Tamerlan's life, his isolation deepening, his views becoming more radical, his family falling apart... Had the killing of Teken, Weissman and Mess [a Waltham gang-style murder] been Tamerlan's first violent strike against America?

Had it been a warm-up of sorts for the Marathon attack and for murdering Sean Collier -- the race and the cop both symbols of everything he wasn't? [Amazing!] When they kidnapped Danny and commandeered his Mercedes the route they drove took them right past the street where the three men had been slain. The ritualistic array of the bodies suggested these were no ordinary killings. [That's correct for sure.]

The authorities began to take a hard look at Ibraghim Todashev who had also trained with Tamerlan at the gym. On May 21 [2013] Todashev sat down in his Orlando apartment. The interrogation started at 7.30pm and lasted five hours. A court filing by federal prosecutors would later confirm that Todashev had asserted Tamerlan's participation in the murders.

[I wouldn't say a court filing *confirms* something. It *claims* it.]

When the FBI agent looked away, according to a law enforcement official's account, Todashev picked up the table and threw it at the agent. The agent drew his gun and saw Todashev running at him with either a metal pole or a broom-stick handle. [Which was it?] The agent fired more shots, killing him.

On April 22, 2013 while in hospital Jahar communicated a lot by writing. He told the interrogators he and his brother considered setting off bombs at the Charles River celebration of the Fourth of July ... to the music of the Boson Pops. [If you want to know what Jahar said in hospital, we could ask him today.] When the brothers assembled their bombs faster than expected they began looking for a place to strike. They had drawn motivation, Jahar said [“said” means FBI says he said] from the US invasion of Iraq and Afghanistan and acted on their own without assistance from al-Qaeda.

In mining Jahar's laptop, investigators had found books and a magazine promoting radical interpretations of Islam. The books included *Defense of the Muslim Lands*, *The First Obligation after Iman*, and *Jihad and the Effects of Intention*, which promotes martyrdom. [But they were planning to go to New York instead of heaven?]

Jahar had – reportedly -- downloaded one book, with a forward by Anwar al-Awlaki, a New Mexico-born Muslim cleric. Jahar likely [!] watched Awlaki's influential Internet videos. ...

Youtube removed clips of Awlaki's sermons in 2010, after a British student said that watching them inspired her to try to assassinate a member of Parliament – he survived the attack. By then, US officials viewed Awlaki as a major source of inspiration for militants trying to strike the US. [Note the verb "viewed.]

Nidal Malik Hasan, a US Army major and psychiatrist, e-mailed extensively with Awlaki before shooting and killing thirteen people and injuring more than thirty at the Fort Hood military base in Texas in 2009. Umar Farouk Abdulmutallab, who confessed to trying to set off explosives hidden in his underwear while on an airliner, stayed at Awlaki's house. [Anything related to the underwear bomber would have to be a Manchurian job, IMHO] -- End of excerpt.

Please see Appendix F, which shows the US *policy of planting evidence* of jihadism in the homes of men who are not jihadists.

Note: an inventory of crimes committed by media should consider the crime of *genocide*. False terrorist events have been used to justify wars. The great effort to make us want to kill Muslims might fit under this domestic US law:

United States law on genocide, 18 USC 1091, still in force today:

Whoever, whether within times of peace or war, and with the specific intent to destroy in whole or in substantial part of a ... group, kills members of that group... shall be punished, where death results, by death or imprisonment for life....

The Kevin Cullen Disciplinary Suspension My Foot

On April 14, 2018, *Globe* editor Kevin Cullen wrote a piece for the 5th anniversary of the Marathon bombing. WEEI's Kirk Minihane then criticized him for telling untruths. Cullen was miles away when he said he was at the Marathon. He wrote:

“And so it was alternately poignant and horrifying to watch as first responders frantically pulled metal barriers and the flags of so many countries down into Boylston Street in a desperate rush to get to the dead and the injured on the sidewalk.”

So Cullen got suspended from *Globe* for that lack of ethics!

Also he included 8-year-old Martin Richard in his column:

“When he [Dad] finished the race, his young son left the sidewalk. He went out into Boylston Street to hug his Dad and the bomb exploded. The boy was killed. His mother was severely injured, and the daughter—the girl—my friend the firefighter Sean picked her up, and he carried her to an ambulance. [But when he] put her down, he realized her leg was missing. And he went back to the scene and, he told me, and crawled on his hands and knees, trying to find her leg.”

Minihane, the new truth police, said Cullen and Sean aren't actually friends. I think the discipline caper is a response to my strong criticisms of *The Globe*. It creates a vague impression in the readers that something is being done.

Note: *Newsweek* did a similar thing in 2018, using Michelle McPhee, disinfo artist, against Aunt Maret. McPhee wrote: “... [Maret] makes an allegation that the FBI said the bomber had a “heavy-laden black backpack”.

Of course the Feebs DID say that. Why hedge, Ms McPhee?

Apparently experts know that unwary readers will only absorb that there is a bizarre aunt in the family and that she “alleges.”

18. HILARIOUS CHAIN-OF-CUSTODY OF A GUN (*published August 26, 2016*)



The Ruger gun was found at the “crime scene” -- Laurel St, Watertown

A Boston woman, Heather Frizzell, has been working hard on the Marathon bombing trial. In this article I summarize what she has learned about the gun allegedly used by the Tsarnaev brothers both on Laurel St and to kill the 28-year-old MIT campus cop, Sean Collier. Heather says:

“After months of pouring over the eyewitness testimony and studying the location in question, I am confident of one thing: the person who appeared at Collier’s [car] window with a gun wasn’t Tsarnaev.”

The research published by Ms Frizzell is lengthy so I will only recap it here. First, the *dramatis personae* of the gun story:

— Jahar, a student at UMass, Dartmouth (1 hr south of Boston).

— **Stephen** Silva, Jahar’s close friend since eighth grade. At the time of these events he is about age 20. Silva lives in Cambridge, Massachusetts. Silva is the man who allegedly lent a gun – a Ruger handgun — to Jahar.

— Howie -- real name: Merhawi Berhe -- the man who allegedly lent that gun to Stephen (Howie is thus the grandfather of the gun that shot Collier, so to speak).

— Dias, Jahar’s pal who was sentenced in 2014 to 6 years for having “obstructed the investigation of Jahar’s terrorism” by dumping a backpack or a laptop in a dumpster.

— Steven Silva, the twin bro of Stephen Silva, no joke – doesn’t figure much in the story. Heather vouchsafes to say SILVA, no first name, when she means *Stephen*. OK?

— US Attorney Alope Chakravarty, the prosecutor (seconding Carmen Ortiz) in the 2015 trial of Jahar.

— Miriam Conrad, the defense attorney (boss of Judy Clarke) in the 2015 trial of Jahar.

— Dad, a lawyer, Thomas Frizzell, father of Heather, whom she often mentions as giving technical advice to her.

The apple doesn’t fall far from the tree.

All data in this was obtained by me from Frizzell’s “Who Killed Sean Collier: Part Two, the Gun.” (August 17, 2016, USvTsarnaev.org -- “a study from an academic and humanitarian perspective”). The gun article abridged and paraphrased here was 40 pages long. Main Themes:

There is a need to trace chain of custody of the weapon.

After Jahar was imprisoned, Dias got imprisoned and so is not exactly contactable. Jahar himself may be the most uncontactable person in America today – and if he were contacted, chances are he would be loyal to his friend Silva and not upset the applecart. (Mary) Note: Heather does not speculate, so I will try to hold back. If it bursts out of me I will write “Mary” in parentheses, as I just did.

Silva was arrested and charged with major drug dealing, and was threatened with more than a hundred years in jail. That’s a fairly long time for a 20-year-old. To anticipate the next bit, think what

you would do if you were charged like that but your trial had not come up yet. Hint: it rhymes with flea bargain. (Mary)

According to Silva's testimony (highly perjured – Mary), Jahar had asked him in January 2013, if he could borrow the gun that Howie had lent to Silva. “Yup, sure.” And then Jahar failed to return it by the Marathon date of April 15, 2013. (Ah, sweet innuendo of life, at last I've found you.)

January is the same month the Tsarnaevs rode off to Saugus Mall to buy, without using a credit card or anything traceable, the 5 mythical pressure cookers. (Mary)

In a move that “Dad” calls “giving away the courthouse,” the government entity prosecuting Silva decides to forego the pleasure of catching a drug crim and lets him off, in exchange for pinning the gun on Jahar Tsarnaev. Natch.

Hence, Silva shows up as a witness for the prosecution at the trial of his dear buddy Jahar and does what we used to call in Catechism class “a Judas.” (Mary) Heather fine-tooth-combs the Silva case file and discovers that the evidence Silva presented was gossamer-like and the pretend-prosecutors did not ask the right questions. (Dad)

Gun laws in Massachusetts are unusually strict. You can go to jail, for example, for being in possession of a “dirty” gun, that is, one that has a history of having been used for violent crime even if you had nothing to do with that. Howie, of all people, got arrested at a stunningly significant moment.

The Gun Heather says: “The murder weapon was a Ruger P95 handgun with the serial number filed off, recovered from the shootout in Watertown (Noooooooooooo, nooooooooo -- Mary) -- the gun that was in Tamerlan's possession.”

This was established via trial testimony, and Massachusetts State Police reports also match the ballistics from the Ruger to the bullets recovered from Collier's body.... (state, not Quantico?)

Now backtrack. Timeline: late 2012: “Near the end of 2012 (timestamp provided by Mr. Chakravarty, not Silva) an opportunity arose to get a gun.” Howie asks Silva to *mind* the offending object, as he was worried his mother would search his room. Granted, Moms have been known to do that.

Once Silva has it, he thinks, “I could have some fun with this.” So, he sits in a car when customers come to buy drugs off him, takes their money, does not hand over the drugs and then threatens to kill them if they don’t am-scray quick smart. (Heather notes that this is no way for a merchant to build up good will in the buying community.)

-- December, 2012: A man’s gotta show off, so Silva boasts at a party to having carried off that deed. A laugh is heard from Jahar, who is at the putative party – and wait till you see how putative Heather thinks it is; she almost loses her conservatism over this one.

When friends, including Jahar, were in Silva’s apartment, Silva showed them where he kept the gun, in a ceiling panel.

Jahar does not at that moment say “I want to borrow it” -- he says it on a different day when there are no party-goers, i.e., no witnesses to hear him say it. Natch.

-- January 23-ish, 2012: At some later time Jahar goes to Silva’s house, having made no phone call or text message to check that Silva is home (Recall Dartmouth is an hour’s drive) to pick up this new toy. Heather refers to Jahar and his cohort as “of the millennial generation that puts everything into a text, a tweet, a chat, etc.” Yet the court never sees any such confirmatory evidence.

Subsequent to Jahar’s borrowing the gun, and with nary a query from Silva as to whether the young Chechen has actually deployed the damn thing, Silva asks Jahar to return it “because Howie is wanting it again.” (The Mom coast is now clear.)

-- March, 2013: Jahar, in training for the Marathon as it were, is busy and keeps putting Silva off as to when he can hand it over. So spake Silva to the prosecution team (or was it the defense team? In this trial they are more identical than Steve and Stephen).

As Heather Tells It

I will now state some of the above, quoting Heather and the various principals in the case. But if you are pressed for time, hop to the bottom where she springs quite the denouement. For now, just see the prosecutor eliciting the gulch from Silva, in 2015:

Q – Explain that opportunity.

A – Well, like I said, me and my brother and my friend [Nicholas Silva, who is a cousin whose sibling got beat up and so wanted a weapon type thing] had been talking about obtaining a gun.

Around the same time a friend of mine from my neighborhood [the elusive Howie], asked me if I could do him a favor and hold down a firearm for him because he needed to get it out of his house.



Q – What was his name?

A – Howie.

Frizzell writes:

“Nothing is given about the transfer of the gun from Howie to Silva. We also know nothing about who might have seen the gun change hands. However, from Silva’s testimony, he then “stored it away in my apartment, in a ceiling panel”, and states that the people who know about it are “my twin, my friend and a few close associates”. That means *Steven*, Nicholas, and “a few associates” could have all been called to court to corroborate this story.

Continuing with the Prosecution’s questioning of SILVA:

Q – Did you tell the defendant? [i.e., the hapless Jahar]

A – Yes.

Q – What was his reaction when you told him that you had a gun?

A – It wasn't much of a reaction. He just acknowledged it.

A – When I got down to Florida I just hung out at a friend's house and continued selling weed.

Q – How long did you do that for?

A – From about the middle of August until the end of November.

Q – November 2012? ...

A – At that time I came back from Florida, my brother and friend had an apartment in Revere, Massachusetts.

Q – Did you take the gun out of your residence again?

A – Yes, one more time.

Q – When was that?

A – New Year's Eve 2012.

Q – And where did you take it?

A – To a friend's apartment in Medford, Massachusetts.

Q – What was happening there?

A – Nothing. We were just throwing a New Year's Eve party.

Q – Why did you take it there?

A – I was just being stupid. I wanted to show it off.

Q – And did you?

A – Yes.

Q – Did the defendant come to that house?

A – Yes.

Heather always looks into these things in detail: “It's happening on a specific date for a specific occasion, meaning many of the attendees would be likely to remember whether they were there and that someone might have shown off a gun.”

Then Heather looks at the boys' tweets. “That's strange. Here Silva is saying he has the flu and isn't planning to go out for New Year's Eve, which directly contradicts the story he gave in court. Not only that, but their exchange seems to imply that Dzhokhar doesn't have plans to go out either. ...”

Q – When you talked to him about the gun, did he ask you for anything?

A – Yes.

Q – What did he ask you for?

A – He asked me to potentially borrow the gun....

Q – Did he tell you why he needed the gun?

A – Yes.

Q – What did he tell you?

A – He said he wanted to rip some kids from URI.

Q – When you say “rip,” what does that mean?

A – Rob.

“Silva has never seen an aggressive streak in Dzhokhar. On Miriam Conrad’s cross, she points out”:

Q – And he [Jahar] wasn’t violent, right?

A – No. I’ve never seen him violent.

Q – And he never picked on anybody?

A – No.

Q – He was kindhearted?

A – Yes, he was.

Q – Now, this robbery that you told us about, you — that you did?

A – Yes.

Q – You didn’t tell the Feds about that the first, second, even fourth time that you sat down with them, did you?

A – Initially, no, I did not.

Q – And, in fact, you told them that you had never discussed a robbery with anyone before Jahar asked to borrow the gun, right?

A – Yes.

Q – Was he with anyone?

A – Yes, he was.

Q – Who was he with?

A – Dias.

Frizzell writes: “At the time of Silva’s testimony, Dias was in federal custody awaiting sentencing, a perfect witness to corroborate Silva’s story.” (But you don’t think they would call him!)

“Then Silva arrives at the last time he saw Dzhokhar before the Marathon. By now, it’s early April and he has still not received the Ruger back, but has made no more statements about what Howie was doing during this time. In fact, according to Silva, this was a brief meeting in which Dzhokhar purchased some weed.”

“It’s difficult to track the prosecution’s view of Dzhokhar’s marijuana usage, because at different times during the trial they either used evidence that he had cut back on smoking as a sign of radicalization, or evidence that he dealt on campus as a symptom of bad character.” [See? Heather Frizzell picks up every nuance.]

A – When I got back I put the marijuana in the — Dias’ car’s trunk, and then I talked to the defendant [best mate] very shortly. He wasn’t really talking to me much. I was trying to get into a deeper conversation with him but he said he was in a rush. And I asked him about the gun and he gave me another excuse on why he couldn’t — why he didn’t bring it that day.

And then I remember Dias saying, “Oh, we’re in a rush, we’re in a rush.” So I only talked to him for a little bit, told the defendant, you know, I loved him [!! That was *before*...], and then I got out of the car.

Heather Frizzell’s Big Find

“On March 25th I woke up and saw a *Boston Globe* article with the headline ‘Source of Gun [Howie] Used by Tsarnaevs to Kill Sean Collier Pleads Guilty.’ ‘I told my Dad and he wanted more: What was the plea agreement? Was there an indictment? What exactly were the charges? When did they take him in?’ Heather says: ‘I was able to log onto the district court’s website and pull a few relevant documents.’

“The charge was very strange. It was only one count of possession of the Ruger handgun. There was nothing about the transfer of the gun to Silva, which would be a separate charge.... Silva, in July 2014, was arrested for seven counts of heroin possession with intent to distribute, and one count of possessing a firearm

with an obliterated serial number, also known as Sean Collier's murder weapon.

“And indeed, in December 2015, Silva was given a hearing, and received a sentence of *time served*. After seventeen months, he was free, despite multiple instances of heroin distribution, because he had ‘substantially assisted.’ On the same day, at the same time, in the same courthouse, one floor apart, as Stephen Silva testified that he received the Ruger P95 ... from him, **Merhawi Berhe was pleading not guilty to possessing the very same weapon.**”

Update by MM on July 10, 2019

Guess what, Jahar has recently admitted to having a gun. Yes, in notes that Jahar supposedly wrote on April 20, during his hospital interrogation. I don't believe the notes are genuine. In them, Jahar admits that he obtained a gun from a *car in a scrap yard* (!) He also says he had a brown (!) backpack. Ahem.

A whole series of scribbles in a notebook is now on display. I do not take them seriously. In one, Jahar allegedly wrote “No one will be hurt” – an absurd comment from a man in a state of physical trauma from bullet wounds. I wager this was “planted” as justification for calling off any further search.

Even on the post-Marathon weekend, April 20, 2013, with “terrorist” Jahar in Beth Israel Hospital, it was said that the Gitmo interrogators concluded that Jahar had no associates waiting to toss more bombs.

No decent interrogator would take a suspect's word for it. Police, on hearing this, must have known the whole thing was a crock. “No one will be hurt.” Give me a break.

19. MARTIAL LAW – THE END OF THE REPUBLIC?



Warrantless searches – was it really to locate the “missing” Jahar?

After the alleged Watertown shootout allegedly ended, allegedly around 12.35am on Friday April 19, 2013, the police began a manhunt for the person who had escaped after allegedly running over his co-shooter. At 6am the governor of the Commonwealth of Massachusetts, Deval Patrick, himself a former US Attorney, sent a message to all residents, by robo-call, asking them to “shelter in place.”

He did not order them, he asked them. So in strict legal terms one cannot say that the Boston area underwent martial law. If you went outside you would not have been arrested. However no one dared. And in view of tanks in the street (only in Watertown as far as I know), the atmosphere was such that you would have felt like you were interfering with a vital military operation if your presence on the street so much as distracted the soldiers from their task. You'd be harming your fellow man, too.

It is my guess that the tank scenario was a basic element of the entire Marathon episode. As I've already opined, the bombing on Boylston St was a false flag. That means the flag-holder identified by government – Jahar – was asked to hold that flag for show, so the crime could be pinned on him. He would be called a terrorist, and maybe a jihadist. Meanwhile the flag was *actually* worn by someone who would gain from that show.

Cui Bono?

Now we can ask Cui bono? Who gained? The fact that the Tsarnaevs have Islam as their religion gives US military action in the Middle East renewed justification. And the fact that here was great violence (yikes! they almost blew up the Boston Public Library) indicates that we should have stricter laws -- and better surveillance to avoid similar occurrences. Kapish?

There have been many false flag incidents that did not result in tanks on the streets (the 1992 Los Angeles “race riots” featured tanks) but had the benefit – for someone – of making people feel scared and helpless. See Appendix H for the Berlin rampage by a truck, and Appendix J for Elias Davidsson’s subsequent open-letter to Germany’s Chancellor Angela Merkel.

Tavistock. The leaders in the field of cultural engineering were based, in the early 20th century, at a charity called Tavistock in London. Of course their website doesn’t explicitly say “cultural engineering” but by their fruits ye shall know them.

They connected with Stanford Research and with Allen Dulles’ OSS group that transmogrified into the CIA in 1948. Familiar participants are Aldous Huxley who wrote *Brave New World*, Timothy Leary who promoted LSD, and John Bowlby a psychologist who wrote *Attachment and Loss*.

I won’t go into that here, but it is fairly well-established that the Top Bosses in our world employ the services of scientists who know how to change culture by changing minds -- and change minds by changing culture.

As long as we fail to face up to this stuff (by calling it conspiracy theory or doubting that it is possible) we remain very vulnerable to the machinations of persons whose outlook on life is sinister.

Is There a Law against Martial Law? A perfect example of martial law is what happened that day in Watertown. Never mind the claim that it was voluntary. Troops with guns drawn kicked people out of their homes. And did not let them back in for hours.

Did this breach the US Constitution? If you don't know the answer to that, you don't deserve to be American.

You see, "rights" are the product of agreements among people. Americans have agreed to what is written in the Bill of Rights. They agree to the Fourth Amendment's rule that a police person cannot search your home (unless he has a warrant signed by a judge based on reasonable suspicion that you have committed a crime, and the warrant specifies what is to be searched for).

But since a "right" is an agreement, a covenant among the members of the society, it is they who have to enforce it. Sure we can employ some strong men, and we should, to enforce the rule where it is likely to be breached. Or, once it has been breached we should employ a court system to make good on the error. But if our police and judges are working for someone other than the people or the nation, the job must fall to all of us.

The Way an Emergency Can Bully

The word "emergency" brings out emotions, making you want to stop doing your normal procedures and participate in a short-term job to help someone. That is, if the impetus comes from the group. But if it's a powerful boss proclaiming emergency and you're forced to stop looking out for your interests, it's different. You'll still feel some excitement about "participating" but you'll also feel belittled. And you'll be strongly inhibited against signalling to your neighbors that you disapprove of the boss.

Luckily the Constitution foresaw this. SCOTUS ruled, in 1931, in *Home Builders v Blaisdell*:

Emergency **does not create power**. Emergency does **not** increase granted power or **remove or diminish the restrictions** imposed upon power granted or reserved.

The Constitution was adopted in a period of grave emergency. Its grants of power to the Federal Government and its **limitations of the powers of the States** were determined in the light of emergency" [Emphasis added]

States' Rights

The Constitution gives no power to the federal government to manage the people's health and welfare. That belongs to the states. So the overlords had to do some sneaky work with traitors in Congress. The following laws were passed:

1953: Internat'l Economic Emergency Act – re Korean War

1974: Stafford Disaster Relief Act – states get federal funding

1976: National Emergency Act – prez can decide for 6 mos

1994: Violent Crimes Control Act – army can fight drug crimes

1994: Defense against Weapons of Mass Destruction Act

2002: Homeland Security Act – mandatory vaccinations, yes!

Massachusetts' Original Constitution in 1780:

The governor can repel, resist, expel, and pursue, by force of arms, as by sea as by land, and also to kill, slay, and destroy, if necessary, and conquer, **by all fitting ways whatsoever**, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, or annoyance of this commonwealth. [Emphasis added]

FEMA came about by Executive Order 12148 – thus it is illegal per US Constituion Article I, sec 8, Clause 18. Then Jimmy Carter in 1979 transferred presidential power to this organization illegally. Of course that means FEMA and similar are void.

States have FEMA-like organizations. Boston has an Emergency Management Agency (or similar). Its leader, Richrd Serino gave a power point presentation in 2008 showing the Marathon Finish Line as **a sample location for a terrorist attack**. In it he says “Develop good relations with media so they get the story right.” If it's real, how would they get it “wrong”? Serino was sighted at the 2013 Marathon (probably not photoshopped).

SWAT (special weapons and tactics) teams are part of the illegal FBI. As Sgt McLellan said, the shooters at the boat were not his. Folks, this is a warning that it will happen to you. Who authorized? We were wrongly told they were cops. You (I mean you personally) need to crack down on “secret police in America.” K?

20. WHAT ON EARTH IS THE FBI?



Man on left (LaVoy Finicum) surrenders to FBI and then is killed

Please folks, please help out. None of us know where the FBI comes from, or to whom it answers. Its first director – J Edgar Hoover – was said to control many presidents by blackmail. Heck, we don't want anyone "controlling" our leaders. And why did he do it? Who was his real boss? In general terms it was the mafia. Or at least it was people who want to live lawlessly -- and yet be seen as the force of "law and order." Whew!

Note: the next-longest serving FBI Director was Robert Mueller "seving" from just before 9-11 to just after Marathon. 'Mazing.

Please let's stop being spectators to the most outlandish things that are happening to our society. **Let's say there is something radically wrong here.** Just in regard to the Marathon case, we have several issues that need to be clearly acknowledged:

1. A bomb (or something) went off on Boylston St at 2:49pm on April 15, 2013. The person responsible has *in no way been caught* or even identified. We can say with confidence that the bombing involved the media and the government, judging by their doggedly blaming a patsy in the face of evidence to the contrary.
2. Tamerlan Tsarnaev apparently worked as an informant for the FBI, as is the fate of many immigrants and indictable offenders. They are told to participate "or else." Tamerlan was chosen to be a patsy and therefore, like all patsies, he was captured and killed.

Amazingly, CNN accidentally showed him, arrested, on TV (the naked-man video), and therefore many of us have been able to reject wholeheartedly the story that police had an exchange of gunfire with the Tsarnaevs.

3. That story should have been criticized anyway on the grounds of its foolishness. A man (Tamerlan) who is alleged to have a gun does not go to the MIT campus -- of all places -- to steal another gun from anyone, much less from a policeman. And needless to say, does not go around boasting that he has just killed a cop. It's basic; even a 12-year-old can comprehend this.

Many members of the public can be excused for not doubting, if they were conditioned to regard the nightly news as a source of truth. This is how all humans act when told the "facts" of *religion*. But most Bostonians are educated, and so must have at least a general idea about the ways they can be manipulated.

The FBI, or military, or DHS, or SWAT – does anyone know who these people are? – sends a helicopter to observe a warm body in a boat. They figure it is the "suspect," so cops shoot 228 bullets at him. When did it become policy to shoot-to-kill when there is a suspect on the loose? Don't we have teargas and Tasers to bring a man down? It was a plain attempted murder.

Alarmingly not one upper-level Bostonian – a priest, a professor, a doctor – spoke out against the illegal martial law carry-on "in real time," and I have not yet heard of any such person assessing, subsequently, what happened. All of the professions seem to support this new (imaginary) thing called the war on terror. That's a sign of **the extreme trouble we are in**.

Who Is Up There?

Dear Reader, I realize that you may not have known of this stuff until you picked up this book. I am sorry to be the bearer of shocking news. But please turn your shock into action. And recall: when visiting Russia, Jahar's public defenders said they were under pressure "from the highest level." That's what we need to elucidate: who is up there and how can we negotiate with them?

Is It “the Jews”?

When one does not know who is doing something bad to society, one is happy to find a candidate to blame. The custom is to name a group that is united by nationality, language, or religion, as **that is how we evolved, to band together against an enemy tribe.**

My guess is that today’s bosses do not share a nationality or a religion. “World government” is too complicated. I do not think it could be the Jews, or the Americans, or any “tribe.”

I am bringing up this subject in order to dispose of it. Many bloggers think they’ve got it all figured out – that Israel is the entity in charge of the wars in the Middle East. I say *Congress* authorizes those wars, and if they do so under pressure from a lobby, Israeli or otherwise, they’re still doing it as Americans.

If you are stuck on the theme of “the Jews” are to blame, would you please pursue it openly? Using innuendo creates a sense that we have figured out what’s going on and surely that’s not so. We need to do so. By the way, it would be great if some Jewish Americans would put the whole thing on the table. There are terrible accusations being made and no refutation is heard.

Note: UK is most likely the coordinator. In 2014, a physician and a schoolteacher in Scotland – Jim Macgregor and Gerry Docherty – came out with a book, *Hidden History* about World War I. They document how a mere two men – Lord Esher and Earl Grey – were able to bamboozle the House of Commons, and bamboozle France and Germany as well, to start that war.

FBI. We would be crazy to allow the FBI to continue along their present, unhampered course. Let the Marathon be a catalyst for change. There are plenty of Youtube videos of Watertown residents being interviewed on April 19, 2013, and plenty of grounds for legal action against what the FBI did in Watertown. Note: the FBI **has no law enforcement** function, legally. When you read that So-and-So “was arrested by the FBI,” that means an FBI agent performed a citizen’s arrest (no joke). Or in some instances they were deputized to be a member of local police. But

there you shouldn't say the FBI made the arrest; rather the *police* made the arrest. **The FBI's power is largely bluff.**

Consider how the 1971 COINTELPRO papers revealed an FBI policy of persecuting Blacks. They assassinated both Malcolm X and Martin Luther King. How did we let them get away with it? I think it is mainly that we can't get our heads around the fact that a CIA or an FBI is mostly a criminal organization.

It was *proven* in the case of *Jowers v King* that a group of assassins, *not* lone-wolf James Earl Ray, shot MLK. Yet the patsy, Ray, served 39 years in prison and died from a stabbing. It is wrong of Americans to turn a blind eye to these things. After James Earl Ray died, his brother John Ray spoke to Lyndon Barsten, his co-author of the great 2008 book, *Truth at Last*. John said:

“I have no specific information about the CIA, James's handlers, military intelligence, or the FBI. I'll just lump them together and call them “the feds.” This is also the term my brother James used, because I don't think he knew who he was dealing with most of the time.... **The feds were behind James' lawyer, Hanes.** They are all connected. Most of them are moved into positions like **US Attorneys**, state's attorney, or other positions of power” (p. 81). [Emphasis added]

Here's another thought, especially if you want to save taxpayer money. The Associated Press, Boston, reported in July, 2007:

“A federal judge Thursday ordered the *government* to pay more than \$101 million in the case of four men who spent decades in prison for a 1965 murder they didn't commit after the FBI withheld evidence of their innocence. *The FBI encouraged perjury, helped frame the four men,* and withheld *for more than three decades* information that could have cleared them, U.S. District Judge Nancy Gertner said in issuing her ruling Thursday. Four men convicted on Barboza's lies were treated as “*acceptable collateral damage*” because the FBI's priority at the time was taking down the Mafia, their attorneys said.” [Emphasis added]

It's known that the FBI were involved in the 1995 Oklahoma bombing, which was blamed on Timothy McVeigh. Recall the talk about a homemade truck bomb having caused the destruction of that building? When local cop Terrance Yeakey reported, instead, that he had found explosives *inside* the building he soon died in his car, having "suicided."

