

**BOSTON'S
MARATHON
BOMBING:
What Can
Law Do?**

Mary W Maxwell

Boston's Marathon
Bombing:
What Can Law Do?

Mary W Maxwell

ISBN:

Copyright Mary Maxwell, 2021

Keywords: Marathon Bombing, Jahar Tsarnaev, FBI criminality, Sean Collier, *McCoy v Louisiana*, Ibragim Todashev, Watertown lockdown

Note: This book replaces its 2019 predecessor:

The Soul of Boston and the Marathon Bombing.

Permission is hereby granted to anyone to copy the material for personal use, unaltered and attributed.

To the world's most noble judges

You know who you are

Massachusetts got its declaration of rights in 1780, as drafted by John Adams. This preceded and greatly influenced the US Bill of Rights and subsequently those of other countries.

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. 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. 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.

PREFACE

The United States Supreme Court has agreed to hear the prosecution's appeal of Jahar (Dzhokhar) Tsarnaev's sentencing in the Boston Marathon case in the autumn term of 2021. And I hope they will be attentive to his actual innocence.

This opportunity is greatly fortunate in our current circumstances. The nation is going through huge, unwanted changes. The US Constitution is being "obsoleted" by Congress and the Bill of Rights seems to be unknown to the Executive Branch.

Also, a new power has arisen within the business community - the mainstream media has grown evermore controlling of our perceptions and is busy deliberately designing our culture. Amazingly, owners of "social media" have given themselves the right to censor speech. [*All faint.*] In 2020, even a president of the United States could be "banned from Twitter."

I propose that a proper airing of the facts related to the bombing of the 2013 Boston Marathon will give us exactly what we need to reestablish normality! The people of Boston have a great heritage. They should never have put up with being manipulated -- and they can now declare an end to it.

Yours Truly is in love with the law. I see law as an innate feature of our species. How is it that it has slipped away? Easy. We let it slip away. You can't do that. Law does not have a life of its own -- as will be very clear in this book. "The wrong element" can even weaponize the law and make it work aggressively, frighteningly, against us. Know what I mean?

There is a saying “The law is both sword and shield.” I’m for both. It’s not enough to call on law to shield us from the powerful. We have to use law against the powerful if they are causing harm. That’s a such a silly statement it is embarrassing to say it. Yet the powerful today do go about their crimes completely protected from punishment, and to a large extent from scrutiny. Imagine fixing that problem!

But nothing will happen unless people get involved. It is quite possible that the highest court in the land will decline to exert a leaderly role. We need folks to come forward from their three-deckers and wave the flag. Come on, people on the red line, blue, orange, and green lines, I mean you. You can do it.

People outside Boston and indeed outside the US can pitch in. Right now the world is focused on Covid. Here’s a chance to gain perspective on the new relationships of power and the law.

Walk with me through the Marathon case. Part One lays out the facts – almost none of which were honestly presented in the 2015 Tsarnaev trial at the Moakley Courthouse. Part Two shows how the law has anticipated every trick in the book and is ready to be used imaginatively.

The relevant maxim is: *Lex semper dabit remedium* – “Law always furnishes a remedy.”

You will feel like a king once you get the law in your hands.

ACKNOWLEDGEMENTS

I acknowledge my debt to the city of Boston where I was born and raised (St Mark’s parish, Dorchester, to be exact). I thank the nuns who didn’t let us get away with much. I thank my family and friends. Huge thanks to my late husband, George.

The book at hand could not have happened but for Josée Lépine, a Canadienne who submerged herself in the transcripts of the Tsarnaev trial and shared her findings with any who

would listen. She will soon release her own book and it will be historic.

I lived in Australia from 1980 to 2018. I was offered a platform there to try out my ideas, at GumshoeNews.com. The Watertown Public Library also gave me a podium, in 2018, from where I hosted an Open Mic session for locals that proved surprising and fruitful. *Gracias*. I also thank Montse Alarcón Flix for translating Maret Tsarnaeva's jaw-dropping affidavit into Spanish; it appears as Appendix E of this book.