I quote John Kelly and Phillip Wearne's *Tainting Evidence: Inside the FBI Crime Lab* about habitual fiddling with evidence:

"Senator Grassley said the documents had arrived but were so heavily redacted as to be virtually useless. Grassley's hearings took place in the wake of a damning 517-page report by the Inspector General's Office of the DoJ, using a panel of five internationally renowned forensic scientists, **the first time in its 65-year history that the FBI lab had been subject to any form of external scientific scrutiny.** The findings were alarming.

"FBI examiners had given scientifically flawed, inaccurate, and overstated testimony under oath in court; **had altered the lab reports of examiners to give them a pro-prosecutorial slant,** and had failed to document tests and examinations **from which they drew incriminating conclusions,** thus ensuring that their work could never be properly checked.

"The IG had been mandated to look at allegations by Dr. F Whitehurst, a chemist and FBI agent who for eight years, until 1994, had worked solely on explosives-residue analysis. [He complained of] the possibly **illegal withholding of exculpatory information;** and the complete inability of the FBI management to investigate itself and correct the problems.

"If innocent people were in jail for crimes they did not commit, how many guilty ones were walking the streets?" -- End of excerpt

Rodney Stich's book, *FBI, CIA, the Mob and Treachery* (2005) tells of the CIA's importation of drugs and dispersal of them to the ghetto, the revealing of which cost journalist Gary Webb his life. I'll now quote from that book. You can skip this section as it is not about the FBI's Marathon role, but is frightening. It shows the determination of FBI to "terminate" whistle blowers.

Getting Rid of Whistle Blowers

Steve Lopez had an excellent record as a New York City firefighter and as a former US Marine, and worked for the FBI in various operations. One problem was that he knew too much about some highly irregular FBI activities. ...A plan was devised to eliminate him. The type of scuba diving Lopez did was high-risk, mishaps could occur. [The public would not be suspicious.]

Lopez was part of a group called the Restricted Interagency Group (RIG) created by Secretary of State **George Shultz**. RIG assembled the following policy-makers: Duane "Dewey" Clarridge, Deputy Director CIA; Admiral Arthur Mobreau, Jr., Joint Chiefs of Staff; **Oliver North**, NSC staffer; "Tony" Motleyetc. It was Dewey Clarridge, upon DCI Casey's advice, who organized a small clandestine navy to disrupt Nicaragua.

In October 1983, **Clarridge decided** to mine the Nicaraguan harbors. The idea was to frighten oil shippers from Nicaragua and place a stranglehold over the Nicaraguan economy. The CIA used non-lethal magnetic mines placed by the CIA mercenary force -- **soldiers of fortune from Latin America and the United States**, and a former U.S. Marine, Steve Lopez.

When a Soviet oil tanker was damaged by a mine, *The Wall Street Journal* on April 6 reported the mining was a U.S. operation. On April 9, Nicaragua sued the United States in the International Court of Justice in The Hague for compensation. [In reply, the US withdrew from the ICJ].

As the Iran Contra Arms Initiative Affair began to unfold, Steve Lopez became concerned about his involvement with the CIA and the FBI. He was engaged in various secretive operations for the Bureau. When members of his **group became involved in the Irangate scandal and were called before Congress, Lopez grew increasingly nervous.** In the late 1980s, he frequently called FBI Agent Thomas Pierce in NY telling him **that he might go public with his information.** That prompted a break-in to Lopez's apartment to **remove any writings with information harmful to the intelligence agencies with whom**

Lopez was working. Lopez' telephone line had also been tapped. **By early Saturday morning, the agencies knew that Lopez would divulge their secrets.**

Pierce asked Lopez to wait until Sunday morning when they could discuss the matter at the pier before their diving session. If it became evident that Lopez would call anyone, his phone would be quickly **disconnected**. If he decided to **personally visit anyone, the team would close in** and apprehend him. [Wow.]

The elimination would occur while FBI agents and Lopez were scuba diving. The initial schemes included changing the air mixture in Lopez' oxygen tanks and entrapment during an exploration of an underwater wreck. The FBI agents could handle it and return to the surface **with their whistle-blower dead, and no one would know what really happened.**

FBI and CIA personnel arranged a meeting late Saturday afternoon in New York City to decide upon their final and fatal course of action with Lopez. As **part of the plan, weapons would be secreted afterwards in Lopez' personal vehicle to show that he had a malicious intent.** [Standard, standard, standard.] A Remington Model 870 pump shotgun would be planted in Lopez' Jeep. The gun contained double-o buckshot, an ammunition used by law enforcement but not sportsmen.

Two of the members of the Scuba team arrived earlier than usual and waited for Lopez, who was being tailed by the CIA surveillance team. The **scene was set with the intention that the Scuba team would go out to sea.** It was 7:00a.m. on Sunday morning in early October 1989.

When Lopez arrived, unarmed, he wanted questions answered. His own weapons at his house, including an AK-47, had disappeared. Three FBI agents stood some 25 feet apart from each other. Their positions offered several fields of fire if necessary. [Imagine it!]

When Lopez leaped from his jeep, he approached one of the FBI agents complaining about the ransacking of his apartment He

refused to take part in the planned scuba diving, **making it necessary to carry out the elimination then and there.**

As Lopez sensed danger and walked toward his car, one of the agents signaled to close in for the kill. One FBI agent tackled Lopez and wrestled him to the ground. During the struggle, another FBI agent, **sitting in a car**, aimed his weapon at Lopez and then shot when the other two agents released their hold of Lopez, striking Lopez in the back and shoulder.

One agent used a 357 Magnum with hollow-point bullets, called a “dum-dum” round, **that upon impact, expands like a mushroom, seemingly exploding.** Any hit to the body trunk would be mortal. A hit to an extremity, an arm or a leg, would cause severe loss of blood. **The Bureau always taught its agents to shoot to kill, never try to merely wound a person.**

The shooting caused several people to appear. To insure that Lopez would bleed to death before help arrived, one agent placed handcuffs on the mortally wounded Lopez, [so he couldn't suppress the blood flow]. A member from the **CIA's surveillance team carried Lopez' missing AK-47 to the scene**, placing it next to him, providing the **news media** with the notion that Lopez was intent upon killing the federal agents.

Initial news reports about the shooting differed significantly. The Monday issue of the *New York Post* newspaper showed a picture of the dead fireman lying face down in the parking lot.

The *Staten Island Advance* newspaper carried another story, provided by witnesses at the scene. **The FBI provided their own version, which was dutifully carried by the media.** None said it was an assassination. The FBI story was that Lopez was mentally unstable and went berserk on the pier. [Why would he do that?].

On the very next day, the FBI claimed that the shooting was justified, that Lopez threatened the **FBI agents with his weapons, and that the agents fired in self-defense.** [Todashev, Todashev, Todashev.]

The Bureau conducted no investigation into the matter and only accepted the accounts of the three assassins. **The other witnesses, whose accounts differed, were dismissed. Their version of the shooting was never recorded.** [Like Tamerlan's naked appearance on Gabe Ramirez's video.] -

-- End of excerpt from Rodney Stich's 2005 book.

Commentary: The Impending Death of Jahar Tsarnaev

That story is very stark. Steve Lopez "had to die." Why? Because the guilty parties would not tolerate being outed. It is likely the same with Jahar -- the brother-patsies were expected to die. During the day, April 19, 2013, Jahar was probably captured, drugged, and placed in the boat to be shot to death. (In Australia, Martin Bryant was drugged and placed in a cottage that the police then set fire to. But Martin staggered out, and still lives today. So for the last 23 years has been kept incommunicado.)

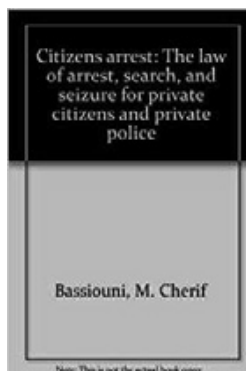
There is no excuse for SAMs for a guy on Death Row. The rule is that Death Rowers get more time with family and friends. Yet Jahar "can't be allowed" to tell the world what happened. I think his parents have been forced to abandon him, and his American uncle Ruslan wants no contact. The counterparts of our FBI in Russia, the FSB's, are no doubt participating. In fact the choice of Chechens to play the role of baddies was perhaps made at Russia's instigation. I think the gang that rules the world has got huge numbers of flunkies to do the dirty. In 1933, HG Wells wrote in his book *The Shape of Things To Come*:

"Although world government had been plainly coming for some years, although it had been endlessly feared and murmured against, **it found no opposition prepared anywhere.**"

Might be a good idea for us to try to put them out of business. I note that Attorney General Barr has recently said executions would be resumed for Death Rowers who committed a murder. Remember we have no clue as to who killed Collier....

PART THREE
SUGGESTED RESPONSE BY CITIZENS

21. CITIZEN'S ARREST AND REVIVING YOUR GRAND JURY



(L) *George Washington and Marquis de Lafayette fighting the system*
(R) *Bassiouni's 1977, still-valid book on citizen's arrest*

So what are *you* going to do about the Tsarnaev travesty? That's what it boils down to. It boils down to you. We've already established that the persons who are paid by us to deal with it aren't dealing with it -- and it's unwise to wait.

Let's first look at "citizen's arrest" and then consider other stronger, and weaker, options for your action.

Citizen's Arrest

It has always been legal for an individual to stop (i.e., arrest) someone who is visibly committing a crime. In fact, such policing had to be done by laypersons until 1820 when the London "bobbies" were established in London.

I will first overstate the case and then refine it, so please don't stop after this one paragraph. Generally, each of the 50 states says it is OK for you to arrest someone who you know has committed a felony. Your action isn't criminal!

Now for restrictions, or in some cases greater allowance:
One thing you should know is that you risk being sued by the person if you were mistaken about his guilt. The charge he

might bring against you could be trespass or battery or false imprisonment (i.e., in your custody).

You are required to deliver your prisoner to authorities. In fact, once you have got him hand cuffed you'd better phone the police and ask them to come and get him. You may think "Oh, they wouldn't help so I will incarcerate him in my shed." Not a good idea. Here I'm discussing what the law says you can do. Anything more revolutionary is out of my scope. Granted, I started with a picture of George Washington who revolted against British rule, but I do not advocate revolution.

When effecting the capture, you could touch the person and must say he/she is being detained until the police arrive.

Canada's Supreme Court in *R v Whitfield* (1969) OK'd the use of reasonable force. *R v Asante-Mensah* (2003) confirmed that the common law of citizen's arrest is still good law in Canada.

The details that follow are taken from Cherif Bassiouni, late Professor of Law at DePaul University: *Citizen's Arrest: the law of arrest, search, and seizure for private citizens and private police*.

Cherif died in 2017. It seems he'd had 40 years to promote the 1977 book and did not do so. I take that to mean it's dangerous – well, in our police state today it sure is. Make a list of the lawless actions in the Marathon case and you will get a sense of the odds. Still, the alternative, doing nothing (please recall the house-to-house searches in Watertown) is pretty ridiculous.

When making a citizen's arrest, if you meet the requirements and hold the person in a reasonable manner, I think a judge will not award damages if the person sues you. Some of the legislation was developed for merchants and hoteliers. Cherif Bassiouni makes only one reference to Massachusetts law –

Chapter 231, Section 94B. See it at MAlegislature.gov:
False arrest; shoplifting; defrauding innkeepers; **defenses:**

In an action for false arrest or false imprisonment brought by any person by reason of **having been detained for questioning** on or in the immediate vicinity of the premises of a merchant or an innkeeper, **if such person was detained in a reasonable manner and for not more than a reasonable length of time ...**

and if there were **reasonable grounds to believe that the person so detained was committing or attempting to commit** a violation of section thirty [etc] or attempting to commit larceny of goods for sale on such premises [etc] **it shall be a defense to such action.**

Pretend the Police Force Is On Strike

Believe me I am aware that people don't want to do this citizen's-arrest thing now. It's very scary given that SWAT teams are known to have no training whatsoever in the Constitution of our dear land. But I want you to get a sense of how **natural** and legal it is for you to do this job.

Bassiouni's book is not an activist handbook; it is a law book that analyzes citizen's arrest. He compares this kind of arrest to the kind done by cops (they're nearly identical). So to get the feel of it, pretend that all your local police are on strike, or have come down with the flu, and you are being asked to do your duty. You'd need to know that you should act, upon receiving a warrant to arrest the person, or if you have reasonable grounds to suspect him.

Professor Cherif Bassiouni says, on page 13:

“An arrest made by a private citizen is as binding and valid as one made by a peace officer, provided that it arises under the authority of the common law or a statute. To constitute an arrest there must be an intent to arrest, under real or assumed authority, accompanied by a seizure, detention, or taking into custody of a person, which seizure is understood to be an arrest by the arrestee.”

OK, so here you are today, needing to arrest someone. As I said, pretend the “real” police – that is the *paid* ones, you are just as real – are in their homes and you are duty-bound to assist society. How? With luck you only have to say to the person “I’m arresting you for such-and-such” and he will be so impressed he will give himself over to your custody.

Be Good to the Arrestee

Before we proceed with the rights, protections, and duties of the arrestor (you), let’s discuss the rights of the suspect.

He has a right to be told what you are doing, and in whose name you are doing it. Of course he has a right to be treated respectfully. He has a right to contact his family and his lawyer. He has a right to physical protection, for example against the elements. Bassiouni’s book doesn’t say this, but you may as well go overboard with kindness.

It seems silly to mention Miranda’s but you might as well cover yourself against having the case thrown out later for your failure to respect everyone’s Fifth Amendment right against self-incrimination. Acceptable wording is:

“You have a right to remain silent. Anything you say can and will be used against you in a court of law.” Note that telling the person what you are doing matters because he’s not allowed to kill you if you are *arresting* him.

Your Right To Use Violence. As for your rights, I say again they came from society’s natural set up. Members of society protect one another. Also it was in the past seen to be everyone’s duty to do so. Bassiouni quotes Blackstone:

“Any private person who is present when any felony is committed, is bound by law to arrest the felon, on pain of fine or imprisonment, if he escapes through the negligence of the bystanders. And they may break open doors in following such felon, and if they kill him, provided he cannot otherwise be taken, it is justifiable.”

The key word is *present* -- you must see the crime happening. If you want to arrest someone merely on suspicion that he committed a crime, you can do it but are not justified in breaking doors, and if you kill the suspect it's manslaughter.

Does it still hold true today? Yes. Blackstone wrote in 1769. The common law under which he wrote still holds in any US state, unless a statute has abolished a particular bit of it. Note: The word *felony* above is distinguished from *misdemeanor*. One way to tell the difference is by the mandated punishment. If it's imprisonment for more than 6 months, assume it's a felony.

Self-Defense. Many state courts have had occasion to rule on the justifiability of killing an intruder. However, that topic is the legality of self-defense, not the role of policing. All people are allowed to attack someone who is about to harm them. Wouldn't it be crazy to be restricted? In Australia the 1987 High Court ruling in *Zecevic v DPP* is reliable precedent:

“The question to be asked in the end is quite simple. It is whether the accused believed upon reasonable grounds that it was necessary in self-defence to do what he did. If he had that belief and there were reasonable grounds for it, or if the jury is left in reasonable doubt about the matter, then he is entitled to an acquittal. Stated in this form, the question is one of general application not limited to cases of homicide.”

In Russia in May 2019 three teen sisters were charged with the murder of their father who had tortured them. It remains to be seen if they are acquitted. They said if they ran away he would catch them. Should the law of self-defense not save them they could refer to the ancient law of **outlawry**.

If a criminal were uncatchable anyone could kill him, in fact all had a duty not to protect him. It was a crime to feed him. That is the law of outlawry. The Russian girls said Dad was uncatchable insofar as they asked police to do it but were told “We *won't* do it.” Where common law applies, outlawry may be used.

Posse Comitatus, Deputizing, Warrants from a Judge

Just to be clear, an arrest is not a citizen's arrest if the authorities have asked the able-bodied citizens to assist. You would be a **public agent** in those circumstances.

As mentioned, the FBI, when it makes an arrest, does so as a citizen's arrest. Feeb persons, constitutionally, have no police power. Frequently, however, they ask the police to deputize them -- and then they *do* act as public agents.

Police sometimes require an **arrest warrant** from a judge to carry out the arrest. You, too, can attempt to secure warrants from a judge. This will make your job easier.

Grand Juries

Now to a crucial matter – **your control** over your state or county grand jury. Running around to catch criminals is a hard job for individuals. So, in our colonial days there were grand juries. *Grand* means 23 members as compared to the petit jury of 12 that can try a case. The grand jury does not try anyone. Rather it calls to the government's attention the need to try someone. **It issues a "true bill" or indictment.**

The Fifth Amendment says: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or **indictment of a grand jury**,...;

The Massachusetts government website mass.gov says:

"Grand Jurors sit with 22 other jurors for a term of several months to consider evidence presented by the prosecutor. Grand Jurors evaluate evidence presented by a prosecutor and decide if it is sufficient to indict (bring a criminal charge against) a person or corporation. The grand jury does not decide the guilt or innocence. It decides if there is probable cause to bring the accused to trial. **The grand jury's work is a pre-trial function of the court.**" [Emphasis added]

That's awful. The grand jury is a prerogative of the people **not the court**. There should always be a grand jury empanelled and you can go to any of those 23 persons to report trouble. Then it is their solemn responsibility to consider indicting. If the "prosecutor" has usurped this function, you should go to court and ask for an injunction against this unconstitutional practice. Please do!

Note: I took the injunction idea from Bill Windsor, a contemporary hero of American law. He has a show called "Lawless America" on Youtube and is at the forefront of many battles for justice. So far, for his trouble, he is in jail. (And he suffers claustrophobia, making it a terrible ordeal.)

Solidarity. We're lacking in solidarity today. We're trained not to trust one another, or to work for the greater good. This chapter has reminded us that the catching of criminals was understood to be the duty of all, for mutual defense. Aren't we in a similar position now to that of 1775? We're oppressed and the question is what to do about it? I think a good first step would be to arrest and try some of the criminals. As soon as people saw this happening, cultural change would be swift.

Leadership. Why did you pick up this book? Why are you bothering to read a chapter on Citizen's Arrest? Probably because you have a leaderly bent. Leadership just comes natural to some people. Reportedly that's true in all societies and eras. Some individuals want to take a responsibility and guide others.

Nice! Welcome. Why not start a small group. Maybe you are good at networking. (I am lousy at it.) In Canada one clergyman Kevin Annett, decided to network internationally when seeking relief for a local problem. He then branched out to form a global judicial system that could counteract child-trafficking. He calls it a common-law court. Members write up the crimes of Mr X, then contact Mr X for his input and if he does not reply, the group issues warrants for anyone anywhere to carry out a citizen's arrest of Mr X. You can do similar re Marathon.

22. APPEALS, PARDONS, CORAM NOBIS, DE-FEDERALIZE



Maret Tsarnaeva, LLM (Manitoba)

One day **Boston will have to correct the errors** made regarding the Marathon trial. Preferably this will happen before the boy dies. In Savannah, Georgia the state made terrible errors in sending Troy Davis to his death in 2011. It's not uncommon. But this is BOSTON. It can't happen here. We won't let it.

Jahar's case is now appealing at the First Circuit court. His appeal has been assigned to three judges there: Juan Torruella, age 86, O. Rogerie Thompson, and William Kayatta, Jr. A range of things could happen. The judges (requiring a majority vote, of two) can **reverse** the decision of the lower court, or **affirm** it.

They can also order a **modification** of the judgment, or they can send the whole thing back to the trial court for a **re-trial**. They cannot declare a **mistrial** as that is something that can only happen before the verdict comes in. After appeal, Jahar can get a habeas corpus hearing. Jose Padilla got one after many refusals.

Pardon. A simple way to correct the terrible error of the Marathon case would be for the US president to grant a **pardon** to Jahar Tsarnaev. I think President Trump should do that right now, and we can sort out the judicial crimes later.

Time is of the essence. Perhaps Jahar is in need of medical attention. He certainly needs some social conversation. And his family needs him. Recall that his grand-aunt traveled to the US, but was not allowed to hug him. **Fathom it.**

Pardon is also the least expensive move for the taxpayer. If, instead, he gets an acquittal he can then sue for malicious prosecution. (How could he fail to win!) The money will not be billed to the malicious prosecutors, unfortunately but to me and thee.

There will be a different money problem for Jahar if he is pardoned, however. Judge O'Toole ordered that he pay \$101 million in restitution to the Marathon victims. I don't know if there is a mechanism by which that can be changed.

Coram Nobis. There is one other possibility, a procedure under English common law that is seldom used. Any person seeing that the court itself was defrauded by a member of the court (judge, prosecutor, defense attorney) can petition the original court for a Writ of Error Coram Nobis. The judge in the original court must look at it and act on it. I sent a coram nobis to Judge O'Toole in March 2016, and never heard back. In May 2017, I sent it also to both houses of the Massachusetts legislature and got no reply. In Document 5 at the end of this book you can see my petition for a Writ of Error Coram Nobis.

This is actually a fairly painless way for the judiciary to get relieved of the complicated problem of Tsarnaev. Once a judge admits that the court was defrauded, the likely thing to do is acquit Jahar. There is high authority in jurisprudence. The US Supreme Court precedent this is the *Korematsu* case, "set aside" in 1984.

In *Bulloch v. US* (1985), the Tenth Circuit Court said:

"Fraud upon the court... is where ...the judge has not performed his judicial function, thus where the impartial functions of the court have been directly corrupted."

In *Kenner v. C.I.R.* (1968), the Seventh Circuit Court said: **"A decision produced by fraud upon the court is not in essence a decision at all, and never becomes final."**

The Appeals Process. In Tsarnaev's current appeal, the paperwork looks to be the same old legalese, dodging the real issues. And although the "government" side of the case will have new

people (Ortiz has retired) and the “Defense” (just kidding) will also see a turnover of personnel, they are still both employed by the government and none have breathed a rebellious word.

De-federalize the Crime and Demand State Jurisdiction.

One other way to re-open the case **is** based on jurisdiction. The Constitution federalizes the crimes of treason, piracy and counterfeiting coin. Thanks to anti-terrorism laws – whose constitutionality has scarce been tested – the Marathon bombing is treated as a federal crime. Also some of the counts against Jahar rely (weakly) on “the commerce clause.” The indictment said:

“Many businesses line Marathon route. In the area near the finish line, businesses are located on both sides of Boylston St including restaurants, a hotel and retail stores.” The feds even invoked Post-Office-use as away to federalize it. For Count 21:

“He used the internet to order electronic components that could be adapted for use in making IEDs, and components were delivered by the US Postal Service to his Cambridge residence.”

And certain guns are federally regulated, hence Count 31:

“[Near] 32 Vassar Street Cambridge, [Jahar] murdered Sean Collier, an MIT Police Officer, by shooting him in the head at close range with a Ruger P95 9mm semi-automatic handgun.”

In 1995, in *Lopez*, Justice Clarence Thomas started to question this sort of federalization of crime. But we can’t get any action on that in time to make a difference in Jahar’s case. I think people should put up resistance to any anti-terrorist laws. They are an insulting trick, invented by people who desire war.

How Jahar Can Go on the Offensive. Jahar can sue under the civil rights law for deprivation of his civil rights, and Tamerlan’s widow, Katherine Russell, can use the same law to sue for his wrongful death, as provided for at 42 USC 242. Going on the offensive could also consist of seeking prosecution of any who have committed Blackstonian crimes in the original trial. There is precedent for prosecuting perjury before a case is adjudicated.

Amicus Intervention. Attorney Jack Graham has tried many ways to get people to pay attention to Jahar’s innocence. In May 2017, Jack wrote to Attorney General Jeff Sessions:

“We are talking here of possible judicial murder by the United States in corrupt judicial proceedings in which the actual innocence of the accused has been demonstrated by evidence tendered by [Maret] Tsarnaeva, and never considered by the jury.”

Graham shows that the death penalty may not be imposed in Jahar’s case, “for all three opinions in *Herrera v. Collins* (1993), allow that the death penalty may not be constitutionally imposed where the accused is demonstrably innocent.”

Graham has faith that the First Circuit court judges are going to be honest as they quickly allowed our amicus submission which they could easily have refused; a private amicus is almost unheard of in a criminal case. And the court knows that the case lawyers will not bring up the plentiful exculpatory evidence. One piece of evidence is Richard DesLauriers' item in the 2013 indictment:

“This morning it was determined that both of the explosives were placed in a dark-colored nylon bag or backpack. The bag would have been heavy because of the components believed to be in it.”

I guess DesLauriers should have been more circumspect! As for Jahar’s ‘confessions,’ Graham notes Sir William Blackstone in his *Commentaries on the Laws of England*, “[E]ven in cases of felony at common law, [confessions] are the weakest and most suspicious of all testimony, ever liable to be obtained by artifice, false hopes, promises of favour, or menaces....”

In a 2018 article published in Denmark, Jack Graham says “The lawyers on both sides of this prosecution did not want the court to know of the decisive exculpatory evidence in the federal district court in Boston, but the First Circuit has reached out and demanded it. I have intervened, because I am an American lawyer, and I want to be proud of the law and proud of my country.” Jack, in his 50th year of practice is, in my opinion, being *normal*.

24. WHAT IS THE ROLE OF A LIBRARY – SUCH AS THE BPL?

(published October 26, 2017)



Open Letter to David Leonard, President of the Boston Public Library, 700 Boylston St, Boston, MA 02116

Dear Mr. Leonard,

Greetings! From my youth I recall the ground floor of the BPL as a quiet, uneventful place. Today (October 23, 2017) it was all hell's-a-poppin,' especially thanks to the WGBH Newsfeed, and activities for readers. Anyone would be uplifted just being there. Congratulations to you and your staff.

I walked over to the “bibliographical assistance” desk and asked the very helpful reference librarian four questions. First, “Do you have a special section of books that deal with ‘Nine Eleven,?’” and second, “Is there a particular section that handles *conspiracy theory* in regard to 9/11?”

She said “Yes, we definitely have a section on 9/11, and I’ll check the catalogue for conspiracy in particular.” She then handed me a paper with the Library of Congress number HV6275 for conspiracy.

Third, I asked “And do you have a place devoted to books about the Marathon bombing?” She typed in “Marathon bombing” and named some titles, such as Michele McPhee’s *Maximum Harm* (I tried not to grimace), and fourth, “May I also have the conspiracy section on Marathon?”

“No, there apparently isn’t a section on that.”

Visiting Section HV6275. Off I went, then, to read your books on the conspiracy of 9/11. I was confident you would stock all nine of David Ray Griffin's well-researched books, such as *The New Pearl Harbor*, (2004), and *9/11 Contradictions: An Open Letter to Congress and the Press* (2008). Griffin is a 78-year-old professor whose earlier books were on theology.

I would have bet money that the BPL also carried Kevin Ryan's well-sourced book *Another Nineteen* – meaning, say, the men who bought United Airlines put options just before the big day. And since Elias Davidsson's *Hijacking of America's Mind on 9/11* is in 770 libraries, I presumed (but erroneously) that the BPL has it. Elias is the fussiest scholar I have ever had the pleasure to know. His *Hijacking* book traces the phone calls from planes on 9/11.

I found the HV6275 section; it's on the second floor under a banner that says "Law and Politics." I was practically salivating. One has to bend down to reach the offending conspiracy books on a low shelf – I didn't mind that but, alas, none of them are investigations of 9-11 truth! They're all about the awfulness of conspiracy theory. For example:

Conspiracy Theories: The Roots, Themes and Propagation of Paranoid Political and Cultural Narratives, by Aaron Gulyas

Conspiracy Theories and Other Dangerous Ideas, by Cass Sunstein [One really must gasp] (5 copies available)

Among the Truthers, by Jonathan Kay (7 copies available).

Believe me, in my day we did not refer sarcastically to seekers of the truth as "truthers." (Was Galileo a truther? Was Luther?) The blurb of Kay's book says:

"From left-wing 9/11 conspiracy theorists to right-wing Obama-hating 'birthers' -- a sobering, eyewitness look at how America's marketplace of ideas is fracturing into a multitude of tiny, radicalized boutiques each peddling its own brand of paranoia."

I'm one of the truthers and am not paranoid. The great authors I mentioned (Griffin, Ryan, and Davidsson) show no signs of paranoia. I don't even agree that they are "peddling" their ideas.

Thus we have name-calling in Section HV6275. Is that OK on the shelves of a big city library? I think it is. I think just about anything can be offered to the readers of Boston. But the number of copies on hand – 7 in the case of Kay's book — makes me think the book was *promoted* by the BPL. If so, why? Or on what grounds was the decision made to skip David Ray Griffin's very compelling account of the problems in the official 9/11 story? Have we become a nation in which it is wrong to say anything about the bad deeds of government? I hope not.

The Homeless. Excuse me for sounding negative, O President. My day today at the Library was very happy. I liked seeing the bedraggled old men enjoying your comfortable chairs upstairs. They weren't even pretending to be reading a book, but no one disturbed them. I had visited the BPL previously this year, on September 7th. I came up to Boston from the Deep South where I had been staying in Motel 6's, while campaigning for a US Senate seat in Alabama.

When I inquired at the BPL if I could get a Library Card, your very courteous clerk asked me for my address. I said "Well, I don't exactly have a fixed address now, I am sort of homeless." He replied without a hint of condescension "All right, if you get into a shelter, come back with the shelter's address and we can use that as your address for a Library Card." I was very touched.

On my way out, I saw, on a sign near the elevator "Rodgers and Hammerstein wrote *Oklahoma* on a table in the Ladies Room." "Oklahoma where the wavin' wheat can sure smell sweet, when the wind comes right behind the rain." I love all that stuff. And I die for libraries.

Thank you for listening.
Yours sincerely,

Mary Maxwell, PhD, LLB

24. THE BRADY RULE, EXCULPATION, AND OMNIA PRAESUMUNTUR *(published January 23, 2016)*



Justices of the Massachusetts Supreme Judicial Court

In 1963 the US Supreme Court, in the Brady case, confirmed the right of an accused to have access to *exculpatory evidence*. In *Brady* there was a piece of evidence on file which, had the defendant been allowed to see, would have given him a better outcome. The Court said:

“We now hold that the **suppression by the prosecution of evidence favorable to an accused** upon request violates due process where the evidence is material either to guilt or to punishment.... **The principle [is] avoidance of an unfair trial to the accused.**” [Emphasis added]

So What Is the Problemo?

The problemo is the fact that the courts are working for “someone else.” Maybe the bad judges are themselves living in fear. Maybe a mafia has threatened to break the bones of their grandkids. I don’t care if that’s what is making judges misbehave -- they must not do it.

They will have to risk their grandkids. Otherwise let them resign from the bench.

In 1990, a perfect case of attorney corruption came up in the federal court in Boston. There was a mobster named Ferrara (also called ‘Vincent the Animal’) who was in jail for murder. He had done a plea bargain to get a 22-year sentence instead of a life sentence. Ferrara didn’t realize there was material *in the prosecutor’s file* that showed another man had confessed to the murder.

Later, in 2008, US Judge Mark Wolf reexamined the situation and said he had to let Ferrara out of jail, animal or not. Wolf put the blame on *US Attorney* Jeffrey Auerhahn for having suppressed the exculpatory evidence, contrary to the Brady rule. A cop testified that Auerhahn knew of Ferrera’s innocence. Yay, cop!

Law, Beautiful Law

So, do we find Attorney Auerhahn in jail today? We certainly should. Obstruction of justice is a felony. I quote federal law at 18 USC 1503, re influencing (or injuring) a court officer or juror:

“(a) **Whoever corruptly**, or by threats or force, or by any threatening letter or communication, **endeavors to influence**, intimidate, or impede any ...officer in... any court of the United States ... or... obstructs ... the due administration of justice, **shall be punished....**

(b) The punishment for an offense under this section is...(3) ... imprisonment for not more than 10 years, a fine under this title, or both.” [Emphasis added]

Now, before you go taking a nice cake to prisoner Auerhahn in jail, let me assure you that he ain’t there. No one brought charges against him, AS INDEED THEY NEVER DO.

Still, we must thank Judge Mark Wolf of the US District Court in Boston, for speaking clearly of Auerhahn’s wrongdoing -- which is, unfortunately, common behavior among US Attorneys.

And happily, the First Circuit Court of Appeals referred to Auerhahn’s behavior as “outrageous,” “egregious,” “feckless” and “a grim picture of blatant misconduct.”

Jahar's Laundry List of Exculpatory Stuff



Any of these should suffice to get Jahar packing:

- *Defenders went to Russia to pressure parents to pressure Jahar.
- *FBI evidence in court is a *black* backpack; Jahar's was whitish.
- *The *Podstava* video rules out a 12:35am Laurel St shootout, as Tamerlan was taken into custody naked, unwounded at 1:05am.
- *Matt Isgur's compilation video has a telltale gap, and it is unimaginable that MIT does not own good quality surveillance.
- *The FBI refuses to say why it swarmed at MIT that afternoon.
- *Sean Collier's cruiser was destroyed within 3 weeks for no reason. This is criminal concealment of evidence.
- * Judge O'Toole withheld from jury that Jahar pleaded *not* guilty.
- *Defender insisted on 'It's him' strategy against accused's wish.
- *Friends who could help the accused were rounded up, put in solitary, and convicted of lying to FBI; some were deported.
- *Matanov was chased around by FBI; he had told of Tamerlan being bearded on Marathon night, *contra* the Boylston St photos.
- *Gun chain-of-custody is risible; Silva was trapped into a drug charge, then freed for giving witness against best friend Jahar.
- *The pencil on the boat wouldn't cut the mustard.

A law student condoning any of the above practices would be out on her ear.

Of course I don't agree that Auerhahn's behavior was "misconduct." It was *criminal* conduct, unless I am having trouble reading the English language. Now, wait till you hear what happened next. The Board of Bar Overseers -- I had never heard of them -- asked for disciplinary action against Auerhahn, to suspend Auerhahn's license to practice law for two years.

So maybe you think the panel of decision makers would be composed of several laypersons and some lawyers? Wrong-o. It was composed of three *judges*. These were: Rya W Zobel, William G Young, and **George A O'Toole**.

They ruled: "*the allegations of professional misconduct have not been proven by clear and convincing evidence.*" [What!] The offending fellow didn't get so much as a 6-month suspension from legal practice.

Harvey Silverglate, a Boston attorney, commented that the judges "HAD TURNED SOMERSAULTS" to let Auerhahn off the hook. He said: "I think it's a rebuke to Judge Wolf and to all of those [who] for years now have been engaged in the never-ending but seemingly futile battle to get the DoJ to turn over exculpatory evidence that can exonerate a defendant...."

Never-ending but seemingly futile? Hmm. Not anymore! Come on, troops. Let's do what must be done here.

"Contra Spoliatorum, Omnia Praesumuntur"

Anything that may exonerate Jahar is exculpatory. If the prosecutor has presented fabricated evidence, that's exculpatory for the accused, *and* it indicates guilty mind in the prosecutor.

An old maxim of law states: *Contra spoliatorem, omnia presumuntur* -- "Against the one who despoils evidence, all things can be presumed." Why would they be trying to frame the innocent? It must be that they are motivated to protect the guilty party.

Do you think I am saying that the DoJ is guilty? Is the Pope Catholic? Does a bear go to the dunny in the woods?

25. HEATHER FRIZZELL FINDS OMITTED EVIDENCE

(published October 8, 2018)



Media wait outside the Moakley Courthouse. Right: Court photo exhibit 3226: Tamerlan Tsarnaev, Viskhan Vakhobov, Abubaker Turshaev

One did not expect that anything new could come from FBI's records of cell phone calls in the Tsarnaev trial. One did not even know there was any reason to go searching. But Heather Frizzell, who has been doing a layperson-investigation for years, had a niggling feeling about it. I think it niggled her into an important find in the case. Actually, two important finds.

Heather's blog is boldly named USvTsarnaev.org. In Chapter 18 we celebrated her efforts to trace the ownership of the gun in the Marathon case, the Ruger P95. She discovered a chain of custody that had a few missing links and/or perjuristic associations.

Tamerlan's Friend. In her October 1, 2018 blog article, Ms Frizzell tells us that there aren't that many Chechens in Boston (when I say "Boston" I mean Cambridge, but don't tell Cantabrigians I said that). Thus, if there is a guy around the block with a Chechen-sounding surname, like Vakhobov, you should listen up.

Right now Viskhan Vakhobov is at the top of Heather's list of SUSPECTS IN THE MARATHON BOMBING. I have to be careful not to accuse him, as that is slander in Australia where GumshoeNews is published. But I don't want to make up a code name such as Brer Rabbit, as Ms Frizzell is eager to hear from Viskhan. Please ask around and see if he will contact her.

So where does the word “suspect” fit in to the ongoing saga of the unfair conviction of Non-bomber Dzhokhar (Jahar) Tsarnaev? Well I am sorry to say that Heather’s theory is that Tamerlan was guilty (though not Jahar). And she thinks there was planning for Marathon Day that involved a few contacts between Tamerlan and the Top-o-the-List Viskhan.

My reason for always assuming that the late Tamerlan was a goodnik, is that I’m stuck in the routine of watching feds make up a terror scenario out of nothing and then blame a patsy. The patsy must subsequently be killed. Tamerlan was killed.

Let's not spar with Heather about a guilty Tamerlan. She is full-on about Jahar’s innocence and her Viskhan Vakhobov (hereinafter VV) material can be a life-saver for our Death Row friend.

Evidence at Trial

VV’s name did come up in the courtroom during Jahar’s lengthy trial, but nobody noticed. Also, the name was whispered once in the lawyer/judge hallway – on record – and Heather of course caught it like an errant ball at Fenway Park.

The matter had to do with Judge O’Toole’s decision not to use any of the data regarding VV. The reason for the hands-off-VV policy? It’s that if VV were called as a witness he may plead the Fifth, and O’Toole would have to allow it.

Hmm. I am not sure what the immunity situation is here. At the famous Lindt Café inquest, when a New South Wales policeman came into the coroner’s court as a witness, the plan was for him to admit having shot dead the hostage-taker Man Haron Monis. I recall Judge Michael Barnes offering him a certificate of immunity before he even took the oath.

As in “Tell it like it is, copper. We need your testimony, and, in exchange, we promise you’ll never be charged with... whatever.” Probably the cop was acting within the rules of engagement anyway, during the Lindt Café siege, but this gave him the all clear. He then boasted of having shot Monis dead.

I don't know if the Boston judge could have brought VV to the stand and "certificated" him. Heather was curious as to whether VV could have refused to answer questions about the Marathon on the grounds that it may incriminate him.

Fifth or Sixth – Which is Stronger?

Thus Heather trekked to the library and found that the Fifth Amendment right of a criminal trumps the Sixth Amendment right of a person to interrogate witnesses. (I suppose she could have saved the trip to the library by asking her lawyer father. Remember Dad Frizzell from the Ruger P95 matter?)

Heather noted from US Supreme Court jurisprudence as recent as 2009, that a VV-type person only gets permission to avoid singing if the court knows that he'd possibly be guilty *on a related matter*. I myself, being as innocent as a lamb, cannot say at a trial "I refuse to answer Marathon questions on the grounds that it may incriminate me" just because I like my privacy. See?

Well this was quite the *Aba* moment for Heather. She has nailed O'Toole with knowledge that there was some involvement of VV in the Marathon bombing, yet has not called him as a witness! As I said, thinking back to Monis's killer in Sydney, maybe the Boston judge could offer VV a certificate, but I'm not sure.

Cell Phones, the FBI, and April 10, 2013

During Jahar's trial in 2015, it seems that an FBI low-ranking employee named Fitzgerald submitted some records of calls made by Tamerlan's phone. And boy did he make a boo-boo. Ms Frizzell notes that the court only requested Tamerlan's calls starting on April 15, 2013 the very day of the Marathon.

That in itself is a bit suspect, wouldn't you say? But helpful ol' Fitzgerald included a demo page on how to interpret cell phone records. He grabbed a random date, April 10, from Tamerlan's life, and don't you know it was Paydirt City for Sleuth Heather. April 10 happened to be the day Tamerlan googled "Boston

Marathon.” Well anybody can google Boston Marathon, but it was also the day he made a call to VV from a particular location.

If I tell you the location was Copley Square, will you get the joke? If you know me, and know my Boston Public Library proclivities, you will say “Wow-ee.” Yes, it means that on April 10th Tamerlan was standing, or walking, near the Finish Line.

[*All faint.*]

If the Knit Cap Doesn't Fit, You Must Acquit

I can't stop to report Heather Frizzell's work about the death of Sean Collier. You may recall her challenging the testimony of Nate Harman, a student at MIT who claimed to have ridden his bicycle past Sean Collier's car. (She rode her own bike there to check out the particulars.)

She has worked on other aspects of the case, including a missing knit cap mentioned by Nathan Harman, and *two bloody golf gloves* found in the accused's abandoned car. To learn the details you will have to go to her website: [www. USvTsarnaev.org](http://www.USvTsarnaev.org).

But I can at least tell you that her excitement about the new phone-call discoveries has something to do with the fact that there was *also* a cell phone purchased in the name of “Jahar Tsarni” – perhaps never in his control, though. The FBI records show that it had some calls on it on Marathon Day April 15, but it then fell silent while Jahar was back at school at UMass.

However, on the famous Thursday April 18 (DesLauriers' press conference, carjacking, Collier murder), there was one call made by the “Tsarni” phone to someone. It was made at 8:17pm. So what? Well, that is two hours and seven minutes before the official time given for the shooting of Collier.

The call was placed to VV, Viskhan Vakhobov.

And hear this from Heather:

“It is important to note, [Prosecutor] Weinreb gives one inaccurate detail – he states the call happened *after* Collier’s murder. However, by the prosecution’s own timeline, Sean Collier was shot at 10:24 p.m. on April 18th.

“With the Vakhobov call coming at 8:17 p.m., I must stress that this is very much *before* Collier’s murder I don’t know whether Weinreb was misspeaking, genuinely mistaken about the time, or being misleading in his statement, but the fact remains: there is no way this call to Vakhobov came after Collier was already dead.”

Heather had to labor to acquire this techie insight. She writes: “Unfortunately, I learned cell phone records are both tedious and ... complicated to go through. Everything comprises of a long list of numbers, and without context given in the trial transcript by the government’s cell phone expert, Chad Fitzgerald, I felt hopeless at determining what it all meant.”

Dad’s daughter needs to win the journalism award of the year just for finding the April 10th phone call that occurred near the Finish Line. But I add a caveat: when we say A phoned B, we are saying a call was made from a phone owned by A to a phone owned by B. The actual caller and callee may have been any human being.

Since masses of stuff points in the direction of the Marathon bombing not being a case of a lone terrorist or even several Muslim friends going jihad, I think the VV calls to Tamerlan (and from Tsarni) are open to other explanation. That whole generation of immigrants does informant work for FBI or CIA.

Still, I'd like to know what Judge O'Toole knew about VV.

And Viskhan, you are lovingly sought by the whole team. Make an appearance! Get a boy out of jail and we might be able to retroactively certificate you!

Even if what you have to say is “dark” or scary, we still need to hear it.

26. DR HULL, TAMERLAN'S DEATH REQUIRES AN INQUEST
(published March 20, 2018)



A typical family at an airport: Jabar, Tamerlan, Ailina, Anzor (the father) and Bella. At right, Tamerlan and his daughter Zharina, 2012

This chapter contains An Open Letter to Mindy Hull, MD, Medical Examiner for Massachusetts, 720 Albany St, Boston, MA 02218. Posted from New Hampshire in August 2018.

Death Certificate of Tamerlan Tsarnaev, R.I.P.

1 DECEDENT - NAME		2 SEX		3 DATE OF DEATH (Mo, Day, Yr)		STATE USE ONLY	
Tamerlan		M.		April 19, 2013			
43 PLACE OF DEATH (City/Town)		45 COUNTY OF DEATH		46 HOSPITAL OR OTHER INSTITUTION - Name (if not in entry, give street and number)			
Boston		Suffolk		Beth Israel Deaconess Medical Center			
5 PLACE OF DEATH (Check only one)			6 SOCIAL SECURITY NUMBER			7 IF US VETERAN	
<input type="checkbox"/> Hospital <input type="checkbox"/> Dispensary <input checked="" type="checkbox"/> DEPARTMENT X00A <input type="checkbox"/> Other (Specifying Home, Office, etc.)			030-86-7784			Specify War No	
8 WAS DECEASED OF HISPANIC ORIGIN? (If yes, specify)				9 RACE (Specify)		10 DECEDENT'S EDUCATION (highest grade completed)	
No				White		12	
13a AGE - Last birthday		13b UNDER 1 YEAR		13c UNDER 1 DAY		10a DATE OF BIRTH (Mo, Day, Yr)	
26						Oct. 21, 1986	
11 BIRTHPLACE (City and State or Foreign Country)		11 BIRTHPLACE (City and State or Foreign Country)					
Elista Kalmykia, Russia		Elista Kalmykia, Russia					
12 MARRIED - NEVER MARRIED, WIDOWED OR DIVORCED		13 LAST SPOUSE (last name of both or address)		14a USUAL OCCUPATION (if any)		14b TYPE OF BUSINESS/INDUSTRY	
Married		Katherine Russell		Never Worked		At Home	
15a RESIDENCE - (In, out and Street, City/Town, County, State/Country)						15b ZIP CODE	
410 Norfolk Street Cambridge, Middlesex, MA						02139	
16 FATHER - (last name of both or address)		17 STATE OF BIRTH (first or full name country)		18 MOTHER - (last name of both or address)		19 STATE OF BIRTH (first or full name country)	
Anzor Tsarnaev		Kyrgyzstan		Zubeidat Suleimanova		Russia	
20 INFORMANT'S NAME		21 MAILING ADDRESS				22 RELATIONSHIP	
Ruslan Tsarni		5 Mastenbrook Ct. Montgomery, MD 20886				Uncle	
23 METHOD OF IMMEDIATE DISPOSITION		24 FUNERAL SERVICE LICENSEE OR OTHER DESIGNEE				25 LICENSE #	
<input type="checkbox"/> Burial <input type="checkbox"/> Entombment <input checked="" type="checkbox"/> Donation <input type="checkbox"/> Other		Ruslan Tsarni				Other Designee	
26a PLACE OF DISPOSITION (Name of cemetery, crematory, or other)		26b LOCATION (City/Town/County)					
Al-Barzakh Muslim Cemetery		Doswell, VA					
27 DATE OF DISPOSITION (Mo, Day, Yr)		28a NAME AND ADDRESS OF FACILITY OR OTHER DESIGNEE					
May 9, 2013		Ruslan Tsarni 5 Mastenbrook Ct. Montgomery, MD 20886					

Dear Dr Hull,

When you were appointed Chief Medical Examiner five months ago (October 24, 2017), you said:

“The Massachusetts Office of the Chief Medical Examiner is made up of a team of tireless and dedicated individuals who are responsible for investigating, documenting, and understanding the unexplained, unattended, or mysterious deaths that occur across the Commonwealth.

Whether it is providing families with closure, evidence to the courts, or a statistical overview of the well-being of our communities... I am honored to be chosen to lead this office and I approach this role with a deep sense of responsibility....”

Dr Hull, I write today to ask you to conduct an inquest into the unsolved mystery of the death of Tamerlan Tsarnaev of Cambridge. He was last seen publicly on April 19, 2013, in Watertown. The law calls for his death to be examined by you.

Massachusetts General Law, Part I, Title IV, Chapter 38, says:

Section 3. It shall be the duty of any person having knowledge of a death which occurs under the circumstances enumerated in this paragraph immediately to notify the office of the chief medical examiner, or the medical examiner designated to the location where the death has occurred, of the known facts concerning the time, place, manner, circumstances and cause of such death: [in the following categories...]

Let me now select only the clauses that may apply to this case

(1) death where criminal violence appears to have taken place, regardless of the time interval between the incident and death, and regardless of whether such violence appears to have been the immediate cause of death, or a contributory factor thereto;

(4) death under suspicious or unusual circumstances;

(7) death in custody, in any jail or correctional facility...

(12) sudden death when decedent was in apparent good health;

(13) death in any public or private conveyance;

(17) death in an emergency treatment facility....

Tamerlan was seen and heard – and there is a good-quality video of this – on Mt Auburn St, Watertown at 1:05am. That was the Friday morning after the Monday when the Boston Marathon took place. He is lying face down on the sidewalk. A cop in a yellow fluorescent jacket is standing over him – it looks as though Tamerlan is being frisked. Tamerlan yells “Podstava.” I am told that this is the Russian phrase for “It’s a set-up”. Or “I’m a patsy.”

I point out that this timing – 1:05am -- proves that the police story that Tamerlan was captured at Laurel St at 12:35am (after a shootout with police) cannot be true. The Laurel St story has Tamerlan very wounded. He could not then be seen a half-hour later as a free man, in an apparently unwounded condition.

A further complication is that a naked man, whom the Tsarnaev family identifies as Tamerlan, was shown on CNN being put into a cop car. The timing of the broadcast of the CNN report is after 1:05 am, possibly around 2am. CNN reporter Gabe Ramirez could verify it for you.

From the above I deduce that Tamerlan was arrested there while lying face down at Mt Auburn St, that he was then stripped of his clothes, and taken away in a cop car. The authorities announced the death of Tamerlan sometime before 6am.

Mandated Categories

I shall now explain why I think the Section 3 categories – some or all of them – may fit the case.

Among your mandates to investigate, I name #7 as perhaps the main one: **death in custody**. Of course I don’t know if he died in that cop car, but if he did, then #13 would be relevant: death in a conveyance.

I reckon #12 is also pertinent: **sudden death when the decedent was in apparent good health**. And if he died in hospital, then #17 comes into play: **death in an emergency treatment facility** (unless that excludes general hospitals – it seems Tamerlan’s body went to Beth Israel Deaconness).

As for #4: **death under suspicious or unusual circumstances**, my suspicion is aroused at the very least by the fact that there was no Inquest done, as the law demands. That is, Tamerlan's death was officially described as having occurred partly as a result of police (self-defense) gunshot and partly as a result of being run over by a car. Wouldn't this call for an inquest?

On April 25, 2013, your predecessor as Medical Examiner, Henry M Niels, MD, PhD, signed the death certificate of Tamerlan Tsarnaev. He listed the cause of death as GUNSHOT WOUNDS OF TORSO AND EXTREMITIES AND BLUNT TRAUMA TO HEAD AND TORSO.

In the section marked "Describe how injury occurred," Niels wrote: SHOT BY POLICE AND THEN RUN OVER AND DRAGGED BY MOTOR VEHICLE. Of course the Medical Examiner can't be the original provider of that information – he only saw the body after the dragging, not while it was happening. But I think he should have seen from the condition of the body that "shot, run over, and dragged" was unlikely to be how the death – of the real Tamerlan -- really occurred.

Also the place of death is given as Beth Israel Deaconess Medical Center. When did he arrive there? At what moment did he – supposedly – die in hospital? The death certificate says 1:35am. Thus he allegedly survived his wounds for an hour after the alleged Laurel St shootout.

Was It the Wrong Man?

The fact that Tamerlan's uncle Ruslan Tsarni is listed as the "designee" for disposition of the body makes me think that the man about whom the death certificate was written was in fact Tamerlan; a relative would notice if the corpse was of a stranger.

Yet, having read the police report of the shootout at Laurel St – which formed the testimony on March 16, 2015 at the federal criminal trial of Dzhokhar (Jahar) Tsarnaev -- it does seem that "a mistaken set of brothers" was involved in the shootout.

[Note: If so, they must have been chosen as "disposables"!]

To say again, I assess the video of Tamerlan on the sidewalk at Mt Auburn St, as valid, and so does his family. I can't see anything wrong with it. It is popularly known as "the Podstava video."

If the authorities want to argue against the validity of the Podstava video they should indeed argue against it, but they ignore it. So please assume – just for the moment -- that Tamerlan did get arrested at 1:05am on Mt Auburn St.

Who, then, was the man reportedly arrested, wounded, on Laurel St? And what happened to *him*? That is not a matter I wish to take up in this letter, but it does look like a mysterious death, fitting into Category 1: death where criminal violence appears to have taken place. (There was not only alleged use of a gun but of pipe bombs at that location – crimes for which the brother, Dzhokhar, was convicted and is on Death Row.)



*"Leaked" mortuary photo. Tamerlan Tsarneav, RIP
(Perhaps the picture is photo-shopped; I don't vouch for its authenticity)*

Officer Reynolds' Testimony at Jahar's 2015 Trial

I shall now quote, abridged, the lengthy testimony of Watertown policeman, Officer **Joseph Reynolds**, in Direct Examination by Mr Steven D Mellin for the Prosecution. I've added bolding at what seems interesting points:

Q. What did you do? A. At that point my only defense was my cruiser. I didn't want to exit. I didn't think it was a good vantage point for me. So what I did was I ducked down behind my dashboard, I threw the cruiser into reverse, and I backed up about 30 yards. Q. After you backed up, did you get out of your car? A. Yes. Before doing so I notified dispatch that we had shots fired. "Shots fired." Q. At that point in time, had anybody else come on the scene? A. **I was still alone at that time**, yes. Q.

What did you do? A. I exited my driver's side door and I used that as cover. And I was exchanging gunfire with Tamerlan, I believe. Q. You said "Tamerlan, I believe." What do you mean by that? A. Well, Tamerlan was still from cover. So **it was Tamerlan that was shooting at me at that time.**

Q. Where was he located in relation A. At that time he was still beside his driver's side door as cover. All flashes. ... Q. Okay. What did you do? A. At that point Sergeant MacLellan had left the vehicle in neutral -- or drive, and it continued to drive down Laurel Street towards the suspects. Q. With the car rolling down towards the suspects, what happened? A. I came out from cover behind my driver's side door. I was ... of car does he have? SUV, a Ford Expedition. ... using the rear of his cruiser, and **I was walking down the street continuing to fire at the two suspects.** Q. What was Sergeant MacLellan doing? A. At that time -- I had not realized at that time that he had exited his cruiser and he had **ran into the side yards** of one of the residences ... on Laurel Street. Q. As you're using his car now as cover, what do you see in front of you?

A. I could see muzzle flashes at that point. Q. Where were the muzzle flashes? A. Coming from behind the black Mercedes? Q. At that point in time, were you able to tell who was shooting? A. No. Q. What do you actually see? You see muzzle flashes. What else? A. I could see muzzle flashes. And at that time I saw Sergeant MacLellan run into the side yard, so I followed him over there to communicate what he wanted. Q. When you followed him to the side yard, describe what that side yard looked like. ... A. It's a very narrow area. There's a small tree that we were using for cover. There's bushes, a white plastic fence. Q. So are the **two of you taking cover** behind one tree?

A. Yes. Q. What happened as you were doing that? A. We continued the gun fight with the two suspects. Q. Again, can you describe for us exactly what you see happening at that point in time? A. I could see two men. I could not distinguish who was

who. I could see muzzle flashes. As well, I saw a lighter being lit and a wick being -- what looked **like a wick burning**. Q. And when you saw that wick burning, did you see something happen with that item? A. I saw -- I didn't see who threw it, but **it was thrown towards** myself and Sergeant MacLellan.

Q. What happened to that item? A. **It landed in the middle of Laurel Street and exploded**. Q. When it exploded, what did you do? A. At that point I ran back into -- to get more cover behind the houses. Q. At the time that you are seeing these muzzle flashes and this gunfire, are both of the suspects behind that black SUV? A. Yes, sir. Q. But you can't tell who is shooting? A. No. No.

Q. And **you don't know who threw that first pipe bomb**? A. I do not. Q. And then what happened when you went around to your vehicle? A. Again, it was a long gun battle, approximately eight to nine minutes. **They had thrown, I believe, three more -- four more bombs** -- or three more pipe-bomb types. **I could see those being lit** and being thrown at us as well as taking gunfire.

Q. Did all of those explode? A. No. Q. Do you recall how many exploded? A. I believe two exploded. Q. Two more? A. Two more were exploded, yes. Q. Now, when you said they were being thrown at you, could you tell who was throwing them? A. No, sir. I could not. Q. What happened after that? A. Then as we were still in their yard taking gunfire, of course, I could see -- I didn't see who threw it. **I saw it coming through the air**, but I saw a larger-type bomb being thrown at us.

Q. When you say you saw a larger-type bomb, what -- can you describe what you saw? A. **It was a cylinder**, almost like a big **cooking pot**, a big pan. Q. What exactly did you see? Did you see it in the air? Did you see it being thrown? What did you see? A. I could not see it being thrown. I saw it coming through the

air at that time. Q. At that point in time, **where were the two suspects?** A. They were still **behind the front of the Mercedes.**

...Q. What did you do after that? They were still behind the black Mercedes. Q. During these eight or nine minutes that you were engaged in this earlier gunfire..., what did you see the suspects doing? A. **I could see them ducking down underneath -- behind the Mercedes.** That's about all I could see. They were coming in and out of cover. Q. Could you estimate about **how many rounds were fired in the direction of either you or Sergeant MacLellan?** A. For eight minutes it **felt like it was hundreds.** ...

[The Capture of "Tamerlan"]

Q. As Sergeant Pugliese approached on the side and you were shooting from straight-on, what happened? A. At that point Tamerlan had come up from cover, and I believe he was in the driveway of one of the residences there. And **he was exchanging gunfire with Sergeant Pugliese,** at which point I came out from cover, I started walking down the street. I had a good visual on him, so I got down on one knee and I started -- attempting to strike the suspect. Q. By shooting him? A. Yes. Q. Okay. Why did you abandon your more-secure position?

A. I believe I had a good shot on him that I could end the threat.

Q. Okay. Do you know what the other suspect was doing at that point in time? A. I could not see. Q. You came out, Sergeant Pugliese is engaging him in gunfire, and you're shooting at Tamerlan Tsarnaev? A. Correct. ... **Tamerlan started running towards this officer, towards me.** Q. Towards you? A. Yes. Q. Okay. As he started to run towards you, what did you do? A. At that point I saw Sergeant Pugliese chasing him, so I holstered, I started running down the street, and **that's when Sergeant Pugliese tackled him from behind.** Q. When the defendant's brother started running at you, how far was he from you? A. Probably about 30 yards.