I am grateful to Jack Graham for preparing our amicus curiae brief, first for the appeal court and now to the US Supreme Court. Jack demands optimism even in the face of low odds. But then, why not? This case is a winner if ever there was one.

“Consequences”

Might we get in trouble for taking on the “elite”? Of course. That's standard office procedure. Dissenters get smeared, intimidated, impoverished, worn down, perhaps jailed or killed.

I say, so what? Holding the government accountable has been a national duty since approximately 1776. And it's fun. And anyway, the “elite” secretly want out of the corner into which they have painted their poor dear selves. We can assist them.

Why not invite me to talk to your group? There is already a klatsch of “hairstylists for figuring out the Marathon affair,” and a similar one with taxi drivers. I am totally at your service.

Please email me at MaxwellMaryLLB at Gmail.com, or see my website ConstitutionAndTruth.com. This is urgent business.

Mary W Maxwell June 1, 2021 Concord, New Hampshire

TABLE OF CONTENTS

Preface	7
PROLOGUE: Quick Overview of the Official Narrative	14
PART ONE -- TEN EMBARRASSING FACTS	
1. Fact: Naked-Man Video Proves Tamerlan Survived	25
2. Fact: The Death of Sean Collier Is an Open Case	29
3. Fact: Defense Team in Russia Made Mafia-like Threats	35
4. Fact: Dun Meng Was Not Carjacked by the Brothers	39
5. Fact: The “White Hat” Video Was Filmed in Arizona	43
6. Fact: Good Witnesses Were Harassed, SAMs Imposed	47
7. Fact: Jahar’s Boat Confession and Apology Are Bogus	53
8. Fact: Tsarnaev’s Trial Is Reminiscent of Scottsboro’s	57
9. Fact: A Backpack Cannot Change Its Stripes	63
10. Fact: Laurel St Involved John Doe, Billy, and Stripey	67
11. <i>Conclusion to Part One: There Is No Case To Answer</i>	75
PART TWO – BRINGING THE LAW TO BEAR	
12. Introduction to Part Two – What Can Law Do?	79
13. <i>McCoy</i> Rule Means Jahar Walks, but Does He Know?	81
14. Blackstone Listed Crimes against Justice, in 1765	85
15. Law Says Inquests for Tamerlan, John Doe, Collier	89
16. Muslims’ Civil Rights Are Protected by USC 1983	93
17. Federal Gov’t Can’t Dictate to the States: <i>Printz v US</i>	97
18. Congress Can Impeach US District or Circuit Judges	101
19. Ruling in <i>Brady</i> Mandates Exculpatory Evidence	105
20. Media Officers Can Be Indicted for Many Crimes	109
21. Many Marathon Criminals Are Ready To Be Nabbed	115
22. Profiling the FBI: Would They Plant a Bomb?	121
23. <i>Conclusion to Part Two: The Law Still Works</i>	127
Street Map of Watertown Neighborhood	184
About the Author	185
Photo Credits and Index	186

TABLE OF APPENDICES

A. CNN's Anderson Cooper on Jihadist Tendencies	133
B. Cousin Dzhamaly Tells of Being Refused a Visa	141
C. During Raids, They Leave Gifts of Incriminating CDs	144
D. Officer Reynolds' Testimony of Laurel St Shootout	147
E. <i>En Español</i> : Maret Tsarnaeva's Affidavit Translated	152
F. Letter to Middlesex DA for Re-look at Collier's Death	159
G. Elias Davidsson's Note to Antonia Soares Thompson	161
H. Pleadings in a Civil RICO Case: <i>Maxwell v FBI et al</i>	162