Q. At the time that he was tackled, how far were the two of you apart? A. From when he was tackled, **about ten yards**. Q. When he was tackled by Sergeant Pugliese, what did you do? A. Sergeant MacLellan had come from where he was located, and we all, the **three of us, tried to subdue Tsarnaev** -- or Tamerlan. Sorry. Q. When you say you tried to subdue him, how did you try to do that?

A. **He was wrestling with us and we were trying to gain control of him so we could get handcuffs on him**. Q. Were you able to do that? A. No, not at that time. Q. Why not? A. He was a big kid. He was wrestling with us. We just weren't able to control him at that time. Q. At some point did you hear a car rev up? A. Yes, sir. Q. What happened?

A. At that point we were wrestling with Tamerlan, and **all of a sudden I could hear an engine revving** and, you know, come closer to us. I screamed to the guys, I said, "Get off. Get off. He's coming back towards us." Q. When you said "he's coming back towards us," what was coming back towards you? A. The black Mercedes was aiming right at us. ... Q. What did you do? A. I pulled my gun out and **I attempted to shoot** the operator of the vehicle. Q. Were you successful? A. I don't know if I hit him but I know I hit the windshield. Q. Did the car stop? A. No.

Q. What happened? A. The next thing that happened was myself, Sergeant MacLellan and Sergeant Pugliese, we all kind of dispersed, and Sergeant Pugliese **attempted to pull Tamerlan off the road, or off -- out of the way of the vehicle**. Q. Was he successful in doing that? A. Negative. Q. What happened? A. He was **ran over** by the Mercedes. I remember being -- I was very close, maybe seven to ten yards away. **I saw Tamerlan get run over, get stuck in the rear wheel well**. He then kept going and **ran over his brother**. Q. Do you know who was operating the Mercedes at that point? A. It was Dzhokhar. Q. And for the record, do you see him in court today? A. Yes. Q. Can you identify him? A. **Him** (indicating). -- end of Reynolds excerpt

Punishment for Silence

As stated earlier, Chapter 38 Section 3, states the Massachusetts law on inquests. It even makes it an offense to fail to *report*:

A physician, police officer, hospital administrator, licensed nurse ...or licensed funeral director, who, having knowledge of such an unreported death, fails to notify the office of the chief medical examiner of such death shall be punished by a fine of not more than five hundred dollars. Failure will also be reported to the appropriate board of registration, where applicable.

Dr Hull, I am an outsider. I had no part to play in the events of April, 2013 and I am not a relative of the deceased. I am what we call in Australia, a stickybeaker: I nose around. Yet as a US citizen I am entitled to know if the law is being followed.

The death of *Tamerlan* was not adjudicated by any judge or jury. It was handled in a courtroom only as *incidental* to the charges laid against the younger brother, Dzhokhar. As far as I can tell, the police report of a Laurel St shootout has gone unexamined. Yet it is highly problematical – and may well involve the death of an as-yet-identified person.

What Can Be Done

I have met the sergeant who was in charge of the area that night, John MacLellan. He strikes me as honest. Would you please question him as to the basis for his knowledge that the man he and Officer Reynolds and Sgt Pugliese engaged with on Laurel St, is Tamerlan?

Please do any and all other things that you can do in fulfillment of your obligations. One of the jobs you mentioned is to give closure to families. There are members of the Tsarnaev family who do not have closure about this. Quite possibly they consider it dangerous to write to you. I do not consider it the least bit dangerous. The law protects me, and you, very clearly in this matter.

Thank you, Dr Mindy Hull.

Yours sincerely, Mary Maxwell

27. CONSPIRACY THEORY



Jeff Campbell of the MBTA Transit Police and team tells Anderson Cooper on CNN:

“I did see a throat injury. To me it looked more like a knife wound.”

I’ve tried to avoid contaminating my book with “conspiracy.” Granted, I pin the Marathon bombing on the FBI, but by *demonstrating the falseness of the court case*. I can’t stand the woo-woo variety of conspiracy and I lack resources to disprove the facts.

Pictured above is a SWAT man saying Jahar was wounded by a knife after leaving the boat. There is a conspiracy theory that an FBI man, Christopher Lorek, intervened to save Jahar’s life and then himself was murdered in a “training exercise” in which he and Stephen Shaw fell from a helicopter on May 17, 2013. The fact of the fall from the helicopter was officially announced. But was Lorek, as claimed, near Jahar at the boatside on April 19, 2013? I don’t know. But Jahar’s neck wound is documented.

Similarity of Terrorist Attacks and Paucity of Investigation

My preferred way of checking on a terrorist story is to read the court case. If lawyers violated due process, their word is not credible. Some serious scholars take a different approach, by comparing cases worldwide.

The most diligent investigator is Elias Davidsson who has been hailed for his proof that the bombing of hotels in India was not done by Pakistanis. On the next page he expresses his skepticism

about an attack in Paris. This is from Davidsson's multilingual website Juscogens.org, as abbreviated by GumshoeNews:

Paris, November 2015. The attackers came by car. What became of that car? When did police and special forces arrive to the Bataclan? Why did it take more than two hours to assault the attackers at the Bataclan? What did the police do in these two hours? Did any independent person witness the police's assault?

Why did they insist that three attackers blew themselves up and one was shot dead, if the next day this figure has changed? Who witnessed the circumstances in which the attackers of the Bataclan died? Why has the situation been described as "hostage taking"? Why did the attackers fail to kill their "hostages"? Did the attackers speak French without accent, as claimed by witnesses? Who from the police negotiated with the attackers, as mentioned by witnesses, and about what was negotiated?

Did anyone really blow himself up outside the Stadium? Are there any independent witnesses? Who issued bomb threats earlier in the day? Who was shooting from the window of the Bataclan on the outside, as experienced by *Le Monde* journalists?

Why were weapons left in the car in Montreuil? **Will the police release the CCTVs from the attacks that it is currently examining?** From where did the attackers obtain weapons, explosives and cars? How could the police immediately identify the type of explosives used?

What did the Procureur de Paris mean when he said that five terrorists had been "neutralized"? Were they killed? What was the origin of the IS communiqués? From where were they sent? How is it possible to authenticate these communiqués? What is their telephone number and email address?

In regard to Boston, there are claims that a mercenary group, Craft International, was a major player on Marathon Day. You can see many videos on Youtube that show several men in Craft uniform (khaki pants, black baseball cap with logo) standing

around the Finish Line after the bombing. I am unable to check them out. Jahar's defenders should at least have subpoena'd Craft to ask if the black backpack features their logo. (Yes, it does.)

The Victims

Many have raised doubts about the Marathon's victims. I print, below, four one-page items relevant to judging their validity. The first dates back to 1962, and is known as the Northwoods Memo. It shows how the Pentagon Chiefs were proposing to pull off a fake plane crash – *complete with fake funerals*. The plan was to blame it on Cuba. President Kennedy nixed it.

The second is contemporaneous with the Marathon, dated April 2013. It is a piece of bureaucratese that I was able to find on the Homeland Security website. It asks for volunteers to play the role of wounded victims *and bereaved relatives*. The proclaimed justification is that this helps train soldiers and first responders.

The third item is written by Cesar Baruja, MD. (I abridged it). It is a letter he sent to President Trump stating his belief that Jeff Bauman was already an amputee before the Marathon.

The fourth page is a media report of what two doctors said at Jahar's trial about the autopsies of two of the three fatalities of that day: Lingzi Lu and Krystle Campbell. But are they honest?

Allow me to mention the Pat Tillman case -- a football star who was shot by friendly fire at such close range that he had bullets in mid-forehead. The doctor who did the autopsy refused to sign, probably because he was told to sign lies. That doctor is my hero.

I've read books by three Marathon amputees Rebekah Gregory, Roaseann Sdoia, and Jeff Bauman. None settle the matter for me, but Jeff's claim that he told the ambulance driver he made eye contact with the bomber had got to be considered a fantasy.

And in July 2019, Boston erected sculptured lampposts near the BPL to memorialize Krystle Campbell, Lingzi Lu, and Martin Richard. Seriously, what is the point of that?

The Northwoods Memo -- March 23, 1962

For: the Secretary of Defense

... Joint Chiefs of Staff are to indicate brief description of pretexts, which they consider, would provide justification for US military intervention in Cuba.... **World opinion, and the United States forum should be favorably affected by developing the international image of the Cuban government as rash** and irresponsible, and as an alarming and unpredictable threat to the peace of the West...

[We can]: a. Sabotage ship in harbor; large fires, naphthalene. **Conduct funerals for mock victims...** c. Commence large-scale ... military operations.... A "Remember the Maine" incident could be arranged in several forms... 4. We could develop a **Communist Cuban terror campaign in Miami area, and even in Washington...** We could sink a boatload of Cubans en route to Florida (real or simulated).

We could foster attempts on lives of Cuban refugees in the United States even to the extent of wounding in instances to be widely publicized... C-46 type aircraft could make cane-burning raids at night. **Soviet Bloc incendiaries could be found...** 7. **Hijacking attempts** against civil air and surface craft should appear to continue as harassing measures condoned by the government of Cuba

8. It is possible to create an incident, which will demonstrate convincingly that a Cuban aircraft has attacked and shot down a chartered civil airliner en route from US to Jamaica.

a. **An aircraft at Eglin AFB would be painted** and numbered as an exact duplicate for a civil registered aircraft belonging to a CIA proprietary organization. **[It] would be loaded with the selected passengers, all boarded under carefully prepared aliases.** The actual registered aircraft would be converted to a drone. b. At precisely the time that the aircraft was presumably shot down, **a submarine or small surface would disburse F-101 parts, parachute, etc.**

Signed, General LL Lemnitzer [All emphasis added]

Homeland Security Department Waiver Form 68

FEMA Homeland Security Emergency **Exercise**, April 30, 2013

1. The day will be long and tiring. You need to be at the site by [time], and you will probably not finish until after [time]. If you have any health concerns or medical conditions, please tell [Actor POC] before the start of the exercise. Health or medical concerns will not necessarily disqualify you from participating.

2. If you are not age 18 and are not in the military, parental permission is required to participate.

5. Be on time! Please do not arrive late. It is difficult to begin the exercise if actors are not in place. Volunteers transported to hospitals will be given a snack before being returned to the exercise site.

6. Wear layers of old clothes, clothes that can be removed and a bathing suit underneath. Wear clothes that you do not mind getting wet, dirty, stained, or torn. Jewelry will be removed during the decontamination process, bagged, and given to you to carry through the decontamination line.

7. There will be no place to keep personal belongings. Bring your driver's license, keys, and a sense of humor. Do not bring cameras, jewelry, items you don't want to get wet, large sums of money, or uninvited friends or volunteers.

8. Don't overact. When you arrive at the exercise site, you will be **assigned an injury** or role and will be briefed about your roles and what will happen during the exercise.

If you are assigned the role of a psychologically distressed person, please act upset, not out of control.

9. If you get hurt or have a real problem, say "This is a real emergency" to tell exercise staff you are not just acting.

On behalf of [Agency/Jurisdiction] and all of the participants in the exercise, thank you for volunteering. Our community will be better prepared to face challenges in future. [Emphasis added]

Dr Cesar Baruja Questioning Victims' Wounds

Dear President Trump,

August 18, 2017

I am writing to ask you for a reinvestigation of the Marathon Bombing that occurred on April 15, 2013. I believe Dzhokhar Tsarnaev, is innocent and well-deserving of a pardon ...

There is a video showing that Tamerlan Tsarnaev was alive in custody at first, according to an eyewitness. And how could Dzhokhar, severely wounded in the boat, have written a "confession" with such neatness on the glazed boat wall?

In regard to some of the medical anomalies ... The blood did not appear from genuine victims. It appeared on account of the crisis actors who poured fake blood around the crime scene. Ben Nye Moulage kits or the similar appear to have been used.



Now, let's consider Jeff Bauman (if that even is his real name). I concur with Dr. Loraine Day that nobody with an injury that "severe," as purported by the mainstream media, would ever be wheeled in a wheelchair because such a patient would have experienced too much blood loss.

I agree with the late Stanley Monteith MD, that Jeff Bauman should have been in "profound shock" in light of the severity of his purported injuries as described by the mainstream media.

Tourniquets were not applied to both legs appropriately to clamp off the blood supply. Bauman "healed" too quickly after his "injuries". Just 19 days later, he was at a Bruins hockey game.

Thanking you for your anticipated careful considerations into this matter, I am: Respectfully, Cesar Baruja, MD, US citizen

Jurors Heard Doctors re Deaths. March 31, 2015. **Per CNN:**

Katherine Lindstrom who performed Lingzi Lu's autopsy, said she found two shards of metal in Lu's legs, and a third, larger piece that slashed into her leather purse. Metal and other debris, including pellets and small nails, were embedded in Lu's body....

The femoral artery and vein were severed, causing her to bleed to death on the sidewalk "relatively quickly, from seconds to minutes." A friend, Danling Zhou, told jurors she tried to calm Lu although she was seriously injured herself and holding her abdomen to keep her organs inside.

"I saw she's yelling. I can't hear, I can only see she's yelling.... It's hard to look at because everybody's injured. I look at her leg, and I think it's better than the man in front of me because he doesn't have a leg anymore. I think she is fine."

Jennifer Hammers, who performed the autopsy on Krystle Campbell, said the death was a homicide caused by blast injuries to the legs and torso. She said it probably took less than a minute for Campbell to bleed to death on the sidewalk. Several jurors cried and others appeared upset on Thursday as they were shown graphic photos of Campbell, who was standing in front of Marathon Sports on Boylston Street near the finish line when the bomb placed by Tamerlan Tsarnaev exploded.

Hammers explained how the homemade bombs maim and kill. The initial injuries came as a result of a shock wave from the blast: Campbell's tongue was bruised from being forced against her teeth, the femur of her left leg snapped and the bones in her left foot were crushed. "The seams of her blue jeans were pressed into her body with such force, they caused bruising," Hammers said. The top of her right arm was burned. She had "big, gaping holes in her legs," Hammers said. The gashes were as large as 10 inches.

A pellet the size of a BB was embedded in her ear, and metal fragments were found in wounds that penetrated her muscles. "Miss Campbell passed away because she lost a significant amount of blood in a short period of time," Hammers said.

28. LOVE AND AMNESTIES

About Ben Adhem, may his tribe increase, awoke one night from a deep dream of peace, and saw within the moonlight in his room, an angel writing in a book of gold. Exceeding peace had made Ben Adhem bold and to the presence in the room he said "What writest thou?" "I write the names of those who love the Lord." "And is mine one?" said Abou. "Nay, not so." "Then write me as one who loves his fellow men." [-- Leigh Hunt]

I have two friends in distant parts of the world who keep telling me "Love is the answer." They feel that being good to one's fellow man is just as normal – or *more* normal – than being cruel.

I agree that altruism is among our species' instincts. It's been shown that the practice of kindness releases opioids in the brain. Per Darwin, altruism is adaptive. There must be a need for it – as everyone with enlightened self-interest realizes!

We also have tons of selfishness, and are at every moment calculating how to get what we want, usually subconsciously. Selfishness is a good thing; it makes us independent. If we couldn't look after ourselves, we'd hand it over to a boss. Yuck.

I hate it when one side says humans are innately good and the other side says humans are innately bad as if the two were mutually exclusive. That exclusivity is pernicious. The lovey-dovey types fail to contemplate what is really going on; they won't see the evil so they can't help us fix it. Meanwhile, the "no hope for humanity" crowd is just as useless.

So let's ask how to bring the good part to the fore. I advise the reader: Don't go by me! I lean too heavily on the idea of punishment – as was seen in Chapter 9. It's not really because I get off on punishment. It's more that I find it unnerving to see so many

sins going untagged as sins. A few truth-commission sessions could restore the balance on that!

In this chapter, I exhort: don't throw away all that is available in the human heart. Nailing the baddies is a minor task. Finding ways to combine the goodwill of society, and get on with the human project – whatever that may be – is more important.

Amnesties Galore

To kickstart that, I recommend bestowing as much **amnesty** as possible on those who have gone astray. It would help if we offer forgiveness and warmth to them and try to win them over. (Naturally that has *strategic* merit, too. The weirdo's are well equipped to harm us. We want them to quit their further plans.)

If we offered them a better life – one they've never even been aware of as an option – we would be exercising our own rather dormant love capacity. Every person has it in him to reach out to others with kindness.

For one thing, the way we're wired, each individual can imagine himself in the shoes of any other person. Terence, in first century Rome, said: *Homo sum, humani nihil a me alienum puto*: "I am human, therefore nothing human is alien to me."

Even the worst that our torturers have done, *you* could almost certainly develop a taste for doing. Or – and this may be what happened to them – you could be hypnotized into doing it.

The sinners may even have been taught that wrong is right! There seems to be a lot of that going around. Have you heard of the "elitist" Aleister Crowley in England whose sole moral guide was the phrase "Do what thou wilt is the whole of the law"? You really can't beat that for a full sweep-out of the virtues.

Right now my money is on *amnesty*, as I don't see any other way out of the mess we're in. Take the case of the Tsarnaev trial -- people of high and low rank have got invested in the status quo.

An Amnesty Is Not a Pardon

Your library sometimes offers an “amnesty” for folks harboring overdue books. “Return the books by June 5, we won’t charge a fine.” The motive is that the library needs the book more than it needs to enforce the law. I say we need our wayward government people back more than we need to punish them.

Under an amnesty scheme no one gets charged with a crime. In 1868 President Johnson forgave all the rebels of the civil war, i.e., the Confederates. (I think he did it because if cases went to trial it may have emerged that secession was not treasonous. Yay!)

On January 21, 1977, Jimmy Carter, on being inaugurated president, granted a pardon by proclamation to “all persons who may have committed any offense between August 4, 1964 and March 28, 1973 in violation of the Military Selective Service Act” -- that is, draft evaders of the Vietnam War.

I think that was an amnesty, not a pardon, as they had never been charged. Carter also pardoned “all persons *heretofore convicted*” for that same offense. In 1974, President Ford pardoned Nixon “for all offenses committed against the US” – without naming them!

Per the Massachusetts state constitution, the governor cannot pardon someone who has not been tried. Note that the Massachusetts legislature passed a tax amnesty bill in 2015, a bit like the library fines-forgiveness. Persons who hadn’t filed a tax return could do so and pay no penalties. (They’d owe interest.)

Let’s say the governor today, wanting to heal the state after 5 years of Marathon disease, offered an amnesty to Carmen Ortiz and Dun Meng (if Meng had perjured). I think it would require an Act by The General Court (as the Massachusetts legislature is called). You can see also that there would be some nice turf war. Since the Tsarnaev trial was a federal one, how dare the state say the felons could go free? I think the state should try it, and grab back some power that was wrongly appropriated by the feds!

All in the name of love, of course.

29. DISBAR ALL LAWYERS, IMPEACH ALL JUDGES (*published January 31, 2016, updated November 13, 2018*)



Bill Clinton, suspended from legal practice for 5 years (while president!) for perjuring about Monica Lewinski, and was also impeached

As a thought exercise, this chapter will imagine that “society” could now make a change in personnel. It could remove from the bar and the bench all those persons who do not have a deep sense of Rule of Law.

Disbarment of Attorneys

Every state has a licensing board for professions, such as nurses, accountants, and lawyers. If members act unethically, you can bring a complaint to the relevant board and ask for action.

The board will tell the lawyer to stop doing that thing -- such as over-charging, or will call her before a panel for a hearing. The *complainer* will not be present at the hearing, unless called as a witness. The lawyer may get a reprimand (always published), or a suspension or revocation of the license to practice. The Code of Ethics of the American Bar Association warns against:

1. Failing to file papers on time for the client,
2. Communicating privileged information, or
3. Participating where there is a conflict of interest.

Massachusetts has adopted Rule 8.4 (e) which says it is misconduct if a lawyer “**engages in conduct prejudicial to the administration of justice.**”

There are two watchdogs for the professional ethics of lawyers in Massachusetts. One is the BBO -- Board of Bar Overseers, the other is the Attorney and Consumer Assistance Program of the Office of the Bar Counsel. I hereby open-letter to both now:

Dear Guardian of the Legal Profession in Massachusetts,

I must bring to your attention an urgent matter. A man is in jail following a conviction, where his Public Defenders did not allow him to present a Not Guilty case. They chose a strategy of saying that his brother was the mastermind and he the follower – but in fact he is innocent. His case occurred in 2015.

In 2018, the US Supreme Court ruled in *McCoy v Louisiana* that an accused must not be subjected to such strategy against his will. The Massachusetts man, Dzhokhar (Jahar) Tsarnaev, was convicted of the Marathon bombing. He deserves to find out about *McCoy* but his defenders will not open that possibility.

They are presently constructing an appeal for him on the same grounds of his “guilt” to which they are committed. I ask you to disbar them – William Fick and Miriam Conrad. That is the only way the barrier will drop and the client will learn his rights. He is in federal prison under SAMs. Only his parents can talk to him and they have agreed, under pressure, to silence.

I will now tell you of the most egregious behavior by William Fick. The public does not know about this – yet – but they will. In regard to his being a Public Defender for Tsarnaev, Fick – along with California judge Judy Clarke – visited Russia 13 times before the trial.

Why? The following was revealed by Jahar’s aunt Maret Tsarnaeva who was present on one of those visits: She said, in an affidavit that is now on file in court, that the defenders’ visits were for the purpose of getting the boy to accept their services which he was rejecting. They finally persuaded the Mother to write a letter to her son advising him to accept the “Defense Team.” The parents were pressured to do so by a threat from Fick et al. The

affidavit says: “They warned that, **if their advice were not followed, Dzhokhar’s life in custody near Boston [Ft Devens] would be more difficult.**”

Also, wrote Maret Tsarnaeva, the aunt: “Dzhokhar’s parents expressed willingness to engage independent counsel **Mr. Fick reacted by saying that the government agents and lawyers would obstruct independent counsel....**”

According to Maret she suggested at one of the visits that there was a rumor of another person having done the bombing and that this should be looked at. Judy Clarke said to Fick “Yes let’s do that, Bill.” He then got **angry and red-faced and said “No.”**

Another stunning affront occurred toward the end of the trial. After both sides’ summing up, a judge reads his instructions to the jurors. He tells them what law they are to apply. He tells them what standard of proof is required: “beyond reasonable doubt” in criminal cases “balance of probabilities” in a civil case.

He tells the jurors that *they* are the judge of a witness’ credibility.

Naturally he must remind them of how the accused has pleaded – Guilty or Not Guilty. In Jahar’s case, as is the custom, the prosecution sends the judge its suggested jury instructions. This paper is then circulated to the defense, for addition, correction, etc. It is up to the judge to make the final choice of words.

In Jahar’s case Prosecutor Carmen Ortiz sent in her wording on February 27, 2015, in Document 1098:

“The indictment charges the defendant with multiple counts of possession and use of a firearm during and in relation to a crime of violence, and it alleges in some of those counts that the crimes resulted in the deaths of Krystle Marie Campbell, Officer Sean Collier, Lingzi Lu, and Martin Richard. Finally, the indictment alleges that the defendant carjacked and robbed an individual who has the initials D.M. **The defendant has pleaded not guilty to all of the charges.**” [Emphasis added]

Then the *defense attorney* Judy Clarke offered a correction to that Jury Instruction. In Motion 1101-1 on March 2, 2015, we see that she wrote an ending exactly as follows:

Finally, the indictment alleges that the defendant carjacked and robbed an individual who has the initials D.M. The defendant is presumed innocent of all charges, and the Government bears the burden of proving each and every element of the charges beyond a reasonable doubt. ~~The defendant has pleaded not guilty to all of the charges.~~

She crossed it out. Did Judge George O'Toole obey her? Yes. Really, the mind boggles. And it didn't happen in just any city. IT HAPPENED IN BOSTON.

I ask you to disbar any member of the Defense team or Prosecution team who holds Massachusetts licence to practice law. As is described in my book *The Soul of Boston and the Marathon Bombing*, both sides were in cahoots. This is horrendous and it must stop. Thank you.

Yours sincerely, Mary [not actually sent, this is an Open Letter].

But, Dear Reader, you could send such a letter or call “the Attorney and Consumer Assistance Program” Tel 617-728-8750. Will you please? It couldn't hurt and it might help.

The Laws Be Faithfully Executed

Please realize that we have an extremely serious problem here. The US Constitution gives the president the duty of protecting us via law. Article II, sec 3 says

“He shall take care that the laws be faithfully executed.”

But over a period of three decades we have seen *government lawlessness* become culturally “normal.”

The only antidote I can think of is for the citizenry to insist on a return to the great principles of the past. Sir William Blackstone catalogued, in 1769, the laws that fight against misuse of the law. Blackstone lists crimes that harm the law itself. He understood that the **law is vital to our survival.**

Impeaching a Judge

Who can hold a Judge accountable? One of my mentors (whom I never met) was the late Sherman Skolnick, the founder of the Citizens' Committee to Clean Up the Courts. He managed to get many Illinois judges put behind bars – no mean feat!

One thing about Skolnick that seems to distinguish him from most other people is that he didn't think a judge was above the law.

It's natural to assume that men in semi-sacred roles should be treated more reverently than the rest of us. But look at the US Constitution. The Framers of this design for a new nation were extremely careful about making government accountable. They gave the House of Representatives the sole right to impeach. To impeach is only to accuse (from Latin *impedicare*, to catch).

If the House votes Yes by simple majority, the case then goes to the Senate for "conviction." Note: Clinton was impeached, but the Senate did not convict him. A 2/3rds vote is needed.

Most Americans think impeachment is only for presidents, but it's for any officers appointed by the US, e.g., judges, military officers and *US Attorneys*. Congress can impeach any of them.

It is dreadful to forget the sacred role of judges as impartial, non-ideological, and independent. The media constantly predict the outcome of Supreme Court cases according to whether the conservative or liberal members will win!

I think there should be a wholesale purge of judges. (Remember President Reagan's purge of the striking air-traffic controllers?) Nearly all judges in the last few years have acted against the Constitution. The people have the constitutional power to act.

Accordingly, on November 5, 2018, I sent the following letter to Massachusetts members of the House of Representatives. I attached suggested text for each of the proposed five articles, which appear in Appendix K of this book.

Dear _____,

November 13, 2018

Concerning: Impeachment of a federal judge, George A O'Toole, age 71, of the United States District Court for the District of Massachusetts

Greetings! I am writing to all Massachusetts Representatives and members of the House Judiciary Committee to ask you to start impeachment proceedings during the 115th Congress.

Article III, section 1 of the United States Constitution says "The Judges... shall hold their Offices during good Behavior." And Article I, section 3, says "The House of Representatives... shall have sole power of impeachment."

I suggest five articles of impeachment of Judge George A O'Toole, as drafted on the attached pages. To summarize:

1. He gave illegal instructions to a jury
2. He suppressed a shocking affidavit
3. He met with jurors *ex parte*
4. He ignored a petition for a Writ of Error Coram Nobis
5. He gave the nod to Public Defenders' betrayal of their client.

I find it my duty to try to get Judge O'Toole removed from the bench. He upset the constitutional balance of power by siding, in at least one case, with the Executive branch, i.e., the prosecutors, who were themselves acting deceitfully and with outrageous scorn for the law. To have **such unbridled power in government** is dangerous for all, as the Founders well knew.

In US history, fifteen judges have been impeached, of whom 8 were convicted, 4 acquitted, and 3 resigned before trial.

None were from Massachusetts. The states are: CA, FL, IL, KS, LA, MS, MO, NH, NV, TN, TX. The fact that Florida had 3 may reflect diligence on the part of citizens. **Overall, Congress's use of the impeachment power is too sparse**, given that wickedness abounds in courts today and everyone knows it. The most recent impeachment was in 2010.

In the 1993 case of *Walter Nixon v US*, the US Supreme Court held that when the Senate tries a person who has been impeached, there can be no judicial review. Any cause, “even a coin toss,” (said Judge Souter in dissent) can enable conviction.

I became aware of Judge O’Toole’s lawlessness when writing a book, *The Soul of Boston and the Marathon Bombing*, which critiques the 2015 Tsarnaev trial. I’m one of the *amici* in Mr Tsarnaev’s appeal, but that is wholly separate from this impeachment request; our amicus brief does not mention the judge.

Yours respectfully,

Mary Maxwell, PhD, LLB [contact details provided]

A judge who retires gets to keep his salary for life. The salary for US District Court judges is presently \$202,000. If a judge is impeached (which is the only way a federal judge gets forced out), he or she does not get any further pay. If *convicted* of Blackstonian crime, I don’t know what happens pensionwise.

UPDATE: A couple of weeks after I mailed the letter to 39 members of the House Judiciary Committee and the 9 members of the Massachusetts delegation, I received the whole box back, with a note asking for a \$8.00 fee or the mail room’s work.

Instead of sending it again with \$8, I quickly mailed the 9 letters in individual envelopes to the Massachusetts representatives. It is a state delegation’s duty to start the impeachment of a federal judge in their state.

However, the year 2018 was ending and thus the session of Congress ended. I presume, any pending requests died on the vine. I will now try again to alert members of Congress to the need to impeach judges who are working against the people.

I still have faith in the law and the Constitution.