Table of Authorities

<i>Brady v Maryland</i> (1963)	Show exculpatory evidence	105
<i>Brandenberg v Ohio</i> (1964)	Allow a marketplace of ideas	109
<i>Herrera v Collins</i> 1993	If "demonstrably innocent"	38
<i>Kyles v Whitley</i> (1995)	A deeper exculpatory burden	108
<i>McCoy v Louisiana</i> (2018)	The right to plead Not Guilty	81
<i>Powell v Alabama</i> (1932)	Abridged the right to counsel	57
<i>Printz v US</i> (1997)	Feds are not the boss of states	100

Table of Codified Federal Law

Treason	18 USC 2381	112
Obstruction of justice	18 USC 1503	106
Conspiracy to defraud US	18 USC 371	118
RICO Act	18 USC 1961	128
SAMs	28 CFR 501.3	52
Civil rights	42 USC 1983	93
False statements	18 USC 1001	113

Table of Massachusetts Laws

Inquest	Ch 38, sec 3	89
Treason	Ch 264, sec 6	112
Assault	Ch 265, sec 1	117
Destroying evidence	Ch 268, sec 13E	119
Inciting to violence	Ch 264, sec 11	111

A Scene at the Moakley Courthouse in 2013

Although the jury had handed in the Death Sentence on May 15th, the drama of announcing it was set for June 4, 2015. US District Court Judge George A O'Toole, Jr addressed Dzhokhar -- age 21 -- as follows:

“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. 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.”

[quoting character witnesses from the penalty phase]

“What will be remembered is that you murdered and maimed innocent people and that you did it willfully and intentionally.”



*Jahar Tsarnaev in 2011 at his graduation
from Cambridge Rindge and Latin High School*

George Orwell's *1984*

Winston Smith is being tortured in "Room 101"

"The totalitarians... knew, that one must not make martyrs. Before they exposed their victims to public trial, they deliberately set to destroy their dignity. They wore them down by torture and solitude until they were despicable....

"All the confessions that are uttered here are true. We make them true.... You must stop imagining that posterity will vindicate you, Winston. ... Nothing will remain of you, not a memory in a living brain. You will be annihilated. You will never have existed."

PROLOGUE: Quick Overview of the Official Narrative

It is now eight years since the Marathon bombing. At the time, in 2013, all Bostonians were made very aware of it by constant media coverage, not to mention a citywide lockdown.

I intend to challenge most of the official story. Part One's "fact-chapters" will criticize it and will also point to the poor quality of the court trial of Dzhokhar (Jahar) Tsarnaev in 2015. Later, In Part Two I'll strut around with good law.

For now, however, this Prologue presents the official narrative, of the events of Marathon Monday and the further violence that occurred on the Thursday and Friday of that week in 2013. This Prologue portrays the two Tsarnaev brothers as guilty of everything (per the official story), including the killing of Officer Sean Collier at the MIT campus.

By Friday, April 19, Jahar's older brother, Tamerlan Tsarnaev, was dead, and Jahar arrested. He is still in prison now, in 2021.

MONDAY – THE BOMBING, April 15, 2013

A Marathon race is held in Boston every year on a holiday called Patriot's Day which celebrates the American Revolution. of 1775. The Finish Line is at the side door of the Boston Public Library at 700 Boylston St. On April 15, 2013 the winning athlete, from Ethiopia, came in 12:20pm. Many spectators remained as there were another 30,000 runners still to come!

By 2:00pm there weren't so many well-wishers standing near the Finish Line. At 2:49pm an explosion occurred on the library side of the street, and seconds later another explosion on the opposite side. Three people died on the spot: Martin Richard, age 8, Krystle Campbell, age 29, and a student from China, Lingzi Lu, age 23.



It was estimated that 260 were injured, seventeen of whom lost a limb. Several of them have written books.

A federal court trial began in 2015 for Dzhokhar Tsarnaev. He is usually referred to by his nickname, Jahar. He was convicted of 30 counts of crime. Some of these were about the bombing, others were about the mayhem he is purported to have caused later that week. On Tuesday and Wednesday the first two days after the Marathon, all was quiet. Jahar was in school, at UMass Dartmouth. On Thursday, more action erupted, as follows:

**THURSDAY – THE FBI ANNOUNCEMENT, THE
CARJACKING, THE STOP AT AN ATM,
AND THE SHELL STATION – April 18, 2013**

On Thursday at 5:15pm, FBI Agent Richard DesLauriers went on TV with the news that the search for the Monday's Marathon bomber had narrowed down to two suspects. Photos of Jahar Tsarnaev, age 19, and Tamerlan, age 26, were shown. The FBI claimed that it did not know these guys.

The public was asked to report any sightings of these men and was asked *not* to consult other photos “even from your own camera” as it would lead to time wastage by the FBI.

Here are Suspect One and Suspect Two, seen (left) on surveillance video from Whiskey's Steakhouse, at 855 Boylston St:



There is no further activity involving the Tsarnaevs on that Monday, except that a surveillance shot from Wholefoods in Cambridge (above, right) shows Jahar buying milk at 3:12pm, a mere 22 minutes after he detonated the bomb.

The next activity, “the brothers’ attempt to escape,” occurred after 10pm on Thursday April 18, 2013 and ran into the wee hours of Friday, April 19th when Tamerlan died. (Beth Israel Deaconess Hospital reported him dead at 1:35am on Friday.)

There are several criminal charges related to that window of time – 10pm Thursday and 1:35am Friday. All charges are against Jahar; nothing was officially blamed on Tamerlan, as he did not live to be charged. Here is what the prosecution alleged:

When Jahar and Tamerlan found out that their photos had been shown on TV they tried to run away. First, they went to MIT in Cambridge to steal a gun. Using a gun he already had with him (on loan from friend Stephen Silva), Jahar killed an MIT cop, Sean Collier, age 27. But he was unable to steal Collier’s gun as it was locked in the holster. The video evidence

submitted in court to show the presence of Jahar at MIT is from a camera on the 24th story of a distant building.

The next scene is placed around 11pm. According to the witness Dun Meng, Tamerlan knocked on the window of Meng's parked Mercedes SUV on Brighton St, Allston and carjacked him. The brother (Jahar) was in a green Honda Civic behind. The three men went to an ATM so Jahar could draw (steal) \$800 from Meng's credit card.



Then, since the car was low on gasoline, they went to a Shell station on Memorial Drive at which Jahar bought snacks from the convenience store. The proof of that part of the itinerary consists of photos of the brothers inside and outside the store.

From a surveillance video near the pump, you can see Meng escaping. He ran to a Mobil station across the street and asked the manager to dial 911. The SUV was a rental car with tracking, so police now saw that it was driving towards Watertown.



FRIDAY – THE LAUREL ST SHOOTOUT, MARTIAL LAW, AND THE BOAT SCENE – April 19, 2013

The final stop after the MIT-Allston-Shell itinerary is thus in Watertown. A shootout occurred near 62 Laurel St. Per PoliceFoundation.org the gunfire began at 12:35am or earlier on Friday, April 19, 2013. This photo of the clash was taken by a Laurel St resident, Andrew Kitzenberg. Indeed, he aired the story in real time on YouTube. Notice how the assailants seem to be walking right into the headlights of the cop car.



Tamerlan jumped out of the SUV and shot at police. Jahar threw three pipe bombs and a pressure cooker. Tamerlan ran out of bullets and dropped his gun. In the gunfire, one cop, Officer Donohue, was seriously injured by police's friendly fire.



Exhibit 59: the gun



Officer Donohue of the Transit Police

An odd thing then occurred. Per the testimony of Watertown Police officer Joseph Reynolds, Jahar jumped into the SUV and plowed it into the spot on Laurel St where Sgt Jeffrey Pugliese was grabbing Tamerlan. Jahar ran over his brother. But even after being dragged for at least 20 feet, Tamerlan was “combative,” and so was handcuffed and sent to the hospital. Here are 3 cops who witnessed this, receiving an award:



(L) Officer Reynolds (C) Sgt McLellan (R) Sgt Pugliese

Jahar abandoned the SUV a half mile from Laurel St and was last seen there by Officer St Onge. Nothing was known of Jahar (aka Suspect Two) from that time, around 1:00am, until 7pm, when he was located in a drydocked boat in Watertown.