30. WHAT'S A BOSTONIAN TO DO NOW?



Samuel Adams and Faneuil Hall “Cradle of Liberty”

Southie, *presente*. Brookline, *presente*. Malden, *presente*. Roxbury, *presente*. Meffia, *presente*. Natick, *presente*. Lynn, *presente*. Norwood, *presente*. Beacon Hill, *presente*. North Andover, *presente*. Quincy, *presente*. -- Etc. You know who you are!

Thank you for reading this book. Or if you came here to this concluding chapter to begin with, welcome aboard.

Chapter 2 was about *fear*. Chapter 9 called the FBI onto the carpet. Chapter 15 said please go visit *prisoners*. Chapter 16 asked the Governor to *defend the state*. Chapter 17 zoomed in on what used to be Boston's proud *newspaper*. Chapter 19 named *martial law* as a motive for Marathon bombing. Chapter 21 encouraged *citizen's arrest* and self-defense.. Chapter 23 expressed a modicum of adoration for *libraries*. Chapter 28 proposed that we consider *amnesties* on a broad scale today. Chapter 29 recommended we *disbar lawyers* and *impeach judges* (my fave).

Most chapters showed the Tsarnaev trial for the mockery that it was. **It cannot be allowed to stand.** Tales of other serious incidents were sadly allowed to pass into history *uncorrected*. Look at the photos on the next page. You could be pardoned for blushing when you realize this monstrous trial happened here.

Have you formulated any plans as to how you will tackle the issue of the 2013 Marathon bombing? Let me know!

The Most Blatant Insult of All

Residents of Watertown, Massachusetts may have a keen sense of having been insulted during the home-invasive manhunt. (I was told that some were asked to stand in their yard for hours.) There may be many fantastic insults that we did not hear about. I am going to describe one now, as the end of this *Soul of Boston* book. It concerns a video of Jahar dropping the backpack on Boylston St.

The video was made by *National Geographic*. The full show is called “The Hunt for the Boston Bombers,” but I am referring to a portion of it called “White Hat.” Since I was living in Australia in 2013-2018 I did not see it, but it was played over and over in US pre-trial 2015. I’ve seen it now. Like wow!

Let me describe it. It appears to be a very grainy film from a surveillance camera. But you can discern a boy of Jahar’s general looks: right build, right nose, right curly hair. This boy is jostled by the crowd in front of the Forum Restaurant. He is getting ready to plant that lethal bomb.

I guess if you were in the TV audience you would have no doubt that you are looking at the famous bomber. Indeed the



narrator says so. But is not Jahar. It is Alexander Karavay, as *National Geographic* openly admits in the film credits. The credits state that “Boylston St,” mocked up for the movie, was filmed in Phoenix Arizona.

So far, there is nothing wrong with that. We go to movies all the time. We know that the scene we see of a historical event is a re-enactment. But in the White Hat video, there are *real* law enforcers being interviewed as if they are watching actual footage of Jahar on Boylston St. on April 15, 2013. The

governor, Deval Patrick, speaks as if it the real thing, as does the Boston FBI man Sallett, as does a state cop.

In my opinion this and this alone is enough to close out the case against Tsarnaev. This is blatant deception. We can't live like this. You can't tell the people that you have a movie of a man doing a crime when you don't have it.

A Student Prize for the Best White-Hat Essay

Dear Students of media or communications at 10 Boston-area colleges: BC, Bentley, BU, Clark, Emerson, NE, Simmons, Stonehill, Suffolk, and UMass Amherst. I am offering a prize of \$1,000 for the best 1,000-word essay on What Should Be Done about the White Hat Video?

In it, FBI man DesLauriers says: "It was a video [meaning the real surveillance video?] that showed a crowd that was watching the Marathon and we identified one individual in that crowd."

But *as DesLauriers is talking*, he is showing the Karavay video! Why not show the real one if it exists? Sallett says "There is no magic bullet to get the identity of this man." What a joke. The Tsarnaev family was definitely known to FBI, for years.

Deval Patrick says "It was chilling ... to try to imagine what kind of person enables that kind of destruction of innocence." You really have to hear Governor Patrick's sickening tone of voice to get the idea. Please find White Hat on Youtube.com.

Student, you must be studying journalism in some sense. Your entry to the "contest" must reach me by November 30, 2020. I shan't give any guidelines. My judgment will be final. If nothing fabulous turns up, no prize. But surely it will. I am dearly looking forward to hearing from you. My email address is MaxwellMaryLLB @ gmail.com. Go on, get started.

Thank you!

What Are the Odds against Us?

What are the odds of Jahar winning his appeal? At the moment (August 22, 2019) they are nil, since the Defense Team is still not acknowledging any aspect of the fakery of the case.

So in looking for ways to get an acquittal or re-trial we are dependent on the citizenry “seeing the light.” It would especially help if a prominent person would speak out about the case.

There is no point operating on silly wishful thinking. The reality is (as far as I can estimate) that the odds against us are huge, as the folks who arrange such things as a bombing of a Marathon are unscrupulous and very well-armed.

Let me call that *Problemo Uno* – there is an array of powerful humans who like to hurt us (their power owing largely to their acting in concert, and acting in complete secrecy until recently).

Problemo Dos is the ubiquitous mainstream media such as CNN and the Murdoch press that fills us up with information and can control culture, education, and science as well as entertainment. So, what the media want us to believe, we end up believing.

Problemo Tres is quite a different matter. It’s people’s unwillingness to have the media story corrected. You could almost say that people are so desperate to avoid contemplating the scary fact of *Problemo Uno* – the existence of bad forces -- that they would beg the media, if necessary, to make up a fantasy world.

I am counting on Bostonians to be different, given how many gifts we have been blessed with over the years.

I am glad that the Powers That Be thought so little of us that they were confident Boston would keel over like everyone else.

Now’s our chance to show off. Boston can give those pathetic ne’er-do-wells the shock of a lifetime.

It only takes *your strength*.

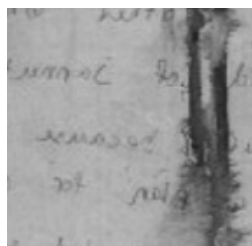
THE FULL CASE AGAINST JAHAR, IN PICTURES:



BLACK backpack at Boylston St.



Exhibit 724: "proves" Tsarnaev brothers at MIT to kill Collier ??



Jahar uses 'Howie's' gun, steals at ATM, is happy he did it.



Laurel St shooters march into the headlights -- as any fugitive would?

A RATHER PITIFUL CASE, EH?

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Appendix A. My Memory of the Manhunt,

by “The Zoologist.” GumshoeNews.com. January 4, 2018.

The Marathon event has burdened my life. I became a party to it – well, not a participant but a close-up spectator – simply because I live near the action. On the day of the Marathon race, April 15, 2013, I wasn’t ready to doubt what I heard on radio or TV, but **when Thursday the 18th rolled around, things were beginning to look pretty dubious.**

And, like everyone else in the Greater Boston area, **I received a robo call** from the government telling me **to stay home** on Friday. That call arrived at 6am on Friday, the day of the manhunt for Dzokhar (“Jahar”) Tsarnaev.

Which would be worse, I now wonder -- if the entire official story were true, or if it were false? I suspect the latter. That’s because **I believe it probably *is* a false story -- and I feel nervous and discouraged about it.** It’s one thing for a criminal to be a criminal. It’s another thing **for your persons of authority to be criminals.**

New Reports. For those of us sitting at home, the network TV program was interrupted around 11:40pm on Thursday, April 18th. Local news announced **an armed robbery in Cambridge and the shooting of a security guard at MIT.** Later we heard he died. We then heard of a theft of an SUV, a mad chase to Watertown, and the **use of guns and explosive devices.** But – and this now seems odd – at no time did they say that they were chasing the bombing suspects that had been shown to us at 5pm.

As I recall it, the TV coverage showed one guy spread eagle on his tummy, dressed, alive, looking up and looking around. He looked scared, and **he did seem to resemble Suspect #1.** At 2am I turned off the TV and went to sleep. When the robocall woke me up on Friday at 6am, I turned the TV on again. There was a press conference from Beth Israel, with someone, **possibly a chief of staff, reporting that Suspect #1 was brought to ER that morning, almost DOA.** They tried revival for 15 minutes,

but no response. I've now learned the name of #1 – Tamerlan Tsarnaev, who died at age 26.

By my count, it was 5 hours between seeing that suspect on the ground and hearing that he had showed up at Beth Israel, DOA. Two different reasons for his death were circulating: 1) He died in the crossfire during the escape to Watertown. 2) He died when his brother ran over him, while trying to flee in the SUV, dragging his body for a while before bolting from the SUV and disappearing into the night.



Amazing Watertown scenes of a police state, photo'd on April 19, 2013

I [zoologist] heard Chief of Watertown Police give the story to Wolf Blitzer. From this point, stories were wildly spinning in the Media and the giddy population. I decided to create this journal “in real time” to catalog anything that deviates from what seems to be the official story. Here are early comments I jotted down:

No details have been provided on the circumstances surrounding death of MIT security guard — other than that he was sitting in his car. “Coincidentally”, he is a friend of the officer who was shot in Watertown, now recovering. A photo is circulating of them graduating from police academy together. Dzhokhar is now reported **with a wound in his neck**, cannot talk, the Mayor said he may never talk again. Oh? How convenient. Will he also lose the ability to write?

The **mother said that Tamerlan called her this week, said the FBI contacted HIM, saying he was a suspect in the bombing**. FBI denies this of course. The mother said FBI has been contacting them repeatedly for years. **Could the FBI have told them to be on the scene because they were needed to**

help with a possible hit? The driver of the stolen SUV has not surfaced, and he was not killed, on this “one last killing spree” (to quote Chris Wallace).

My Journal for the Period April 23-25. (As written on the day or as recollected a day or two later): **I heard on WRKO morning radio, a bulletin asking if anyone witnessed the shooting of MIT security guard, Sean Collier.** The bulletin provided location and a time window. Remember, Collier’s death has already been attributed to the Tsarnaev brothers, as the kick-off event of their Thursday night violence spree.

My read: they have nothing to link Collier’s shooting to the brothers, OR, **they want to make sure no one has any conflicting information that will dispute** the “official and original story”. You can really stir up a crowd by saying “cop killers are on the loose”, and that was exactly the mood in Boston/Cambridge/Watertown last Thurs-Fri [April 18-19].

The video that was released last Thursday at 5pm shows Dzhokhar with a GREY backpack, not black, as required to match the detonated backpacks. Someone reported that a photo exists of him leaving the scene with this backpack. (I have not seen it.) **The photo of him placing the backpack** near a victim has not been circulated, but is supposedly the key evidence implicating him in the bombing.

Otherwise, everything is still hearsay or circumstantial. Yesterday it was reported that the brothers were on food stamps, section 8, scholarships, etc. Today Governor Deval Patrick has blocked release of any more information about public support “for privacy reasons”. But it begs the question, how did they buy all the hardware, and trips to Russia....

A confession has been reported from Dzhokhar, but there have been no photographs or evidence of his communication.

Supposedly he cannot speak. **No writing samples have been shown. Message seems entirely controlled by FBI.**

Yesterday it was reported that a judge showed up, unannounced, to “mirandize Dzhokhar”. Judge was sent by Eric Holder. Today Dzhokhar is **being transferred from Beth Israel to Fort Devens, because “the bombing victims are uncomfortable with his presence in the hospital”.**

Both brothers are being lynched in the talk show/web media, called things like “speedbump” and “flashbang”, and worse. Conflicting stories on Tamerlan’s death remain circulating. The official one seems to be he died “in crossfire”. **But I heard every word of Wolf Blitzer’s interview with the Chief of Watertown Police [Ed Deveau] who said he was run over by his brother, who dragged him for 40 yards.**

A woman called talk radio, claimed she was on the scene, and saw a police car run over Tamerlan. The self-congratulatory police press conferences continue. The college school records of Dzhokhar were reported, with him failing a majority of courses, including two in chemistry. His college mates regarded him as a party guy, pot head and dealer.

Comment. I have this to say in regard to the reactions of one’s friends, neighbors, and possibly even one’s family: **It is disheartening to feel isolated and be called a conspiracy theorist** or some other term of disparagement.

Note: I did not continue to keep the journal after this.



“Suspect 2, Suspect 1”

Appendix B. Boston Area Law Schools Mission Statements, by Mary W Maxwell. GumshoeNews.com. November 22, 2016.



Suffolk, in the heart of Downtown

Boston College, in Newton

One may wonder where the well-paid law professors stand on the issue of the Tsarnaev trial. If you have a son or daughter looking for a law school, I suggest you write to some of these prestigious persons and see how they feel about the Marathon travesty.

There are 56 professors at Boston College Law School, a Jesuit school, and 77 at secular Suffolk. All phone numbers are listed on their websites. If you get in touch with some of these professors, in regard to Jahar's conviction, please let me know.

Faculty members have special expertise in, say, the rule about destroying evidence, or the ethics of pressuring an accused's family. They may offer guidance as to how jurors evaluate a witness who changes his story serially.

There are whole books on those topics. It could well be that alumni of BC and Suffolk, including judges, may want to come forward with their position on the Tsarnaev "trial." Below you will find the mission statement for each of the two schools. A faculty member today could re-read the mission statement and see if there is any fit.

I'll give statement of other schools also -- Boston University Law, New England Law School, Western New England Law, Massachusetts School of Law, and Harvard Law.

Boston College Law School Mission Statement

We search for opportunities to instill in our students the moral and ethical application of law. Our commitment is to foster new insights through research, to impart knowledge and to **critically evaluate the role of legal institutions.**

Suffolk University Law School Mission Statement

Leveraging our location in the heart of Boston, our faculty, staff, and alumni work together to provide a student-centered experience. This diverse community builds on its dedication and excellence in education and scholarship to empower graduates to be successful locally, regionally, and globally.

Note: the above mission statements can't hold a candle to what **Northeastern Law School** promises on its website:

“Our mission — to fuse theory and practice with ethical and social justice ideals.... [We help] reflect critically upon law and its impact on individuals, enterprises, and communities. We value intellectual inquiry, critical thinking, vigorous exchange and testing of ideas.

We are devoted to the pursuit of social justice. We believe we have an obligation to advocate for individuals and groups who are underrepresented, less powerful or less economically secure domestically and abroad.” [Holy cow!]

Mission Statement of New England Law School

[We are dedicated to]: (1) preparing students to be successful lawyers and leaders in the public and private sectors through integrated practical, theoretical, and **ethical education of the highest caliber;** and (2) contributing to the improvement of American, foreign, and international legal systems **through participation in the debate over the fairness and efficacy of those systems,** research and publication, public service, and other work that **further the interests of justice.**

Mission of Boston University School of Law

Our mission is to be a leader in the teaching and study of law. We aim to prepare students for the ethical practice of law around the globe at the **highest levels of quality and integrity and to serve the public interest...** In our scholarship, our goal is to provide the profession, the academy and the general public with ideas, perspectives, and analyses that **enrich a comprehensive understanding of the law**, adapted to the needs of a changing world.

Massachusetts School of Law Mission Statement

Our mission is to provide an academically rigorous affordable legal education **emphasizing ethics, advocacy, leadership**, and professional skills. MSLAW provides an education to tomorrow's leaders in law, who seek to contribute to their communities. **Lawyers have substantial influence in our society.**

Harvard Law

Our mission is to educate leaders who contribute to the advancement of justice and the well-being of society.

(I note that Harvard faculty is understood to be heavily CIA. Harvard's president Derek Bok actually complained to Congress about the representation of secret CIA in the university faculty. The reason it's a problem is that "No man can serve two masters.")

Western New England University Law, Springfield, MA

We attract students who are passionate and entrepreneurial, and driven by a desire to right social injustice, fight for equality for all, and preserve the rule of law at home and abroad.

Well, there ya go, law students. Plenty for you to do even now while you are still pre-professional. And it's fun, fun, fun!

Note: I can be reached at: MaxwellMaryLLB@ gmail.com

Appendix C. Marathon Tolls the End of Literary Fiction,
by Alarcón Flix. GumshoeNews.com. April 14, 2016.



Dante's Divine Comedy: The Inferno

When I learned that aspects of the Marathon bombing are pure fiction, my first thought was that the professional writers of fictional stories in English language should sue the US government for interfering in their profession! I'm a writer of fictional stories in Catalan -- 11 completed books, mostly unsold.

I am, or was, a compulsive reader, mainly of fiction. When I was 14, I had the card number 100 of the public library in my town, a city of more than 50,000 people. (Even the number 100 is high; they didn't accept my first request submitted before age 14). Eventually I became a registered user of many public libraries in Europe.

I have read most of the Greek classics, such as Aristophanes, and Latin ones of Petronius, Ovid, etc. I have read most of the representative books of the entire field of literature. I can read Catalan and Spanish (ancient and modern), some ancient Latin and Greek, Italian, a little of French, and now also English — thanks to Jahar Tsarnaev.

I have read all of Dostoyevsky. I felt outraged when I finished reading the hundreds of pages of *The Brothers Karamazov* and then, asking at the library for the continuation, was told that when Dostoyevsky died he left the book unfinished. How could any writer die while writing such a great work! Dying shouldn't be

allowed to inspired artists! Weren't the geniuses immortal? I thought it was irresponsible to leave the reader in the middle of such intricate theological doubts and arguments as he did!

Of course I've read Dante several times, in three languages, the richest translation being the one in Catalan. I've read all of Kafka's oeuvre. His *Metamorphosis* is, in my opinion a book infinitely less decisive than *The Trial*, which inspired me to write an article in defense of Jahar.

I confess that I've even indulged in pieces by Ralph Hornsby and Corin Tellado! I mean I'm the kind who will read anything printed in a book or similar. But since the Boston hoax, I stopped reading fictional stories — and writing them. Despite my **media exposure** being low compared to others (as I haven't seen TV for many years), I got to the point where I felt saturated with bad and bizarre fiction.



Els escriptors en llengua catalana també estem plantejant-nos accions judicials contra I mitjans de comunicació oficials per saturar el públic amb ficció de sèrie B disfressada d'informació. (Catalan writers plan to sue official media for their saturation of the public with grade-B "fiction.")

Media's lack of contact with reality, and particularly the toxicity of the Marathon case, maimed my once notable capacity for digesting reality through written fiction.

Why would anyone read Kafka when we find every day kafkian arguments in our newsfeed? Why would anyone read Orwell

when we are living in an already Orwellian world? Why read Dante when we have on the news a Dante scene of people without legs, with all the falsification of a case against Jahar. Why would anyone be interested in any story by a really talented writer of fiction when our entire reality has been subverted to become a bad fiction?

Our **intelligence has been mistreated** to the point where we are unable to distinguish fiction from news (or if you're still able to distinguish it, you're not allowed to point out the difference).

Then you have no other option than to stop buying “real fiction” because you are being force-fed “fictional reality.” That’s the reason I think that **writers of fiction in English should sue the US government for professional interference** by their promotion of the lies of the Marathon.

It is thanks to Jahar that I’ve had to learn English. I look forward to talking with him one day when he gets freed.

Postscript from Montse: The strange thing is that people who see the videos of the faking of injuries still believe in the possibility of the coexistence of both fake and real victims on the ground. They believe it *as an act of faith like believing in Santa Claus*.

The fake victims perfectly identified as such remained on the scene after the police “controlled” the situation. They acted with complete freedom, with no interference from law enforcement and even with their active collaboration.

No police in the world would support the staging of fake victims in a place where there were real victims. The fact that we have some official “victims” identified as fake is reason enough to state safely that there weren’t any real victims.

Muchas gracias to Montse Alarcón Flix for providing, in Document 4, the Spanish version of the affidavit sent by Jahar’s Aunt. She has also posted a copy in Catalan at the website GumsboeNews.com. Email her at: mairu.gore at gmail.com. – MM

Appendix D. Shakespeare Quoted at Jahar’s Sentencing,
by Julie Fehr. GumshoeNews.com. February 3, 2016.

[*A bawling out from north of the border –MM*]



To the Judge: Your meeting with jurors is grounds for a mistrial.... You not only did a grievous injustice to Dzhokhar Tsarnaev, you also harmed so many ordinary people. People who had never had any dealings with a court of law. People who were keen to follow the trial, but who soon found out that what was being called justice in this case, did not in any way resemble the justice system they used to know.

It was illegal for you to have any *ex parte* communications with the jurors. The First Circuit court held in 1981 in *United States v Flaherty*, that “*ex parte* communications between the judge and jury create a presumption of prejudice and violate both Federal Rule of Criminal Procedure 43(a) and the sixth amendment.”

This is what you illegally said to them:

“You and I are in this together. **We’re on the same side here.** Our side is justice. Our job is to be as fair and impartial as we possibly can, and I know you all can do it because I have seen jurors over the years do exactly this. So that’s really all I have to say except, finally the Supreme Court of the United States has a very interesting tradition. Before they go out on the bench to hear argument and before they conference a case, they all shake hands with each other, and **I thought we’d do that** because **we’re now teammates.** I’m going to go around and you can do it. (The judge shakes hands with the jurors) We’ll see you bright and early and start our project.” [emphasis added]

How could you refer to yourself and the jurors as being on a team. Surely you, “the learned judge,” know that a jury is not a “team”! The judge and jurors have distinctly different roles and are certainly not a “team.” The judge and jury are not “teammates,” are not “in this together,” and are not starting a “project.” That is, unless you consider trying to procure a death sentence for a 21-year-old a “project.” You shock me!

But I was far more shocked by the words you uttered at the sentencing phase of this case. June 24, 2015 was sentencing day for Dzhokhar Tsarnaev. You and your “teammates” could now bask in the death-sentence result of your “project.” Your team had won. This is what you said to the jurors on that seemingly happy and proud occasion for you:

“I take this occasion again to thank the now-former jurors for their exceptional service.... Their careful verdict satisfies me that they did what they were asked. Theirs was not the only possible verdict, but it is certainly a rational one on the evidence.”

You call their decision a rational one? based on “evidence”? What evidence? A few grainy, tampered-with videos that don’t identify any cop-killers, and show no one dropping a black backpack, the lack of any fingerprints of the defendant on the bombs or anything else, the lack of “radicalization” in any text or tweet Jahar ever wrote? That is a hollow meaningless remark, Mr. O’Toole (I can’t bring myself to say “Judge.” Pardon me, I am over-the-top with anger.)

This is what you had to say to Dzhokhar:

“One of Shakespeare’s characters observes: “The evil that men do lives after them. The good is oft interred with their bones.” So it will be for Dzhokhar Tsarnaev.”
--

So it will be for you, Judge O’Toole, not for an innocent young man. The corruption that you perpetrated at this sham trial in your quest to have a 21-year-old killed, that is what will live long after you. That will be your legacy. You said to Dzhokhar:

“Whenever your name is mentioned, what will be remembered is the evil you have done. No one will remember that your teachers were fond of you. No one will mention that your friends found you funny and fun to be with. No one will say you were a talented athlete or that you displayed compassion in being a Best Buddy or that you showed more respect to your women friends than your male peers did.”

I don't know whom you think you are speaking for here. Don't ever think that you are speaking for decent people in the US and around the world. Dzhokhar will be remembered for the good he did in his life, for being a peaceful, loving person, who was heinously condemned to death by a corrupt trial.

You said:

What will be remembered is that you murdered and maimed innocent people and that you did it willfully and intentionally. You did it on purpose.”

What will be remembered about you, Mr. O'Toole, is that you conspired with others to conduct a corrupt trial and that you did it on purpose. You referred to Shakespeare's tragedy *Othello*, in which the evil Iago tries to justify his malice.

You noted that in Verdi's opera *Otello*, Iago sings “Credo in un Dio crudel,” “I believe in a cruel god.” You said:

“Surely someone who believes that God smiles on and rewards the deliberate killing and maiming of innocents believes in a cruel god. That is not, it cannot be, the god of Islam. Anyone who has been led to believe otherwise has been maliciously and wilfully deceived.”

Well said, just as you, Mr. O'Toole, have maliciously and wilfully deceived those who sought justice in this case.

You feel so victorious over this case, but it's far from over. It's just beginning, and thank God, the rest of it will be without you. This motion, highlighting your ex-parte colloquy will be sent to

every lawyer and judge in Boston, and every media outlet as well. I wonder what your peers and others will think of you?

Finally, I want to scream about the ‘festivity’ that surrounded the sentencing of Jahar. The jury handed in their vote on May 15, 2015, but the judge – whose name I can’t even bear to say anymore – picked June 24 as the day of the sentencing! I suppose that was so he could plan his theatrics.

One of the theatrics reflects back on his mateship with the jurors. (I wonder if he did this to cover his arse in case the still-secret-meeting he had with them would come out in the wash — as indeed it has!) Here is what What’s His Name said at the “show” on June 24th:

The Boston Globe – God forgive them – reported:

“Tsarnaev becomes the first terrorist condemned to death ... in the post-9/11 world [for] the bombings that killed three, took the limbs of 17 others, and injured hundreds more. Throughout the proceedings, the lanky 21-year-old showed no remorse. US Attorney Carmen M. Ortiz told reporters shortly after the verdict was announced, “Our thoughts should now turn away from the Tsarnaev brothers for good.”

Hold on, Madame Prosecutor, just a minute there! Some of us are definitely not turning our thoughts away from the brothers.



Julie Febr lives in New Brunswick with her lovely daughter (above). Julie Febr’s marvelous book on the Tsarnaev situation will be published soon.

Appendix E. DeSalvo the Boston Strangler, My Foot
by Mary W Maxwell. GumshoeNews.com. November 2, 2017.



In 2013, Bostonians got conned regarding the Marathon story, but it wasn't their first experience of this. It also happened in the 1960s. I was 15 in 1962. Going out at night had no particular fears associated with it. We'd walk to Wednesday night choir practice, or whatever, without our parents even saying "be careful."

What was there to be careful about? In a Catholic parish you knew everyone and there weren't any killers. After the first Strangler episode we probably did not change our way of life, but by the sixth strangling, or so, we had learned to stay indoors.

Choir stopped having evening rehearsals. Really, community life declined. I guess that was one of the intended outcomes. Another was training us to believe that there really are weirdos who will do anything. Let me briefly compare the Boston Strangler con job to the Marathon con job. I'll show that the media had a field day, the trial was an Inside Job, and that both men were killed in custody.

Media. The media dragged members of Tsarnaev's family thorough the mud for months. The venue was that of a great icon – the Marathon race, there were numerous amputees and subsequent hero stories. The story of the brothers' growing up in Russia and getting radicalized could be speculated on endlessly as

there were no investigators to counteract it. As for “the Boston Strangler,” he was just a concept for a while. The media dragged the concept through the mud. All the police had to do was describe how each of the women’s bodies was found. Some had nylon stockings wrapped around their neck, one had a broom handle in her vagina. The victims tended to be old, which was a new twist on “perving.”

After Albert got outed, the media could dig up unlimited stories about the failures of his family. For instance, he was caught stealing as a child and was sent to Reform School. Later, his wife became frigid “resulting from the birth of their deformed child.” (Oh really?) Then there was the very hubba hubba story as to how Albert knocked on doors, told women he was looking for models and “measured” them for outfits.

Once Boston “learned” (wrongly) who had done so much harm, the script team had to fill months of newspaper accounts of how such a person could exist.

Court Case

There is a striking similarity between the court cases of Tsarnaev and DeSalvo. In Jahar’s 2015 trial, the defense team did all it could to see that exculpatory evidence did not see the light of day. They amazingly did not cross-examine witnesses whose tales were laughable.

Most importantly, the defender, Judy Clarke, told the jury that Jahar was guilty “It was him.” The public naturally thought her client had pleaded guilty, that’s what I thought myself. But no, he didn’t. And in her summing up she did not even ask the jury to return a verdict of innocence.

DeSalvo had a famous lawyer, F Lee Bailey, age 32, an ex- Marine who had been in newspapers and magazines for defending Sam Shepherd in a sensational trial. It would be hard to get the public to be sympathetic to DeSalvo, and thus the lawyer could dispense with all the standard protections of the accused’s rights without

constitutionalists jumping up and down. Not unlike Clarke, Bailey arranged for Albert to be presented as guilty (by the *defense*). He did this by cutting a deal with the prosecution: Albert would be tried for something other than the murder of those women, and at the trial it would be “mentioned” that he had confided to a fellow prisoner (George Nasser) that he was the Strangler.

Setting the Stage

I wonder if the Marathon planners had someone else in mind to be the bomber, as it looks like they did rather little to plant seeds of the “badness” of Jahar and Tamerlan Tsarnaev. No journalist has ever sounded congratulatory in describing Tamerlan’s athletic achievements, but neither have they been painting the boys as criminals or mental cases.

It seems obvious to me that Albert DeSalvo was chosen early on to be set up for some newsworthy crime. Just before he left the Army (he was in from 1948 to 1958), he was accused of molesting a nine-year-old girl. He vigorously denied it and “charges were eventually dropped.”

If they couldn’t be bothered to indict him, the chance is that the allegation was false. But even so, media can wave the information in front of the public “He was once accused of child molesting.”

Valentines

Another crime he committed has, I think, a laughable feature. There had been a theft from a person’s home of silver dollars. When I was a kid you could still trade all your paper dollars for silver dollars at the bank. But people usually only did this for gifts, such as to give someone a silver dollar for a birthday.

So there was Albert in a shop, buying his wife and child some candy for Valentine’s Day. He paid in silver dollars and these dollars happened to have red paint on them. (Or so we are told.) Well, don’t you know, the person whose house was burgled of

silver dollars had reported that there was tell-tale marking in them – red paint!