“Martial law” began at 6am on Friday. Locals received a Robo call telling them to stay home and not let anyone in as there was an armed terrorist, the Marathon bomber, on the loose. (The FBI figured these shooters in Watertown were the Marathon bombers as, on Tamerlan’s arrival in hospital, the FBI had taken his fingerprints and discovered his identity.) By 8am, the governor of Massachusetts, Patrick Deval, decided to include Boston in the lockdown, and sent a Robocall to all residents.

For the whole day, Friday, a huge contingent of camouflage-wearing, soldiers of Massachusetts National Guard and state troopers took to the streets to hunt for Jahar. They entered homes forcibly, ordering some of the occupants to go outside.



At 6:03pm, Governor Patrick, a former US Attorney, lifted the curfew. That gave David Henneberry a chance to go out for a smoke in his yard at 67 Franklin St, Watertown. He noticed that his boat had been disturbed so he got a ladder and peeked in. He saw blood and called 911 at 6:42pm. Cops arrived fast.

Police from many agencies shot 228 bullets at the boat. An aircraft went aloft, equipped with thermal imagery and determined that a warm, still body was there. The “standoff” lasted over an hour; negotiators were sent. Police threw in a grenade and by 8:00pm Jahar emerged. He was arrested, handcuffed, and taken to Beth Israel Deaconess Hospital, seriously injured.

Weeks later, the boat was found to have a confession written on its wall. Todd Brown, Boston Police’s bomb technician, testified that, on the evening of Jahar’s arrest, he had entered the boat and noticed something written inside the boat.

In the hospital, Jahar was interrogated, between surgeries, by experts. They determined that the brothers had acted alone and that no search for other suspects was needed. Although Jahar could not speak, he wrote answers to questions in a notebook.

In order for Jahar to be charged with a crime, it was necessary that a magistrate visit him at the hospital. Magistrate Judge Marianne Bowler initially charged with the death of one person, Krystle Campbell. Later, the prosecution brought 30

charges. Here are three that refer to the bomb near 755 Boylston St:

Count 4. Use of a weapon of mass destruction (Pressure Cooker Bomb #2), resulting in death; and aiding and abetting

Count 5. Possession and use of a firearm (Pressure Cooker Bomb #2) during and in relation to a crime of violence, resulting in death; and aiding and abetting

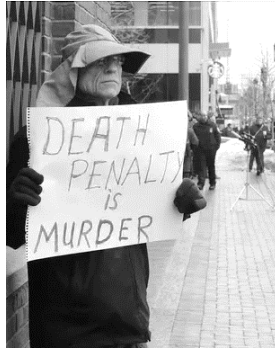
Count 14. Malicious destruction of property by means of an explosive (Pressure Cooker Bomb #2), resulting in death; aiding and abetting.

THE TRIAL – FEBRUARY 2015 to APRIL 2015

The trial of Dzhokhar, *US v Tsarnaev*, began in February 2015. A US citizen since 2011, Jahar was age 21 at trial. At age 8 he had immigrated from Kyrgyzstan (part of Russian Federation) with his refugee parents and sisters Ailina and Bella:



The trial began with the selection of 12 jurors and 6 alternate jurors. Prosecutor Carmen Ortiz gave her opening statement on March 4, 2015. Public Defender Judy Clarke gave her opening statement, saying “It was him.” That is, she did not argue for her clients’ innocence. Outside the Moakley Courthouse, victims, including amputees, carried signs. Some were angry. Persons opposed to Death Penalty also protested.