And don't you know, a cop — who had been standing at the counter just when Albert bought the Valentine's candy – happened to see the incriminating red paint. (Like cops all know the details of all theft reports?) So he was done for. How he came to do the measuring of the door-knocked models I do not know.

Some people do have sexual addictions. But how could he be so lucky as to choose houses where no kids were home from school, or no husbands home from work. (I suspect DeSalvo never did this nonsense at all.)

Was every sexually deprived woman so eager for the touch of the measuring man that she would put up with it? Or so keen for modeling that she allowed the incursion on her modesty? (We were modest in those pre-sexual-liberation days.)

As this sort of thing was now on Albert's record, it as easy to accept that he was a woman-killer. Note: that's a complete non-sequitur, but who was going to analyse it? We probably had some talking-head psychologists on radio (not much TV in 1962) to make the connection between “sex” and “murder.” Bostonians - - myself included – fell for it.

Killed in Jail

Another similarity between the “Marathon bomber” Tamerlan and the “Boston Strangler” Albert is our acceptance of their murder in custody. Both men were killed and no one protested. I have yet to hear anyone – except those who know the Marathon business was fake – protest that an apprehended man was killed. We all saw naked Tamerlan looking healthy, getting into an FBI car. The next thing you know he is dead.

No one in their right minds in Boston would have protested the stabbing to death of Albert DeSalvo, when he was in a maximum security section of Walpole Prison. After all, when a man has gone

around killing 13 ladies, some of them elderly, you just don't have warm heart for him, do you? Ditto the bomber. If you are interested in what happened to Albert, please see a pamphlet, *Boston Strangler* by Alan Rogers who is a professor of History at Boston College. He notes of the rampage:

“In 1962 Anna Slesers, the first victim of Strangler, is found by her son who works at Lincoln Labs. Homicide detectives Sherry and Donovan inspect. Two weeks later, Nina Nichols, sister-in-law of the president of the Boston Bar Association, is strangled. Also in 1962, CBS does an expose on police corruption. Thus the Commissioner is replaced. Ex-FBI Ed McNamara gets the job.”

Note: You may read in the MSM that Albert's body was exhumed and the new evidence shows he did commit one of the murders. Do me a favor? Don't believe it. It's a lie.

“Ethnics” Take the Rap

I cannot recall who tipped me off as to a possible connection between blaming an Italian as the Strangler, and the fact that the West End of Boston, a part filled with Italian immigrants, was scheduled to be demolished. The new Government Center area replaced it in the 1960s.

I can't vouch for their being a connection. But there surely is a connection between blaming Muslims for terrorist acts (done actually by the FBI) and calling for the destruction of countries in the Middle East. Who would stand up for a Bin Laden? Who would even stand up for Afghanistan in October 2001 as we began to bomb that country on the thin excuse that Bin Laden, a Saudi man, was hiding there?

Long story short about Albert DeSalvo: His family is owed an apology, and prosecutions may be in order for various liars. Wouldn't that be lovely.

Appendix F. When Making a Raid They Leave Incriminating Gift, by Mary Maxwell. GumshoeNews. July 15, 2018.

On October 6, 2016, The Independent, UK, had this headline:

“US government spent over \$500m on fake Al-Qaeda propaganda videos that tracked location of viewers.”

The article, by Feliks Garcia, was about a PR firm in the UK that helped “the war effort” during the 2003 Iraq war. I will show in a moment that there is good news here for the Boston Marathon non-bomber, Jahar Tsarnaev.

But first, I hope every parent of a US soldier is reading this.

The PR firm in question is called Bell Pottinger. They worked alongside the Coalition in Iraq. Remember the Coalition? US, UK, Oz, Poland, and other who were Willing. (I’d be interested to know of any governments that registered as “No, not willing, I’ll pass, thank you anyway.”)

“The agency was tasked with crafting TV segments in the style of unbiased Arabic news reports, videos of Al-Qaeda bombings that appeared to be filmed by insurgents, and those who watched the videos could be tracked by US forces.”

Would you agree with me that it is reasonable to deduce that if a government (The Great Republic’s) is spending \$500 million on showing that Al Qaeda does bombings, that Al Qaeda does not do bombings?

(Can that \$500M figure – half a billion --possibly be correct?)

The Bell Pottinger Public Relations Firm

And if Al Qaeda is not doing bombings, then very logically it would be the donor of the \$500M for “Public Relations” that would be the bomber. Oh, last year Henderson stepped down as CEO of Pottinger. The HolmesReport.com says: “Bell Pottinger

is facing expulsion from the UK's trade association for PR firms (PRCA), while a full report by law firm Herbert Smith Freehills is set to be published. Bell Pottinger was accused of stoking racial tensions in South Africa, following a complaint by South Africa's Democratic Alliance opposition party."

I continue with the 2016 article in *The Independent*:

"Bell Pottinger was first tasked by the interim Iraqi government in 2004 to promote democratic elections. Lord Tim Bell, a former Bell Pottinger chairman, confirmed the existence of the contract with the Sunday Times [That's "Lord" as in House of Lords, I presume.] The Pentagon also confirmed that the agency was contracted under the Information Operations Task Force.

Dropping CD's

Now here's the bombshell. This comes from a video editor named Martin Wells who worked on the contract at Bell Pottinger. He says they were given very specific instructions on how to produce the fake Al-Qaeda propaganda films. Again, I am taking this from the Independent.co.uk:

"According to Mr Wells' account, US Marines would then take CDs containing the videos while on patrol, then plant them at sites during raids. "If they're raiding a house and they're going to make a mess of it looking for stuff anyway, they'd just drop an odd CD there," he said." Parents of soldiers, are you still reading this? I sympathize with your feelings.

Now for the Boston Marathon Situation

The online magazine, Inspire, was "found" in the home of the Tsarnaevs and was used as evidence in court that they had learned how to do "their" bombing [read: the FBI's bombing] of the finish line at the 2013 Boston Marathon. In other words, I claim the magazine, albeit online, was DROPPED there, in the Tsarnaev home, in good PR fashion. On April 16, 2018, TheConversation.com published an article by Mia Bloom saying

Inspire magazine was found on Dzhokhar’s laptop. The magazine is an English-language online publication that was published by al-Qaida in the Arabian Peninsula. They also found videos of sermons by Anwar al-Awlaki, the firebrand jihadi cleric.”

“The evidence and Dzhokhar’s [Jahar’s] testimony suggest that the brothers were inspired by propaganda. ... Dzhokhar and his brother learned how to make the pressure-cooker bombs from one of the most well-known articles published by the magazine: ‘How to Build a Bomb in the Kitchen of Your Mom.’ ... But before how, we ask why? It is because Allah says ... every Muslim is required to defend his religion and his nation.”

Elias Davidsson found that this type of propaganda is produced by MEMRI, which is a Zionist group; SITE Intelligence Group, run by Rita Katz; and Jihadology, run by Aaron Zelin.

As far as I am aware, all the garbage published to make Jahar look like a jihadist is unsupportable.

Note: the author above, Mia Bloom, is a Professor of Communication at Georgia State University. “Mia Bloom receives funding from the Minerva Research initiative **Documenting the Virtual Caliphate** and the **Office of Naval Research**.”



(L) Geoff Hoon, UK Defense Secretary, (C) Paul Bremer, Governor of Occupied Iraq, and (R) Mia Bloom, Professor.

The virtual caliphate. Well I’ll be chiggered.

**Appendix G. Ottawa -- Shooter in Parliament, in 2014, by
Rory O'Connor. GumshoeNews.com. April 21, 2018.**



at WWI Memorial

Graeme MacQueen, who was founding director of the Centre for Peace Studies at McMaster University has done the work of investigation in the October 2014 Ottawa attack, and reasonably found that elements of the Canadian state have a case to answer. The results are contained in his report, *The October 22, 2014 Ottawa Shootings: Why Canadians Need a Public Inquiry*.

It is particularly valuable, as Ottawa was part of the extraordinary spate of attacks around that time. E.g., the Lindt Café siege in Sydney and the *Charlie Hebdo* attack. And these were linked in the public mind with the ISIS panic, at its very height then.

The basic story involves two men, who didn't know each other, both by origin French-Canadian Catholics, and both converts to Islam: Michael Zehaf-Bibeau, the Ottawa attacker, and Martin Couture-Rouleau, who attacked in Quebec two days previously.

Michael **Zehaf-Bibeau**, of partial Libyan extraction, shot three times and killed Cpl Nathan Cirillo, on honour guard at the National War Memorial in Ottawa on the morning of, October 22, 2014. After unsuccessfully attempting to kill another soldier, he drove his car to Parliament Hill, three minutes away.

Running through Parliament with No Bullets. The Parliamentary precinct was protected by bollards, so he hijacked a car by forcing its driver out, and drove to Parliament's Centre Block

Having already discharged six bullets of the possible eight loaded in his old-fashioned Winchester rifle, he emptied the other two on entering Centre Block, while fighting off security. He then ran deeper into the building, in which many politicians were present. From a hiding place, he was able to discharge one more shot, meaning he had reloaded at least one bullet there, before succumbing to the thirty-one bullets that hit him, the most fatal of them from point blank range.

He died less than two minutes after entering the building. Kevin Vickers House of Commons sergeant-at-arms, was hailed a hero for being one of the officers who stopped Zehaf-Bibeau killing again. Vickers subsequently become Ambassador to Ireland.

The Other Convert. All this happened two days after an attack in Quebec, in which the other man I mentioned, Martin Couture-Rouleau, a convert who had been tagged as a security risk, ran into two soldiers in a shopping centre car park, killing one of them, Warrant Officer Patrice Vincent.

There was a car chase by police on the scene, during which he rang 911 to say the killing was in the name of Allah. His car rolled into a ditch, and he emerged from it. There are contradictory reports on whether he was charging toward a police officer with a knife, as police allege. At any rate he was shot, and died in hospital.

Muslims and Stings. In his 90-page report, published in 2015, MacQueen puts this bald story in context, citing possibilities other than the Ottawa event being a simple jihadist attack. The RCMP do have a nice line in entrapping Muslim targets, after all.

As an example only, in the case of the “Toronto 18” in 2006 the only handgun in their possession was supplied by a police mole, and access to a bomb-manufacturing chemical was facilitated by another mole, paid \$4 million for his work, reported by Michael Friscolanti in *Maclean’s*. Yes, four million Canadian dollars.

There is the cautiously encouraging case of John Nuttall and Amanda Korody. They were arrested in 2013, after planting Boston-style pressure-cooker bombs at the British Columbia

Legislature, of all places. But Justice Catherine Bruce, of the B.C. Supreme Court, issued a stay of proceedings on the Crown's case, since the RCMP mole had suggested the type of bomb, supplied the explosive, and helped build them. Of prime relevance to the Ottawa attack, the mole also suggested where to put the bombs: a provincial parliament, on that occasion.

To hear Christy Clark, then-Premier of B.C., say at the time of Nuttall and Korody's arrest, "What they want to do is the same thing terrorists want to do around the world, and that is rob us of our sense of security, to rob us of our sense that this place belongs to us," is to hear a finely ironic rendition of the Pavlovian reaction the word *terrorism* causes in politicians.

Given the lockdown the RCMP have on the Ottawa case, there is no positive evidence of an entrapment operation involving Zehaf-Bibeau. However, the police have been unforthcoming and inconsistent about what evidence they have.

At His Aunt's House? Where did Zehaf-Bibeau get his rifle? With a criminal record, he could not easily have bought one in Canada. He spent the night before the shooting at his aunt's rural house, ninety minutes away from Ottawa. It was the first time in ten years that he had visited her. Is this a place where you store and are certain of finding a gun again?

The police claimed he was seen in the morning placing a rifle in his car boot, but there is no telling who these witnesses are, or if they saw him do this at his aunt's house. Are we supposed to think rifles are pilfered without report? Despite all these potential leads, the RCMP Commissioner Bob Paulson merely said, "We have not been able to confirm the origins of the gun".

As MacQueen points out, another possibility is that Zehaf-Bibeau was supplied with the gun as he drove back to Ottawa on the morning of the attack. There are evidential problems relating to the car he used in the attack, purchased the day before. He is said to have bought it using funds built up working in the Alberta oil patch. The RCMP ought to put their contentions about his work

history on the public record. It ought also to say why it discounts reports that he got help to buy the car from people at an Ottawa homeless mission.

Most bizarrely, Commissioner Paulson said Zehaf-Bibeau had intentions for the car, but “what those are, we aren’t sharing”. In the context of Couture-Rouleau and recently the Melbourne, Westminster and Barcelona attacks, it may mean a plan to run people down. But how does Paulson know anything about this?

Drills and Warnings. Probably the most troubling evidence of state complicity in the Ottawa event is the exercise the Canadian security state held shortly before the two attacks, and the so-called intelligence warnings distributed through October.

The exercise was reported on the day of Ottawa attack. CBC’s Adrienne Arseneault explained that Canadian security agencies had run an exercise on maintaining command in their scripted scenario of an attack in Quebec, followed by an attack “in another city”, ending in an event involving fighters returned from Syria. This last didn’t happen, but Couture-Rouleau and Zehaf-Bibeau were readily linked by the media to events in Syria. Incidentally, Zehaf-Bibeau was not a “copycat”, nor was he connected with Couture-Rouleau.

As far as we know, the “intelligence warnings” began as early as October 8 when NBC publicly reported that would-be terrorists were discussing knife-and-gun attacks in Canada. (Note: Zehaf-Bibeau was carrying an unused knife.) The Privy Council Office issued a rare general warning on 17 October.

On the very day of the Ottawa shootings, after the news got out, Craig James, B.C. Legislature’s clerk, said in a press conference that he and a number of politicians in that province, including the Attorney General and Finance Minister, had received a warning, not specific to B.C., of a possibility of trouble.

Who Knew What? And Gary Lenz, the B.C. sergeant-at-arms, said the threat warnings were shared among those in charge of

security at Canadian parliaments. So what did politicians in Ottawa know? Was Kevin Vickers, who has been presented simply as a quick-acting hero who killed Zehaf-Bibeau, anticipating trouble? He was the House of Commons sergeant-at-arms after all. If not, why not? Is it bursting too big a bubble to ask the question?

But equally, we should not lose sight of the fact that citizens don't find it hard to dismiss these patterns as random, because of the missing links. That majority needs to be advised that any investigator worth his salt would have raised questions about these coincidences.

The first questions, very simply, are: Was there a relationship between the exercise and the October events? And, what was the relation between the prior intelligence warnings and the October events?

Wouldn't You Know It, a Bill Is Tabled

The upshot of the attacks was that the passage of two laws strengthening the security state was made easier. C-51, the Anti-Terrorism Act of 2015, an omnibus law, allowed government bodies to keep and pass among themselves citizens' data, down to travel and tax affairs, and made provisions for the no-fly list. Another bill, C-44, which gave more powers to the Canadian Security Intelligence Service, was tabled a week after the attack.



Rory O'Connor lives in Ireland. His interview with Graeme MacQueen about the Ottawa shootings is available on iTunes.

Appendix H. Christmas Terror in Berlin, by Felicity Hingston
Review of **Elias Davidsson's *Der Gelbe Bus (The Yellow Bus)***.
GumshoeNews.com. March 19, 2018.

A truck drove into some Christmas shoppers in Breitscheid Square, Berlin, on December 19, 2016. Despite hyped media coverage at the time, there are few people prepared to discuss the event, and copious amounts of contradictions about what actually took place: basics like how many people were killed or injured and indeed whom, how fast the truck was travelling.

'Eye-witness' accounts vary greatly; many have not been verified. Davidsson's attempts to do so were met with silence, complete lack of co-operation and indeed legal threats. Note: This book is written in German; as yet there is no English translation.

The Christmas Shopping Terrorist Event

The general depiction of events is vague at best: A 40-ton truck entered the Christmas Market pedestrian area from an initially disputed direction sometime around 8pm, at a speed somewhere between 40 and 80 km/h, braking (or not) and destroying 'several' stalls. There were up to 50 people injured (including psychologically) and some '12' killed.

The body of a man was found in the driver's cabin (though some initial reports claimed the cabin was empty), identified as the original driver of the truck, Pole Lukasz Urban. He had been shot, perhaps some hours before. Initial autopsy reports conflict as to whether he was still alive at the time of the 'event'.

Despite modern forensics there is still no confirmation of his time of death nor a final autopsy report to be found on the internet. Even with this uncertainty, the 'general voice' hails him as a hero who tried to wrest back control in his final minutes.

Efforts To Find The Terrorist?

The alleged perpetrator was 'identified' by fingerprints **and documents found in the cabin** and two phones (found somewhere). He had been under close police scrutiny as an illegal

refugee and known danger to society, but surveillance of him **was lifted just prior to the event**. A foot pursuit by a brave bystander led in the direction of the Tiergarten, where the alleged perpetrator ‘gestured’ to a surveillance camera **‘in the typical manner of ISIS’**, “Allah Akbar”. The pursued person managed to cross several borders until he was finally killed by Italian police at a border check s days later, where he allegedly pulled a gun on them. It was subsequently ‘established’ that **he had recently been fast-radicalised and converted to extreme Islam**.

There was also the **widespread security camera failure** and a dropping out of the emergency radio network, causing confusion and a lack of communication. That caused delays of 50 minutes, I believe, for arrival on the scene by paramedics.



Top left: the offending truck. Bottom left: the yellow bus

What about the Bus?

Davidsson’s book “The Yellow Bus” highlights the presence of an articulated yellow BVG (Berlin Verkehrsbetriebe, i.e., the Berlin transit authority) bus, visible in several published images of the scene, standing some 20 m behind the resting place of the truck. According to one seemingly ‘privileged’ journalist’s video (JH’s), the bus arrived within minutes of the truck.

It remained there until the truck was towed away the next morning, as can be seen in an RT Deutsch video. However, despite the prime position of this bus, no statement was taken

from the driver, nor was any report published on the almost-guaranteed surveillance camera from the bus.

Why would such potential material evidence be omitted? There are also people in civilian clothing quietly standing around the bus. Surely such a dramatic incident would evoke a far less relaxed response. I find it strange that no information came from the bus (driver or camera) despite its prime vantage point. Was the bus prevented from continuing its regular route? *Was it even on a regular route?*

Clearly there was no impact on the bus from the truck. Was the bus transport for the 'extras' (aka crisis actors)? It must have had *some* role, and this would be logical for a false flag. It does seem questionable that the bus turned up so 'timely' and that it remained there until the truck was towed away the next morning. I find it interesting that the ID of the bus would have been quite clear from the 'dashcam' video, but has this been further investigated? I believe not.

The Style of Davidsson's Book

In detail, the author of this important book peels back the layers to raise such doubts about the official report, so that even a child could see the contradictions. Pages 219 through 342 contain eye-witness reports, listed alphabetically and sourced. Very few were willing to give Mr Davidsson more detail when he contacted them. Some threatened legal action, others were so traumatized they weren't willing to re-visit the 'attack'.

Others seemed willing, then suddenly NOT. One thing stands out: the reports don't support each other well at all. Those that do, seem to even use the exact same words! He recounts the steering of the flow of information, the blatant cover-up and lack of explanation by the authorities. From all that, the reader must come to a **firm conclusion that 'they' do not want a clear explanation to go public.** They don't want us to understand what is taking place.

How Should We React? Elias Davidsson provides comparison with many other terror attacks – leaving little room for us to question his assertion that a police state is underway and that international terrorism is the mechanism of fear-mongering by which the world leaders intend to implement a police state globally. The author highlights commonalities to various other ‘incidents’ that to date remain largely unexplained and questionable.

For me to suggest that we all need to ‘wake up’ may appear arrogant, but on reading this book I must urge everyone to pull their head from the sand and stop accepting without questioning. I draw particular attention to the author’s hope (p12) “that information published here will encourage those people who, to date, have remained silent about the facts of the case”... to “relinquish their silence” and contribute to the clarification of these facts. And “convey intelligence to those remaining democrats and freedom-lovers that could help in their resistance against wars and the insidious imposition of a police state”.

Elias Davidsson has done an excellent exposé of the Berlin ‘event’ and I can only hope those ‘silent to date’ accept his invitation to contribute – be they facts, corrections or omissions – in order for the truth to emerge about all such ‘events’ AND to send the message to the global leaders-would-be-puppets that we are NOT THEIR PUPPETS.



Felicity Hingston can be found in Sydney, Australia

Appendix J. Chancellor Merkel: A Time To Heal?

by Elias Davidsson. GumshoeNews.com. October 20, 2018.

Dear Chancellor Merkel,

I am writing to you regarding the fake terrorist attack that took place at a Christmas market in Berlin on 19 December 2016. As we both know, you were forced by dark forces that reside outside Germany to authorize and cover up this act of public deception. I imagine this decision must have been hard on you.

The facts of this particular case are meanwhile seeping into public awareness. More and more citizens suspect that the official account on the Berlin attacks are contrived and that your government is covering up the facts. Such suspicions not only undermine your credibility and that of your government, but also of the civilian institutions who participated in this act of deception, including the medical profession, firefighters, emergency workers and the police.

When such institutions cannot anymore be trusted, the very rule of law is under threat. I doubt that this is your intention.

I therefore call upon you, Mrs. Merkel, to publicly acknowledge the dilemma you had to face before authorizing the above operation, reveal the identities of those who railroaded you into this decision and the nature of the pressure they used on you.

By acknowledging these facts you can redeem the loss of confidence that you have experienced in recent months and place yourself at the service of the people.... Acknowledging these facts will make it harder on your enemies, internal and external, to harm you.

Praying and hoping that your sense of propriety will prevail and that no one will harm you for having read and acted upon this letter, I remain, respectfully, Elias Davidsson



Elias Davidsson [website: juscogens.org]

Appendix K. Articles of Impeachment of Judge O'Toole
-- as sent to House Judiciary Committee by Mary W Maxwell

Article 1. The judge gave illegal instructions to the jury.

As is proper, Judge O'Toole asked both parties' attorneys for suggested wording of the Instructions to Jurors that he might give after the summing up of the case of *United States v Tsarnaev*. The Prosecutor offered words telling the jury that the accused had pleaded Not Guilty to every charge. When the wording was passed to the Public Defender for her input, she (in Motion 1101-1) crossed out those vital words in this manner:

~~The defendant has pleaded not guilty to all of the charges.~~ It was the Judge's duty to *ignore* such an injustice but Judge O'Toole accepted the new wording. *Ergo*, the **12 jurors probably did not know that the accused pleaded Not Guilty**. They convicted him of the Marathon bombing, with death penalty.

Article 2. The judge suppressed a shocking affidavit.

Judge O'Toole ignored what must be the **most startling affidavit ever to arrive in the Moakley Courthouse**. It came from the defendant's aunt in Russia, Maret Tsarnaeva, LL.M. Ms Tsarnaeva informed the court that the family had been threatened by none other than the **defense team, eight members of which made numerous trips to Russia to advise the family that they and the accused should "not resist conviction"** – even though "we know he is innocent." Also the parents were menacingly told that the boy's **"life could be more difficult for him if he did not cooperate."** The judge should have halted the proceedings to investigate this highly criminal matter. Judge O'Toole did nothing with the affidavit. It was published worldwide by Paul Craig Roberts,

Article 3. The judge met with the jury, no lawyers present

The conversation Judge O'Toole had can be found in the court transcript, Motion 1247-1 filed by the defense. For a while it was under seal! During the meeting the judge said to the jurors "You

and I are in this together” -- which would have given them a sense that they should follow his lead – and in due course was seen to be very pro-Prosecution. He then told jurors that the judges of the US Supreme Court shake hands with one another, and shook hands with each juror, ending with the phrase “We’re now teammates.” The mention of “teammates” is completely out of line, and is unheard of. **Any** *ex parte* meeting of a judge with jury is forbidden by Federal Rule of Criminal Procedure 43(a). It could be emotional manipulation of jurors.

Article 4. *The judge ignored a writ of Error Coram Nobis.*

In February, 2016, a citizen (Mary Maxwell) notified Judge O’Toole of the likelihood that the Court had been defrauded by false evidence. She petitioned for a Writ of Error Coram Nobis. The precedent for this is the *Korematsu* case, calling for the setting aside of a ruling if the court had been defrauded. She received a postal receipt but no reply from the judge.

Article 5. *Judge allowed Defenders’ betrayal of their client.*

It is clear that seeking an acquittal for their innocent client was never the intention of the Public Defenders. In the opening statement his lawyer said “It was him” – meaning he is the Boston bomber. But he’s not. The story was scripted – the accused did not participate in a carjacking, a shooting at MIT, or throw explosives at cops in Watertown. The Defense could easily have exposed the false stories by cross-examining the Prosecution’s very weak witnesses, and by subpoenaing other evidence. They chose not to do so. While it is not for a judge to decide what the parties should do, he has responsibility for management of the case. In future, people will ask how a judge could have stood by as the Defense “sewed up” the conviction of their client, Dzhokhar Tsarnaev. It is a scandal. Also, Judge O’Toole on his own initiative, ruled inadmissible any talk about the accused’s deceased older brother, Tamerlan Tsarnaev, even though the Defense argument of the case involved Tamerlan, and even though some of the counts in the Indictment were for conspiracy and aiding and abetting.

WELCOME TO THE DOCUMENTS

1. Sample of the jurors' box-ticking, to reach verdict. *p. 228*
2. Dzhokhar "Jahar" Tsarnaev apologizes, after receiving the death sentence. *p. 230*
3. Amicus Curiae brief in the Appeal, submitted by Jack Remington Graham, in 2017 on behalf of Baruja, Fetzer, and Maxwell. (This includes the 2015 affidavit by Maret Tsarnaeva.) *p. 231*
4. Spanish translation, by Montse Alarcón Flix, of the affidavit in which Maret Tsarnaeva reports the 2014-2015 behaviour of the Defense Team when visiting Russia. *p. 240*
5. Petition for a Writ of Error Coram Nobis, sent to Judge O'Toole by Mary Maxwell in March, 2016 and to both houses of the Massachusetts Legislature in May, 2017. *p. 246*
6. Transcript of Khairullozhon Matanov hearing. *p. 252*



United States District Court and 1st Circuit Appeals Court, Boston

DOCUMENT 1. Sample of Jurors' Votes for the Verdict

COUNT ONE:

1. As to Count One of the Indictment charging conspiracy to use a weapon of mass destruction, we unanimously find the defendant, Dzhokhar A. Tsarnaev:

Not Guilty Guilty

If guilty, proceed to Question 2. If not guilty, proceed to the next Count.

2. As to whether the conspiracy charged in Count One of the Indictment resulted in at least one of the four deaths alleged in Count One, we unanimously find:

- a. As to the death of Krystle Marie Campbell:
 No Yes
- b. As to the death of Officer Sean Collier:
 No Yes
- c. As to the death of Lingzi Lu:
 No Yes
- d. As to the death of Martin Richard:
 No Yes

COUNT NINETEEN:

1. As to Count Nineteen of the Indictment charging carjacking and aiding and abetting, we unanimously find the defendant, Dzhokhar A. Tsarnaev:

Not Guilty Guilty

If guilty, proceed to Question 2. If not guilty, proceed to the next Count.

2. As to whether the offense charged in Count Nineteen resulted in serious bodily injury to Officer Richard Donohue, we unanimously find:

No Yes

COUNT TWENTY-FIVE:

1. As to Count Twenty-Five of the Indictment charging use of a weapon of mass destruction (Pipe Bomb #1) on or about April 19, 2013, in the vicinity of Laurel Street and Dexter Avenue in Watertown, Massachusetts, and aiding and abetting, we unanimously find the defendant, Dzhokhar A. Tsarnaev:

Not Guilty Guilty

The foregoing represents the unanimous decision of the jury.

FOREMAN:

286
uror Number

DATE: 4/8/2015

[Note: the following list was found at abovethelaw.com, which credits @GarrettQuinn from MassLive “for on the spot Tweeting about the verdicts”. -- MM]

The Verdict in 2015: Jahar Guilty.

[I’ve selected only 6 of the 30. Some others are repetitive. MM]

The first three refer to bombing on Boylston St:

COUNT 2: Use of weapon of mass destruction (Pressure Cooker Bomb #2): GUILTY.

COUNT 6: Conspiracy to bomb a place of public use: GUILTY.

COUNT 11: Conspiracy to maliciously destroy property: GUILTY

This one possibly involves the death of Sean Collier:

COUNT 16: Used or carried a firearm (Ruger P95 9mm) during and in relation to a crime of violence: GUILTY

This next one is the Meng affair (reality no bar):

COUNT 19: Carjacking and aiding and abetting: GUILTY.

This one refers to the shootout on Laurel St:

COUNT 27: Use of a weapon of mass destruction (Pipe Bomb #2): GUILTY.

[Yet someone *did* bomb the Marathon and *did* kill Collier. Who?]

DOCUMENT 2. Jahar Thanks His Lawyers, Apologizes

THE COURT: All right, Mr. Tsarnaev.

THE DEFENDANT: Thank you, your Honor, for giving me an opportunity to speak. I would like to begin in the name of Allah, the exalted and glorious, the most gracious, the most merciful, “Allah” among the most beautiful names.

... I would like to first thank my attorneys, those who sit at this table, the table behind me, and many more behind the scenes. **They have done much good for me, for my family. They made my life the last two years very easy.** I cherish their company. They’re lovely companions.

I would like to thank those who took time out of their daily lives to come and testify on my behalf despite the pressure. I’d like to thank the jury for their service, and the Court. The Prophet Muhammad [said] if you are not merciful to Allah’s creation, Allah will not be merciful to you, so I’d like to now apologize to the victims, to the survivors.

After the bombing, which I am guilty of — **if there’s any lingering doubt** about that, **let there be no more.** I did do it along with my brother — I learned of some of the victims. I learned their names, their faces, their age. And throughout this trial more of those victims were given names, more of those victims had faces, and they had burdened souls.

Now, all those who got up on that witness stand and that podium related to us — to me — I was listening – the suffering that was and **the hardship that still is**, with strength and with patience and with dignity. You told us just how unbearable it was, how horrendous it was, **this thing I put you through.**

I also wish that four more people had a chance to get up there, but I took them from you. [Emphasis added]

Note: The above is heavily abridged. – MM

**UNITED STATES COURT OF APPEALS FOR THE
FIRST CIRCUIT**

Appellee Dzhokhar Tsarnaev v Appellant No. 16-6001

**MOTION OF THREE CITIZENS OF THE UNITED
STATES FOR LEAVE TO APPEAR AS FRIENDS OF THE
COURT UNDER RULE 29(a) OF THE FEDERAL RULES
OF APPELLATE PROCEDURE**

The undersigned introduces himself by offering a short résumé of his career as appendix A, subject to further specification as may ultimately be required by this Court. The undersigned is a specialist in forensic science and medicine, and in British, American, and Canadian constitutional law and history, in both of which fields he has many publishing credits. He has been permanently and generally admitted to the bar of five courts of record in the United States. Beyond his native Minnesota, he has practiced pro hac vice before twenty-eight state or federal courts of record in fifteen jurisdictions of the United States over the course of nearly fifty years. He is a member in good standing of the bar of the Minnesota Supreme Court (#3664X), and was there admitted on October 20, 1967.

A formal certificate can be made available on request. No ethics proceedings are pending against the undersigned. On September 26, 2017, upon due inquiry, the undersigned was advised by personnel in the clerk's office of this Court that he need not be a member of the bar of this Court to make this motion under Rule 29(a) of the Federal Rules of Appellate Procedure in behalf of three citizens of the United States desiring to appear as friends of the court in the above-entitled matter. On October 4, 2017, the circuit executive's office instructed the undersigned to rely on the clerk's office. On October 5 and 10, 2017, the clerk's office confirmed that the admission of the undersigned to the bar of this Court is not necessary for this motion under Rule 29(a), and directed filing and service in paper without fee.

**TO COUNSEL FOR THE UNITED STATES AND FOR
THE APPELLANT, PLEASE TAKE NOTICE THAT THE**

UNDERSIGNED MAKES THE FOLLOWING MOTION BEFORE THIS HONORABLE COURT IN BEHALF OF THREE CITIZENS OF THE UNITED STATES, TO WIT:

COMES NOW the undersigned, and he makes the following motion, to wit: That James Fetzer, Ph. D., natural born citizen of the United States and emeritus professor of philosophy at the University of Minnesota Duluth; Mary Maxwell, Ph. D., LL. B., natural born citizen of the United States, previously working in Australia, now present in the United States; and Cesar Baruja, M. D., a naturalized citizen of the United States, born in Paraguay, and practicing medicine over the past thirty-seven years, be granted leave to appear as friends of the court in the above-entitled matter through the undersigned as their counsel, and that, if necessary for this purpose, the undersigned be admitted to the bar of this Court generally or pro hac vice, either sua sponte or on motion yet to be made. Attached as appendix is an uncolored and unbound copy of a proposed submission on the merits, including an addendum of relevant papers from the record, to be submitted in proper format and number as ordered in due course.

This effort is funded by Elisabeth Ritter-Blaser, a philanthropist and German-speaking citizen of the Swiss Confederation, living in the City of Oberburg in the canton of Bern. Her interest is preventing wrongful convictions and executions in the United States and other countries. The undersigned has contributed nothing to the funding of this effort, but has prepared this motion. He will argue orally, but only if requested by this Court.

Dr. Fetzer, Dr. Maxwell, and Dr. Baruja have all studied and commented on the prosecution of Dzhokhar Tsarnaev. They all protest this prosecution as unfounded upon probable cause, and they verily believe, from their respective and detailed investigations of the facts in this case, and from the work of other eminent experts, including an internet-accessible report of Lorraine Day, M. D., who for many years served as chief of orthopedic surgery at the general hospital in San Francisco, that the prosecution of Mr. Tsarnaev is dishonorable to United States. Aside from other anomalies not on this record, Dr. Fetzer, Dr. Maxwell, and Dr. Baruja maintain that, during the trial of

Dzhokhar Tsarnaev, certain powerful exculpatory evidence on this record, grasped by many astute observers, and sufficient to warrant outright dismissal or acquittal, or an order granting a new trial, went unused and unnoticed by counsel on both sides, including the principal trial lawyer for Mr. Tsarnaev who loudly proclaimed his guilt in her opening statement and did not even ask for a verdict of not guilty during her final summation; that major news and entertainment media of the United States have abused the First Amendment by acting together to create false appearances of guilt on the part of Mr. Tsarnaev of grave capital crimes, and to inspire public hatred against him; that Mr. Tsarnaev was misled into making or otherwise has been said to have made false confessions unconfirmed by the corpus delicti; that the said exculpatory evidence was actually generated by the Federal Bureau of Investigation (FBI), and positively disproves essential facts of accusation in the indictment; and that the said exculpatory evidence is referenced and made part of this record by electronic order #1469 issued by the United States District Court for Massachusetts (No. 13-CR-10200-GAO), the same entered on June 17, 2015.

The said exculpatory evidence was never heard or considered by the jury, nor was it considered in sentencing. Dr. Fetzer, Dr. Maxwell, and Dr. Baruja note here that key papers referenced by the said electronic order #1469 have been conveniently reviewed in an internet-accessible report, dated August 17, 2015, by Paul Craig Roberts, Ph. D., former assistant secretary of the treasury of the United States. The said report by Dr. Roberts has been read since original publication probably by tens of millions in the United States, Canada, Europe, and Russia.

In a nutshell, the FBI crime lab determined from fragments at the scene of the explosions, and the indictment stated in paragraphs 6, 7, and 24 of the general allegations, applicable to all counts, that Dzhokhar was carrying a black backpack heavy-laden with a large pressure-cooker bomb. The FBI then identified as culprits two individuals by reference to a street video, which included a still-frame photo showing that Dzhokhar carried a light-weight white backpack. The very evidence used by the FBI to identify the “Boston bombers” referenced in the indictment, excludes Dzhokhar as plainly as white is distinguished from black.

And there are widely published photos of the scene of the explosions showing other individuals carrying black backpacks which perfectly match the projections of the FBI crime lab, but we are aware of no evidence that these individuals were ever investigated.

The lawyers on both sides must have known about these exculpatory facts, but played to the gallery as if the street video confirmed that Dzhokhar was guilty. In view of these facts, this Court should view and consider the evidence covered by electronic order #1469, then grant appropriate remedy, -- i. e., reversal with order for acquittal as a matter of law or reversal with order granting a new trial. Dr. Fetzer, Dr. Maxwell, and Dr. Baruja believe that allowance of a death sentence under these circumstances amounts to judicial murder in the sense illustrated in *Powell v. Alabama*, 287 U. S. 45 at 72-73 (1932). Such is their interest here.

They submit as authority for their right to intervene and be heard as friends of the court the internet-accessible opinion of Judge T. S. Ellis III, published on February 27, 2006, in *United States v. Steven J. Rosen and Keith Weissman*, No. 1:05CR225-TSE, Document 228, on the docket of the United States District Court for Eastern Virginia.

Pursuant to 28 United States Code, Section 1746, the undersigned swears, subject to the pains and penalties of perjury, that he has conducted himself and will conduct himself before this Court in an upright and proper manner, that he will support and has always supported the United States Constitution, and that all representations hereinabove are true to the best of his knowledge, information, and belief. This oath is made abroad, subject to the laws of the United States.

Dated: _____

JOHN REMINGTON GRAHAM
Of the Minnesota Bar (#3664X)

Counsel for Dr. Fetzer, Maxwell, and Baruja

[The affidavit below is an attachment to amicus brief – MM]



“Jack” Graham is Maret’s pro bono lawyer

AFFIDAVIT OF MARET TSARNAEVA CONCERNING THE PROSECUTION OF DZHOKHAR TSARNAEV

Mindful that this affidavit may be filed or displayed as an offer of proof with her authorization in public proceedings contemplated by the laws of the United States of America, and in reliance upon Title 28 of the United States Code, Section 1746, Maret Tsarnaeva deposes and says:

I am the paternal aunt of Dzhokhar Tsarnaev who has been prosecuted before the United States District Court for Massachusetts upon indictment of a federal grand jury returned on June 27, 2013, for causing one of two explosions on Boylston Street in Boston on April 15, 2013. In the count for conspiracy, certain other overt acts of wrongdoing are mentioned. As I understand the indictment, if Dzhokhar did not carry and detonate an improvised explosive device or pressure-cooker bomb as alleged, all thirty counts fail, although perhaps some lingering questions, about which I offer no comment here, might remain for resolution, subject to guarantees of due process of law, within the jurisdiction of the Commonwealth of Massachusetts.

I am currently living in Grozny, the capital of Chechnya which is a republic within the Russian Federation. My academic training included full-time studies in a five-year program of the Law Faculty at the Kyrgyz State University, and I also hold the degree of master of laws (LL. M.), with focus on securities laws, granted by the University of Manitoba while I lived in Canada. I

am qualified to practice law in Kyrgyzstan. I am fluent in Russian, Chechen, and English, and am familiar with other languages. I am prepared to testify under oath in public proceedings in the United States, if my expenses are paid, and if my personal safety and right of return to my home in Chechnya are adequately assured in advance.

Aside from other anomalies and other aspects of the case on which I make no comment here, I am aware of several photo exhibits, upon which the Federal Bureau of Investigation (FBI) relied, or of evidence which their crime laboratory has produced, and certain other reports or material.

Together, these plainly show that Dzhokhar was not carrying a large, nylon, black backpack, including a white-rectangle marking at the top, and containing a heavy pressure-cooker bomb, shortly before explosions in Boston on April 15, 2013, as claimed by the FBI and as alleged in the indictment for both explosions.

On the contrary, these photo exhibits show unmistakably that Dzhokhar was carrying over his right shoulder a primarily white backpack which was light in weight, and was not bulging or sagging as would have been evident if it contained a heavy pressure-cooker bomb. The only reasonable conclusion is that Dzhokhar was not responsible for either of the explosions in question.

On or about June 20-21, 2013, during their first trip to Russia, which lasted about ten days more or less, Judy Clarke and William Fick, lawyers from the federal public defender's office in Boston, visited my brother Anzor Tsarnaev, and his wife Zubeidat, respectively the father and mother of Dzhokhar.

The meeting was at the home of Dzhokhar's parents in Makhachka which is in the republic of Dagestan adjacent to the republic of Chechnya, and about three hours' drive from Grozny. My mother, my sister Malkan, and I were present at this meeting. Zubeidat speaks acceptable English. Mr. Fick is fluent in Russian. Laying aside other details of the conversation on June 20-21, 2013, I wish to note the following:

-- The lawyers from Boston strongly advised that Anzor and Zubeidat refrain from saying in public that Dzhokhar and his

brother Tamerlan were not guilty. They warned that, if their advice were not followed, Dzhokhar's life in custody near Boston would be more difficult;

-- Mme Clarke and Mr. Fick also requested of Anzor and Zubeidat that they assist in influencing Dzhokhar to accept the legal representation of the federal public defender's office in Boston. Mr. Fick revealed that Dzhokhar was refusing the services of the federal public defender's office in Boston, and sending lawyers and staff away when they visited him in custody. In reaction to the suggestion of Mr. Fick, lively discussion followed;

-- As Dzhokhar's family, we expressed our concern that the federal public defender's office in Boston was untrustworthy, and might not defend Dzhokhar properly, since they were paid by the government of the United States which was prosecuting him, as many believe for political reasons. Dzhokhar's parents expressed willingness to engage independent counsel, since Dzhokhar did not trust his government-appointed lawyers. Mr. Fick reacted by saying that the government agents and lawyers would obstruct independent counsel;

-- I proposed that Dzhokhar's family hire independent counsel to work with the federal public defender's office in order to assure proper and effective representation of Dzhokhar. Mr. Fick replied that, if independent counsel were hired by the family, the federal public defender's office in Boston would withdraw;

-- Mr. Fick then assured Anzor and Zubeidat that the United States Department of Justice had allotted \$5 million to Dzhokhar's defense, and that the federal public defender's office in Boston intended to defend Dzhokhar properly. Zubeidat then and there said little concerning assurances of Mr. Fick. But for my part, I never believed that the federal public defender's office in Boston ever intended to defend Dzhokhar as promised. And my impressions from what happened during the trial lead me to believe that the federal public defender's office in Boston did not defend Dzhokhar competently and ethically.

In any event, I am aware that, following the meeting on June 20-21, 2013, Mme Clarke and Mr. Fick continued to spend time

with Anzor and Zubeidat, and eventually persuaded Zubeidat to sign a typed letter in Russian to Dzhokhar, urging him to cooperate wholeheartedly with the federal public defender's office in Boston. I am informed by my sister Malkan, that Zubeidat gave the letter to the public defenders, shortly before their departure from Russia on or about June 29, 2013, for delivery to Dzhokhar.

During subsequent trips of Mme Clarke and Mr. Fick to see Dzhokhar's parents in Makhachkala, the strategy for defending Dzhokhar was explained, as I learned from my sister Malkan. The public defender's office in Boston intended to contend at trial, as actually has happened since, that Tamerlan, now deceased, was the mastermind of the crime, and that Dzhokhar was merely following his big brother.

I was firmly opposed to this strategy as morally and legally wrong, because Dzhokhar is not guilty, as FBI-generated evidence shows. Some ill-feeling has since developed between myself and Dzhokhar's parents over their acquiescence.

On or about June 19, 2014, during their visit to Grozny over nearly two weeks, three staff members from the public defender's office in Boston visited my mother and sisters in Grozny. I am told that they also visited Dzhokhar's parents in Makhachkala.

The personnel visiting my mother and sisters in Grozny on or about June 19, 2014, included one Charlene, who introduced herself as an independent investigator, working in and with the federal public defender's office in Boston; another by the name of Jane, a social worker who claimed to have spoken with Dzhokhar; and a third, by the name of Olga, who was a Russian-English interpreter from New Jersey.

They did not leave business cards, but stayed at the main hotel in Grozny, hence I presume that their surnames can be ascertained.

I was not present at the meeting in Grozny on or about June 19, 2014, but my sister Malkan, who was present, called me by telephone immediately after the meeting concluded. She revealed to me then the details of the conversation at the meeting. Malkan and I have since spoken about the visit on several occasions.

Malkan speaks Russian and Chechen and is willing to testify under oath in public proceedings in the United States through an interpreter in Russian, if her expenses are paid, and if her personal safety and right of return to her home in Chechnya are adequately assured in advance. She relates, and has authorized me to state for her that, during the conversation on June 19, 2014, in Grozny, Charlene the independent investigator stated flatly that the federal public defender's office in Boston knew that Dzhokhar was not guilty as charged, and that their office was under enormous pressure from law enforcement agencies and high levels of the government of the United States not to resist conviction.

This affidavit is executed outside of the United States, but the foregoing account is true to the best of my knowledge, information, and belief, and subject to the pains and penalties of perjury under the laws of the United States of America.

17 April

Given on this _____ day of _____,
2015. S/ Maret Tsarnaeva



Child born in Kyrgyzstan would not expect to be condemned to death in USA

DOCUMENT 4. Spanish Translation, Aunt Maret's Affidavit Translator is Montse Alarcón Flix. (The Spanish was not sent to court.) Original in English was first published by Paul Craig Roberts.

Evidencias del FBI prueban la inocencia del acusado del atentado de la Maratón de Boston Dzhokhar Tsarnaev.

Agosto 17, 2015 Paul Craig Roberts He sido contactado por el abogado John Remington Graham, un miembro en activo del Colegio Supremo de Minnesota y del Colegio de los Estados Unido

Me informa de que actuando a favor de Maret Tsarnaeva, la tía de los acusados hermanos Tsarnaev y ciudadana de la República del Kirguistán donde está habilitada para ejercer la abogacía, él la ha asistido en la presentación ante el Juzgado de Distrito de Boston de una moción *pro se*, que incluye un argumento de *amicus curiae*, y un informe propio. El juez que preside la causa ha ordenado que esos documentos sean incluidos en el sumario del caso para que se hallen públicamente accesibles. Los documentos son reproducidos al final de este artículo.

Los documentos argumentan que sobre la base de las evidencias proporcionadas por el FBI, no hay lugar para la imputación de Dzhokhar Tsarnaev. Las evidencias del FBI concluyen claramente que el artefacto estaba en una bolsa negra, pero las fotografías usadas para establecer la presencia de Dzhokhar en la Maratón le muestran llevando una bolsa blanca. Además, la bolsa no tiene la apariencia pesada y abultada que tendría una bolsa que contuviese una bomba.

Como los lectores saben, yo había sospechado del atentado de la maratón de Boston desde el principio. Parece obvio que ambos hermanos Tsarnaev sufrieron sendos intentos de asesinato en supuestos tiroteos con la policía, como los supuestos perpetradores en el asunto de Charlie Hebdo en París. Muertes convenientes en tiroteos son aceptadas como indicios de culpa y resuelven el problema de juzgar a inocentes chivos expiatorios.

En el caso de Dzhokhar, su culpabilidad no fue establecida mediante evidencias sino mediante acusaciones, por la traición de la abogada pública que el gobierno asignó a su defensa, Judy Clarke, quien proclamó la culpabilidad de Dzhokhar en la declaración de apertura de

la “defensa” del caso, por una supuesta confesión, evidencia de la cual nunca ha sido proporcionada, escrita por Dzhokhar en una embarcación en el interior de la cual el malherido joven yacía moribundo hasta que fue descubierto por el dueño de la misma y hospitalizado en estado crítico.

Siguiendo a su convicción por su abogada defensora, Dzhokhar supuestamente confesó otra vez en términos jihadistas. Como los estudiantes de leyes han sabido durante siglos, las confesiones no son dignos indicios de culpa.

Dzhokhar no fue convicto sobre la base de las evidencias. En mi interrogatorio a John Remington Graham, he concluido que a pesar de 48 años de activa experiencia en justicia penal, tanto en el papel de fiscal como en el de abogado defensor, le resultó extremadamente chocante la malversación legal del caso Tsarnaev. Como Graham se está acercando al final de su carrera, está deseoso de hablar claro, pero no ha podido encontrar un solo licenciado en el estado de Massachusetts que se prestase a respaldar su comparecencia ante el Juzgado del Distrito Federal de Boston.

Ello me dice que el miedo a las represalias ha extendido su alcance al sistema judicial y que la América que conocimos donde la ley protegía a la gente ya no existe.

Aquí está el Informe de Maret Tsarnaeva:

“Informe de Maret Tsarnaeva concerniente al caso de Dzhokhar Tsarnaev Consciente de que este informe puede ser presentado o despachado como un ofrecimiento de prueba con su autorización en procesos públicos contemplados por la ley de los Estados Unidos de América y en aplicación del Título 28 del Código de los Estados Unidos, Sección 1746, Maret Tsarnaeva comparece y declara: Soy la tía paterna de Dzhokhar Tsarnaev que ha sido procesado por el Juzgado de Distrito de Massachusetts de los Estados Unidos en imputación confirmada por un gran jurado el 27 de Junio de 2013, por causar una de dos explosiones en Boylston Street en Boston el 15 de Abril de 2013.

En el cargo por conspiración, son mencionados algunos otros actos de manifiesto mal proceder. Tal como yo entiendo la acusación, si Dzhokhar no llevó ni detonó un artefacto explosivo improvisado o

bomba en una olla a presión como se pretende, los treinta cargos fallan, aunque tal vez otras interrogantes persistan quedando pendientes de resolución, sobre las cuáles no ofrezco comentario aquí, y que deben ser sujetas a las garantías de un debido proceso judicial, dentro de la jurisdicción de la Commonwealth de Massachusetts.

Actualmente estoy viviendo en Grozny, la capital de Chechenia, que es una república de la Federación Rusa. Mi bagaje académico incluye estudios completos en un programa de cinco años de la Facultad de Leyes de la Universidad Estatal de Kirguistán, también poseo el master de leyes (LL.M), enfocado a leyes de seguridad, expedido por la Universidad de Manitoba cuando vivía en Canadá. Estoy calificada para ejercer la abogacía en Kirguistán. Manejo con fluidez el Ruso, el Checheno y el Inglés y otras lenguas me son familiares. Estoy dispuesta a testificar bajo juramento en procesos públicos en los Estados Unidos, si mis gastos son cubiertos y si mi seguridad personal y el derecho a regresar a mi hogar en Chechenia son asegurados adecuadamente por adelantado.

Al margen de otras anomalías y otros aspectos del caso sobre los cuales no hago comentarios aquí, tengo conocimiento de varias fotos, en los cuales el Federal Bureau of Investigation (FBI) ha confiado como medio de prueba, o de evidencias que su laboratorio criminal ha producido, y algunas otras publicaciones de material. En conjunto, todo ello muestra claramente que Dzhokhar no llevaba una gran mochila de nylon negra con un rectángulo blanco marcado en la parte superior, y conteniendo una pesada bomba en una olla a presión, poco antes de las explosiones en Boston el 15 de Abril, 2013, como pretende el FBI y se contempla en la atribución de ambas explosiones. Por el contrario, esas fotos muestran inequívocamente que Dzhokhar llevaba sobre su hombro derecho una mochila predominantemente blanca que era

de peso ligero, y no se apreciaba abultada o hundida como habría sido evidente si esta hubiese contenido una pesada bomba en una olla a presión. La única conclusión razonable es que Dzhokhar no fue el responsable por ninguna de las dos explosiones en cuestión. Aproximadamente entre el 20 y el 21 de Junio de 2013, durante su primer viaje a Rusia, que duró unos diez días más o menos, Judy Clarke y William Fick, abogados de la oficina de defensores públicos de Boston, visitaron a mi hermano Anzor Tsarnaev y a su esposa Zubeidat, respectivamente el padre y la madre de Dzhokhar. El

encuentro tuvo lugar en casa de los padres de Dzhokhar en Makhachka que se encuentra adyacente a la república de Chechenia, y a unas tres horas en coche de Grozny. Mi madre, mi hermana Malkan, y yo estuvimos presentes durante este encuentro. Zubeidat habla un inglés aceptable. El señor Fick habla Ruso con fluidez. Dejando a un lado otros detalles de la conversación el junio 20-21, deseo destacar lo siguiente:

- - Los abogados de Boston advirtieron vehementemente a Anzor y Zubeidat que debían reprimirse de reivindicar en público que Dzhokhar y su hermano Tamerlan eran no culpables. Les avisaron de que, si su advertencia no era acatada, la vida de Dzhokhar en custodia cerca de Boston sería más difícil. La señora Clarke y el Señor Fick también requirieron de Anzor y Zubeidat que colaborasen influenciando a Dzhokhar para aceptar la representación legal de la oficina federal de defensores públicos de Boston. El Señor Fick reveló que Dzhokhar estaba rehusando los servicios de la tal oficina y enviando de vuelta a sus abogados y personal cuando éstos le visitaban. En reacción a la sugerencia del Señor Fick, siguió una viva discusión:
- - Como familia de Dzhokhar, expresamos nuestra preocupación por si la oficina de defensores públicos de Boston no era digna de confianza y no intentaba defender a Dzhokhar eficazmente, ya que eran pagados por el gobierno de los Estados Unidos que le estaba acusando por razones políticas, como muchos creen. Los padres de Dzhokhar expresaron su deseo de contratar consejo legal independiente ya que Dzhokhar no confiaba en los abogados que el gobierno le había asignado. El señor Fick reaccionó diciendo que los agentes y abogados del gobierno obstruirían la labor de un consejero legal independiente;
- - Yo propuse que la familia de Dzhokhar contratase consejo legal independiente para trabajar con la oficina federal de defensores públicos para asegurar una adecuada y efectiva representación de Dzhokhar. El señor Fick respondió que, si era contratado consejo legal independiente por la familia, la oficina federal de defensores públicos de Boston abandonaría el caso.- El señor Fick entonces aseguró a Anzor y Zubeidat que el Departamento de Justicia de los Estados Unidos había asignado 5 millones de dolares a la defensa de Dzhokhar, y que

la oficina federal de defensores públicos de Boston intentaría defender a Dzhokhar adecuadamente. Zubeidat entonces y allí dijo poca cosa con respecto a las afirmaciones del señor Fick. Pero por mi parteo nunca he creído que la oficina federal de defensores publicos de Boston intentase alguna vez defender a Dzhokhar como prometieron. Y mis impresiones a partir de lo que pasó durante el juicio me conducen a creer que la oficina federal de defensores públicos de Boston no ha defendido a Dzhokhar competente ni éticamente. En cualquier caso soy sabedora de que a continuación de esa entrevista en Junio 20-21 de 2013, la señora Clarke y el señor Fick continuaron pasando tiempo con Anzor y Zubeidat llegando a persuadir a Zubeidat para firmar una carta mecanografiada en Ruso para Dzhokhar, urgiéndole a cooperar de todo corazón con la oficina federal de defensores públicos de Boston. Fui informada por mi hermana Malkan, de que Zubeidat les dio la carta a los defensores públicos, poco antes de su partida desde Rusia aproximadamente el 29 de Junio de 2013, para que la entregasen a Dzhokhar.

- Durante viajes siguientes de la señora Clarke y el señor Fick para visitar al los padres de Dzhokhar en Makhachkala, la estrategia para defender a Dzhokhar fue explicada, según pude saber a traves de mi hermana Malkan. La oficina pública de defensores de Boston pretendían contender durante el juicio, como realmente sucedió después, que Tamerlan, ahora fallecido, fue la mente criminal, y que Dzhokhar estaba simplemente siguiendo a su hermano mayor.

Yo me opuse firmemente a esta estrategia como moral y legalmente erróneas, puesto que Dzhokhar es no culpable, tal y como las evidencias generadas por el FBI muestran. Desde entonces se han enrarecido mis relaciones con los padres de Dzhokhar a causa de su aquiescencia. Aproximadamente el 19 de Junio de 2014, durante su visita a Grozny que duró unas dos semanas, tres miembros del personal de la oficina de defensores públicos de Boston visitaron a mi madre y hermanas en Grozny.

Se me dijo que también visitaron a los padres de Dzhokhar en Mackachkala. El personal que visitó a mi madre y hermanas en Grozny alrededor del 19 de Junio de 2014, incluía una tal Charlene, que se presentó a sí misma como investigadora independiente, trabajando en

y con la oficina de defensores públicos en Boston; otra que respondía al nombre de Jane, una trabajadora social que decía haber hablado con Dzhokhar; y una tercera, de nombre Olga, que era una intérprete de Ruso-Inglés de Nueva Jersey. No dejaron tarjeta de visita, pero se alojaron en el hotel principal de Grozny, de aquí presumo que sus apellidos pueden ser averiguados. Yo no estuve presente en el encuentro de Grozny sobre el 19 de Junio del 2014 pero mi hermana Malkan, que estuvo allí, me llamó por teléfono inmediatamente después de que el mismo concluyese. Ella me reveló entonces los detalles de la conversación durante la entrevista. Malkan y yo hemos hablado sobre la visita en varias ocasiones.

Malkan habla Ruso y Checheno y está dispuesta a testificar bajo juramento en procesos públicos en los Estados Unidos a través de intérprete ruso, si sus gastos son cubiertos y si su seguridad personal y el derecho a volver a su hogar en Chechenia son asegurados adecuadamente por adelantado. Ella explica, y me ha autorizado a declarar por ella que, durante la conversación el 19 de Junio del 2014, en Grozny, Charlene la investigadora independiente afirmó llanamente que la oficina federal de defensores públicos en Boston sabía que Dzhokhar era no culpable de todos los cargos, y que su oficina estaba bajo una enorme presión de las agencias de fuerzas del orden y altos cargos del gobierno de los Estados Unidos para no resistir la condena.

Este informe ha sido ejecutado en el exterior de los Estados Unidos, pero la presente relato es cierto hasta donde llegan mi conocimiento, información y opinión y está sujeto a la pena de perjurio de acuerdo con las leyes de los Estados Unidos de América. *Entregado el día 17 de Abril de 2015, Maret Tsarnaeva.*



Paul Craig Roberts

[MM thanks Mr PC Roberts for first publicizing Maret's affidavit!]

DOCUMENT 5. Petition for a Writ of Error Coram Nobis

To the United States District Court for the District of Massachusetts and to the General Court of the Commonwealth of Massachusetts, From a loyal daughter, Mary Maxwell, in Australia. February 29, 2016

This is a **petition for a writ of coram nobis** for Dzhokhar Tsarnaev.

The situation in regard to “the Marathon bombing” is killing all of us. When will it stop? I appeal to the Massachusetts government to stop it -- whoever can help, be it the court, the legislature, or governor.

Since at least 1970, persons acting apparently with authority’s connivance have been staging terrorism scenes in all parts of the world; for a while it was mostly in the Middle East and Ireland. The Boston bombing was one such staged terrorism act.

Given that the population of Boston is exceptionally highly educated, that city was perhaps chosen so that the organizers of such acts could prove to their own (sad) satisfaction that all of the people can be fooled!

In fact the Boston bombing was done more than 12 years after 9-11, regarding which a substantial number of people had seen the light.

In May 2015, Maret Tsarnaeva sent an affidavit to Judge O’Toole, in a proper manner, pointing out that her family in Russia had been approached by US federal employees to ask that Dzhokhar’s parents tell him to plead guilty to the bombing. The reason given – it boggles the mind – was that there was pressure on *them* “from high up.”

Dzhamaly Maazovich, a first cousin of Dzhokhar’s (“Jahar’s”) late grandfather, also signed the following affidavit (not sent to the court):

“For two years, starting from June 2013 to April 2015, me personally and members of my family repeatedly talked at the meetings that took place during the visits of defense lawyers [They]... had visited at the least, fourteen times.... For two years, our meetings and the patients of conversations were, it seemed to me, of a strange nature. Representatives of the defense team for Dzhokhar were collecting information about everything: our way of life, our lives, the origin of the Tsarnaev family tree, where we work, what contacts we have. They were interested in everything, except the facts proving the innocence of the Tsarnaev brothers, to which we had unsuccessfully tried to draw the attention of defense, because we were openly ignored. ... The **lead defense lawyer Judy Clarke** herself agreed, adding in the conversation, “**we know it – they are innocent...**”

I see it as impossible that Dzhokhar was the Marathon bomber, and believe his conviction should be vacated -- not sent to Appeals Court.

Please consider this letter to be a petition to the Court for a writ of error coram nobis. In the 1954 case of *US v Morgan*, the US Supreme Court ruled that this writ may be used to vacate a conviction and/or a sentence where justice calls for it. **It must be directed at the court** that adjudicated the case; it is not an appeal.

There are many common law writs; Congress confirmed their usage in the All Writs Act, codified at 18 USC 1651. The writ of *habeas corpus* is used when a prisoner calls out for justice; *coram nobis* can be used to vacate a ruling. A petition need be sent to the original court.

In *US v Morgan*, a man who had completed his sentence asked to have the ruling vacated, in 1954, as he had not made competent waiver of his right to counsel. The Federal District Court denied this coram nobis relief to Morgan, but the Appeals court allowed it and SCOTUS affirmed it. His conviction was set aside.

In *Korematsu*, a man who had been convicted of disobeying the 1942 martial law in California, which ‘quarantined’ Japanese-

Americans, claimed in 1984 that exculpatory evidence in the prosecutor's file had been withheld from him. Judge Marilyn Patel of the US District Court heard his petition for writ of coram nobis. US Attorneys made no objection and she ruled to set aside his conviction.

In 2015, Mary W Maxwell, PhD, LLB (me) published *Fraud Upon the Court*, showing that when a court has been defrauded, such as when a judge acts dishonestly, the mechanism of coram nobis is appropriate. She cited the opinion of the US Supreme Court in *Hazel-Atlas Glass Co. v Atwood* (1944). Justice Jackson wrote for the majority:

“No fraud is more odious than an attempt to subvert the administration of justice. The court is unanimous in condemning the transaction disclosed by this record.... **The resources of the law are ample to undo the wrong** ... Remedies are available to purge recreant officers from the tribunals on whom the fraud was practiced. **To nullify the judgment if the fraud procured it....** Such a proceeding is required by settled federal law.” [Emphasis added]

In Jahar Tsarnaev's trial, prosecutors, defense attorneys and the judge all acted in a manner that defrauded the court. I cite five instances:

1. The FBI, openly on TV, asked the public not to look at any other pictures for evidence as to what happened at the Marathon. This is as blatant an instance of obstruction of justice as one could ever find. People tend to obey such authoritative persons in an “emergency.”
2. The judge, as mentioned, did not respond to a shocking affidavit from Maret Tsarnaev who reported that the defense team had announced to the accused that they knew he was innocent, yet coerced him to plead guilty, **even threatening the Mother that her son could be harmed in jail.** (That affidavit was published on the Internet by a former US sub-cabinet official, Paul Craig Roberts.)

3. Judge O’Toole met with the jurors as soon as they were empaneled and said to them “We’re now teammates.” He shook hands with them and recommended that they shake hands with one another. His talking to jurors is totally out of bounds – unheard of, really -- and his emotional appeal must have put pressure on them to please him.

4. Exculpatory evidence was suppressed by the prosecution. Dee McLachlan, editor of an Australian news website, who is a photographer, discovered by chance that Trial Exhibit 22 is in the form of a video, but with various still photos inserted.



Ms McLachlan noticed the oddity of the fact that **the photo was presented as a square**, while almost all photos nowadays are ‘portrait’ or ‘landscape,’ typically 480x800. The unusual framing of the original photograph seemed questionable.

That being so, she figured that this picture started out as portrait but then had its bottom portion cropped off. In fact the person who did it must have forgotten to erase the ‘halo-like’ white circle. Were we to see the full picture, with the halo as a complete circle, we would be seeing much more of Jahar’s body – see grey space in the photo below.

The likely reason for **depriving the jury of seeing more** of Jahar’s body is that it would furnish a high-resolution photo of his backpack, which, as many people are well aware, was a silvery-white color. As such, **it would contradict the prosecutor’s claim** that the backpack that contained the offending bomb was black.



Now placed “in the video.”

5. As court-watcher in Canada, notes: in Motion 1101-1, the defense lawyer Judy Clarke ASKED THE JUDGE NOT TO SAY IN HIS INSTRUCTIONS TO THE JURY THAT JAHAR “HAS PLEADED NOT GUILTY TO ALL OF THE CHARGES.”

Clarke’s doing that clearly constitutes a fraud upon the court. I say she has committed a crime, per 18 USC 1503: “Whoever corruptly, ...endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States ...in the discharge of his duty, ...shall be punished.”

Moreover, the judge proceeded to follow her recommendation! As a result, almost everyone, myself included, went away thinking Jahar had pleaded guilty. Surely the jurors were deceived.

Kindly do not reply by saying that I lack standing to **petition for a writ of coram nobis**. I most certainly do have standing as one of the millions of citizens affected by the stunning loss of rule of law.

May I remind everyone of these maxims of English law:

Impunitas semper ad deteriora invitata -- Impunity always invites to worse faults.

Lex est dictamen rationis-- Law is the dictate of reason.

Lex semper dabit remedium -- The law will always furnish a remedy. Is it a stumbling block that it is a federal case? No, Massachusetts can have Jahar extradited now to be tried locally. (Please see my Youtube video “To Massachusetts Governor.”) Jahar can be tried for treason. He is a US citizen and the crime he is accused of was

an attempt to harm people in a warlike manner. (But it seems to me that he is not guilty and that someone else is, as I describe in the postscript.)

I send this petition to the court but also to the legislature. To ask Judge O'Toole to be the judge of his own malfeasance is not logical. Is my approach unusual? Yes, but did I ever think I would live to see the day when a Boston court would behave all out of touch with law?

You ask Doesn't Jahar have new attorneys? Yes, but the appeal does not mention any of the frauds that I have listed. Are they blind? You may ask "Shouldn't Jahar sign this petition?" Ordinarily yes, but he seems helpless and in court he appeared drugged, presumably involuntarily.

Most people assume that the story as told by *The Boston Globe*, CNN, FBI officer Richard DesLauriers, and others, is true. I do not think we can reach most citizens; they seem brainwashed. So it is up to the few who can see what is going on, to set things right. Thus please give consideration to my request for a writ of coram nobis. It is the best and easiest way to put an end to this nightmare.

This petition for writ of error coram nobis, in regard to the conviction of Dzhokhar Tsarnaev, is hereby respectfully submitted. His case number is Criminal No 13-10200-GAO.

Yours sincerely,

Mary Maxwell, a Boston-born dual citizen of US and Australia

[Having received a Post Office receipt from Boston in March 2016, but never a reply from the court, I re-sent the Petition to both houses of the Massachusetts Legislature in May, 2017. No reply as of June, 2019.]

Postscript: As noted in Chapter 10, I later came to believe that the "Jahar" pictured above is an actor. That wouldn't nullify my Petition for coram nobis, however, as the use of an actor in evidence of an accused's guilt is surely a fraud upon the court.

DOCUMENT 6. United States v Matanov. Case 1:14-cr-10159-WGY. Excerpts from hearing, June 22, 2014.



Matanov's lawyer, Edward Hayden, speaks to media at the Moakley

[Government]: Your Honor, Mr. Matanov poses a serious risk of flight, and no set of conditions will reasonably assure his appearance in court on these charges. He faces **eight years on each of the three false statement charges**; he faces 20 years of imprisonment on the obstruction charge; ...groundwork with telling various pieces of misinformation to civilians in the Braintree Police Department, and told federal authorities lies and changing stories over a variety of topics. The **grand jury also found probable cause** to believe that he **hid evidence...** and elicited the help of other people to do so.

He has friends and associates outside the United States. He maintains those ties by sending money -- significant sums of money **over a long period**. He sent money to 15 different people. And it went to people in six different countries, not just his home country of Kyrgyzstan, but also Egypt, Uzbekistan, Jordan, Turkey and Greece. The ability to go to people in those countries is also made easier by the fact that, Mr. Matanov has the ability to speak **seven** languages. We ask you to detain him.

[Delving into \$ remittances to family for hints of bad motives!]:
Q. But the only thing he did wrong was **sort of drive recklessly**.

A..... during the surveillance operations, those were the were piquing the interest of the people that were the surveillance. Q. Those records the prosecutor introduced, \$71,385 that he transferred overseas. A. Correct. Q. All right. Would you agree that's over a four-year period? A. So close to it, yes, it's about **\$17,000 a year**. Q. And you'd agree with me that there are reasons for **using an alias sending money that have nothing to do with terrorism**. A. Sure. Q. And the family members -- **his family members received \$56,590 over that four-year period**. A. Yes. Q. And the FBI figured out his family members -- anyone with the name "Matanov" that received money, correct? A. Yes. Q. But if he has a relative that just happens to have a different last name, you wouldn't have picked it up? A. Again, that's logical....

BY MR. GARLAND: Is Mr. Matanov charged with lying every **single time in every single sentence** to the FBI and to other investigators? A. No, he is not. Q. Does the indictment also charge that Mr. Matanov did make various false statements -- that are not **necessarily charged but that were alleged** -- to Witness 1 and to others, as well as civilians, and to Detective Heslam? A. Yes. Q. And does it allege -- as well did the grand jury find probable cause to believe that during the various times that he was interviewed by the FBI, he told changing stories and various lies to the FBI during those interviews? A. Yes.

THE COURT: Thank you. Will the defendant please stand.

THE CLERK: Mr. Matanov, as to Count 2, making a fraudulent statement in a federal investigation involving international and domestic terrorism in violation of Title 18, United States Code, Section 1001(a)(2), how do you plead, guilty or not guilty?

THE DEFENDANT: **Not guilty**. [All emphasis added]

[Matanov he later took a plea bargain, so got no trial. He did time, was deported to Uzbekistan, then went to UAE. My guess: he got a payout for his suffering in Plymouth prison. -- MM]

THE APPEAL (as of August 22, 2019)



Judge Juan Torruella and 2 amici: Daniel Medved and Cesar Baruja

Dzhokhar “Jahar” Tsarneav’s lawyers filed an appeal in 2017. (An appeal is automatic in a Death Penalty case.) They requested many extensions of time, which were granted. Importantly there are two amicus curiae briefs in file. Judge Torruella, age 86, has promised to give ours due consideration. It points to the **exculpatory evidence** in the Prosecution’s hands.

This has to do with the FBI presenting a black backpack, declaring it the source of the bomb explosion, whilst the FBI photo of the “suspect”, taken minutes earlier, shows him carrying a greyish backpack. (Nothing, as far as I know, has ever been found as to a “timer” for that bomb.) Our group of amici is Cesar Baruja, MD; Jim Fetzer, PhD, and Mary Maxwell, PhD.

In 2019 the Court accepted another amicus brief from a “Group of Eight.” Their plaint is that the venue was not proper. The original trial should not have been held in Boston, as the people were traumatized both from the bombing and the manhunt.

That group is composed of attorneys, legal scholars, and a former Justice of the Massachusetts Supreme Court, Fernande R.V. Duffly. By the way, Robel Phillipos also asked for venue change at his trial. It was not granted, however a retrial is sometimes ordered based on inability to find a pool of unprejudiced jurors.

What Can Happen at Appeal?

By October 2019, Government must reply to the appeal case. The appeal will be decided on by majority vote of three judges.

The rule is that an appeal is only in points of law. The jury was the fact finder and their decision can't be changed. However *it is a point of law* that the jury's verdict did not reflect the evidence. Recall from page 151 of this book a "laundry list" of exculpatory evidence for Jahar. To name just one item, the one-hour video of MIT compiled by Matt Isgur omits the crucial minutes of Sean Collier's death. Such an omission not only taints the evidence, it smacks of "guilty knowledge" by prosecutors.

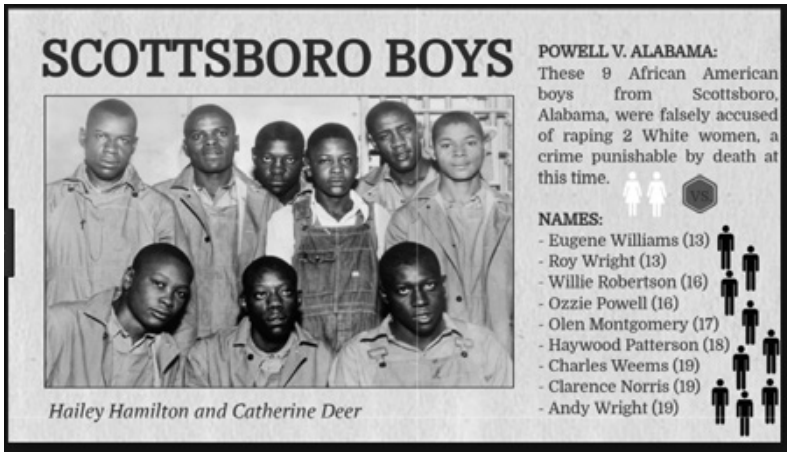
Most submissions by the appellate team are under seal, with Court's permission. Thus we don't know what's in them. One that is not sealed is the team's request to get the late Ibraghim Todashev's alleged remarks about involvement by Tamerlan in "the Waltham murders." Thus I presume the team of Public Defenders is leaning, once again, on the claim that Jahar deserves lenience as he was obeying his "big, bad brother." No, he deserves acquittal as not guilty. The defenders *are not defending* him.

The Right to Assistance of Counsel

There have been many US Supreme Court rulings on the final phrase in the Sixth Amendment: "In all criminal prosecutions, the accused shall ... have the assistance of counsel for his defence."

The precedent case on the right of the accused, if indigent, to have a counsel appointed for him, is *Gideon v Wainwright* 1963. It quotes *Powell v Alabama* 1932:

If charged with crime, [even the intelligent and educated layman] is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel, he may be ... convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. ... Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence."



Powell v Alabama is considered perhaps the most scandalous criminal case in US history. Eight of the nine accused black men were sentenced to death for allegedly raping a white woman. (The other woman recanted her testimony.) The convicted men appealed to SCOTUS successfully. Justice Sutherland wrote, in words very relevant to Boston in 2015:

“In the light of the ... ignorance and illiteracy of the defendants, their youth, the circumstances of public hostility, the imprisonment and the close surveillance of the defendants by the military forces, the fact that their friends and families were all in other states and communication with them necessarily difficult, and above all that they stood in deadly peril of their lives—we think the failure of the trial court to give them reasonable time and opportunity to secure counsel was a clear denial of due process.”

Should Jahar Take the Stand?

The Appeal Court can send the matter back to the District Court for a retrial. One of the decisions every accused needs to make is whether to take the stand. So long as an accused refuses to take the stand, he is protected by the Fifth Amendment from incriminating himself. But once he decides to speak at his own trial, he has to answer any questions a cross-examiner may put.

Since Judy Clarke said “It was him” in her opening remarks, she apparently considered Jahar guilty. If so, why not advise him to take the stand? She could have guided him through her desired theme about the influence of Tamerlan. As argued in this book, *The Soul of Boston and the Marathon Bombing*, I believe the FBI (or some covert agency) arranged the Marathon bombing. I think Jahar’s defense team *does* know he is innocent. And that is why they made sure that he did not testify. He may, for example, have told how Tamerlan and he had been called out to Watertown to rendezvous with their FBI or CIA contact (if that is so).

Thus I claim Jahar’s right to counsel was violated in four ways:

1. As ruled in *McCoy v Louisiana*, an accused has the right to decide if he will plead guilty or not guilty. Jahar’s defenders deprived him of that choice. They pled guilty for him, and *did not even tell the jury* that “He pleads not guilty.”

2. According to the scene described in Aunt Maret’s affidavit, Jahar was forced to accept the appointed team. His parents were pushed into writing him a letter that Judy could take back to the US, instructing him to accept the Public Defenders.

3. If innocent he would have been an excellent candidate for taking the stand. But owing to the coercion of his defense team he had, I think, no way to know that testifying about his innocence would be a good choice. In effect he was prevented from testifying.

4. Because Jahar is under SAMs it is now impossible for him to learn of the McCoy decision and act on it if he wishes.

The appeal has been running since February 2016 – 42 months so far -- and there is no indication that the new defense team intends to say that Jahar did not do the bombing. Just imagine it!

UPDATE. The appellate court has announced that Oral Argument is to be held on December 12, 2019. The appellate panel is: Judge Juan Torreulla, Judge O. Rogerie Thompson, and Judge William Kayatta.

Listen to me, Bostonians, you have let yourselves be fooled for 6 years! You let the *Globe* fill you with tales of people who deal with hardships of amputation. You like that sort of heroism? Then please get heroic right now, this afternoon, and deal with our city's future. It does not have to go into freefall decline.



Boston's FBI Office shamelessly telling the public they found the suspects on surveillance film. DesLauriers: Somebody out there knows these individuals.

You can immediately nominate yourself as Truth Commissioner in your locale. Make your group available as a place where guys with knowledge of what really hapoened can safely go. Are you Irish? Call your group the local Irish Truth Commission – same for Italian, Jewish, Spanish, Chinese, etc. Are you an L-Street Brownie? Call your group the Icy Swimmers Truth Commission.

STOP PRESS -- STOP PRESS -- STOP PRESS

Shock City! Taxi drivers of Boston are forming an association to protest this case. Hairdressers are supporting the idea, too! I never foresaw it!

Who's next? How about police – yes, O Cops, you know you don't like what happened in 2013, right? Better give that "Officer Down" story at MIT your closer attention. And don't let your union bully you....

Start something, Everybody! You'll be thanked forever. Yay!



This photo of Martin Richard's family remains unattributed.

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northeastern. edu / catholic medical center.org **P257** emaze.com

Note: I have not attempted to credit photos that appear to belong to

Tsarnaev's family and friends, or which were provided by the Court.

Any photographer who feels under-credited, please contact me.

BOOKS BY MARY W MAXWELL

Human Evolution (1984)

Morality among Nations (1990)

The Sociobiological Imagination, editor (1990)

Moral Inertia (1991)

Prosecution for Treason (2011)

Teen Etiquette with Feelings (2012)

Consider the Lilies (2013)

A Balm in Gilead (2014)

Fraud Upon the Court (2015)

Truth in Journalism (2015) co-author Dee McLachlan

Port Arthur: Enough Is Enough (2015) co-author DM

Inquest: Siege in Sydney (2017)

Deliverance! (2018)

The Soul of Boston and the Marathon Bombing (2019)

Reunion: Judging the Family Court

(Those last six are free downloads at GumshoeNews.com)

Plays by Mary Maxwell at Adelaide Fringe Festival

Puppetry of the Watermelons (2015)

A Pardoners Tale for Our Era (2016)

A Moot Court Trial for Martin Bryant (2017)

My Best False Memories (2018)

Crikey! Australian Conspiracy Theories (2019)

ABOUT THE AUTHOR

Mary Maxwell, née Whalen, attended CH Taylor Kindergarten, Mattapan, in 1951, followed by first grade at Notre Dame Academy, Roxbury and then St Mark's and St Gregory's, Dorchester. Later, Emmanuel College and Johns Hopkins.

Music was big -- her Dad a founding member of the Boston Civic Symphony in 1925 (double bass); maternal grandmother a piano teacher; sister, a cantor. Mary started a children's choir.

Miraculously met George Maxwell, a Scottish Australian, so off she went to learn housewifery and get a PhD in Politics at the University of Adelaide. Mary sings of a happy marriage.

Widowed in 2000, she enrolled in law school. Got a notion for legislating, thus tried for Congress in 2006 and Senate in 2017. Alas, no room at the inn. (But she enjoys campaigning.)

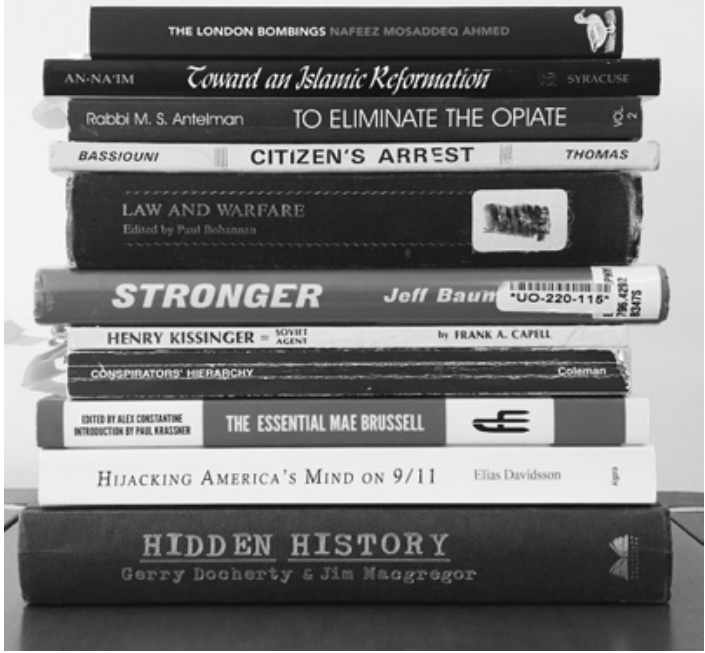


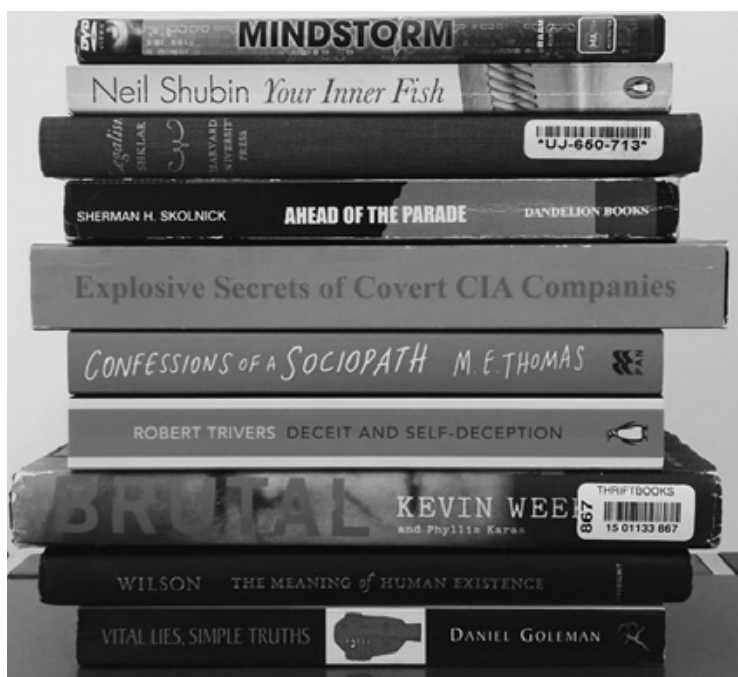
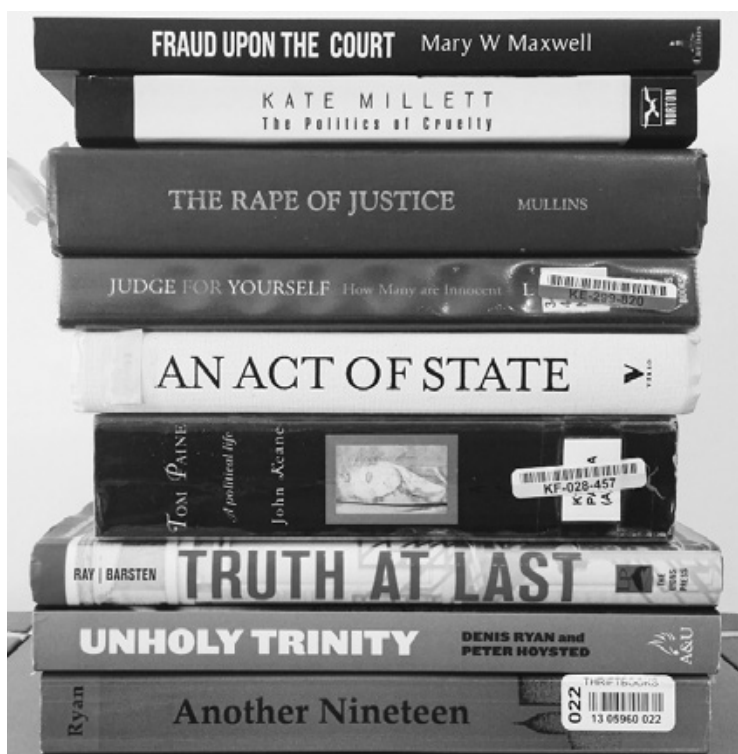
Candidate Maxwell voting for herself in Montgomery, Alabama

Developed an urge for litigation and filed *Maxwell v Trump* in 2017, a war-powers case. Is currently working at a fevered pace on “judicial kidnap” and MK-Ultra lawsuits. Her new book, *Reunion: Judging the Family Court*, is downloadable. Any help with publicity would be vehemently appreciated!

Ms Maxwell's greatest mentoring came from EO Wilson in evolutionary biology, reflected in her *Consider the Lilies: A Review of 18 Cures for Cancer and Their Legal Status*. Another hero is Philip Allott, whose *Eutopia* shows a way out of this mess.

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TIMELINE

2011: Dzhokhar (Jahar) Tsarnaev Gets US Citizenship

2013: April 15, Monday

- at 12:10pm, an Ethiopian wins the Marathon
- at 2:49pm two bombs go off near the Finish Line
- at 3:14pm Jahar is video'd at Whole Foods across river

April 18, Thursday, at 5pm, suspects' photos shown on TV

- after 11pm, Dun Meng reports he was carjacked

April 19, Friday, at 1:05am, Tamerlan shouts "Podstava"

- "Shelter in place" in Boston, searches in Watertown
- At 8pm, thermal imaging shows Jahar in dry-dock boat; unidentified cops pumps 228 bullets into the boat

April 20, Jahar interrogated between surgeries in hospital

- His Mom, on TV, says FBI often visited her and Tamerlan

2015: Aspects of Jahar's trial in US District Court:

- February, a month of juror selection
- March, angry amputees stand outside courthouse
- April, Jahar pleads not guilty to all 30 charges, but Judy Clarke opens the defense case with "It was him"
- Visiting aunt from Russia forced to wear ankle bracelet
- Todashev's mother-in-law shouts "We support you!"
- Jahar sentenced to death, apologizes to victims
- Aunt Maret writes to Judge O'Toole saying defense team told Jahar's parents they know he is innocent!

2016: Maxwell petitions for Writ of Error Coram Nobis

2017: Court accepts Baruja, Fetzer, Maxwell as amici curiae

2018: Open Mic in Watertown Library yields new data

2019: Judge Juan Torruella hears the appeal case in Boston

2020? – Jahar to get lethal injection (judicial murder), or alternatively, the real Marathon bombers get punished.

STOP PRESS dated March 18, 2020

On December 5, 2019 I filed a **civil RICO** suit against 10 defendants, including the FBI, the *Globe*, Carmen Ortiz, MIT, Watertown police chief Ed Deveau, *National Geographic*, William Fick, and the Director of the Federal Bureau of Prisons.

The magistrate at US District Court in NH recommended my suit be dismissed. Her notice, sent on December 17 to my home address, was returned by USPS to the court as "Undeliverable." I don't suspect foul play, although Xmas cards and bills reached me just fine that week. Anyway, the matter thus died. Please feel free to imitate this RICO case. It's a \$2 download at PACER.gov.

On December 12, 2019 I attended **Oral Argument** in Jahar's appeal. Defender Daniel **Habib** never mentioned exculpatory evidence or our amici brief. Predictably, the prisoner was not in attendance. In February 2020, wondering if Jahar is still alive, I sent him a box of candy at Supermax. It was returned "Refused." I guess that is a good sign. Were he deceased, the candy would probably have disappeared quietly into the system.

In November 2019, I filed as a Republican candidate in New Hampshire's presidential primary. During the Lesser Known Candidates' Debates, on C-Span, I alluded briefly to the Marathon case. In the February 11th election I came in third. Trump and Weld got 100x more votes than Maxwell. My campaign website is still visitable at: www.ConstitutionAndTruth.com.

In December and January, the president's impeachment drowned out any interest in an impeachment of Judge George O'Toole.

Months ago, I gave a copy of this *Soul of Boston* book to the Boston Public Library, but it hasn't yet been catalogued, despite the front steps of BPL being on the front cover! The Australian National Library has it catalogued. And it's at Lulu.com for ten bucks. If you'll give a copy to your local library or Law School, I thank you.