The judge was Judge George A O'Toole, Jr., a graduate of Holy Cross and Harvard Law. By April 8, 2015 the jury had reached the verdict of guilty on all 30 counts. On May 15, 2013 the jury sentenced Jahar to death. He read an apology for the harm he had caused. The judge ordered Jahar to pay \$101 million in restitution to the victims. (Each amputee had already received over \$1million, and the bereaved families \$2.25 million, from the One Fund of \$80 million, administered by Ken Feinberg.)

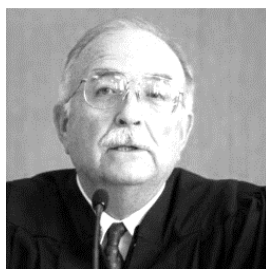
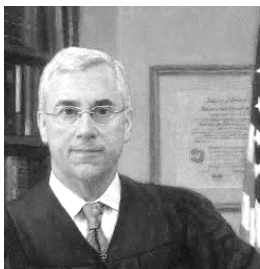
Atty General Eric Holder placed Jahar under SAMs – “special administrative measures” -- at federal Supermax prison in Colorado, which gave him little ability to communicate. Also, the judge placed many of the court’s documents under seal. In subsequent years, some of those documents got released.

THE APPEAL PROCESS, Begun in 2017

Every death row prisoner gets automatic appeal. A new team of defenders (paid by the court) was appointed. They asked for various extensions and the opposite party, the DoJ (federal department of justice), asked for extensions. All were granted.

Two groups were approved as *amici curiae*, friends of the Court. The first group, Prof James Fetzer, physician Cesar Baruja, and political scientist Mary Maxwell (myself), has John Remington Graham as its counsel. Their brief emphasized that Jahar was photographed wearing a white or grey backpack, whereas the FBI submitted remnants of a black backpack as the container of the pressure-cooker bomb at the Marathon.

The second group granted status as amici consists of eight persons -- seven lawyers and one former judge of Massachusetts Supreme Judicial Court, Fernande Duffly. Their brief had only to do with the matter of choice of venue. They argued that Jahar could never have got a fair trial in Boston.



Judges: O'Toole for trial, Duffly as amicus, Torruella at appeal

Finally, on December 12, 2019, there were the Oral Arguments, at Moakley Courthouse. The brief submitted by our amicus counsel, Jack Graham, was not alluded to, although Judge Juan Torruella had promised Jack he would consider it. Judge Rogeriee Thompson wrote the opinion, granting the Defense's plea to have the death sentence changed to life imprisonment based on the inappropriateness of the venue for trial. However, the government appealed that appellate decision asking for the death sentence to be restored. The US Supreme Court, on March 22, 2021 agreed to take this case, and it will be heard sometime after August 2021.

A Note about This Book

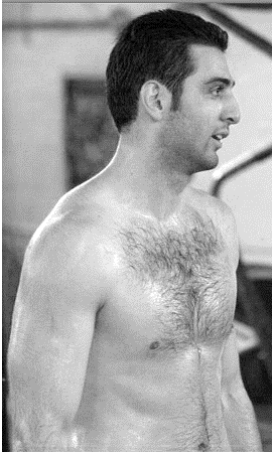
May I remind the reader again that **I believe very few of the things described above** regarding the period from April 15-19, 2013. If you care to read Part One of this book (11 short chapters), you will see that the original case presented at trial did not by any means show Jahar guilty-beyond-reasonable-doubt. The evidence is so thin as to be an insult to the court and a mockery of Boston. In Part Two I try to fix that up.

WELCOME TO PART ONE

Ten embarrassing facts

1. CNN's naked-man video proves that Tamerlan survived.
2. The death of Sean Collier is a completely open case.
3. The "defense team" made mafia-like threats about Jahar!
4. Dun Meng did not get carjacked by the Tsarnaevs.
5. 'White Hat' video deceives; it's not surveillance footage.
6. Favorable witnesses were prevented from going to court.
7. Jahar's boat confession and apology are plainly nonsense.
8. Jahar's trial had justice reminiscent of the Scottsboro trial.
9. Jahar's backpack doesn't match Marathon bomb-holder.
10. Laurel St shootout involved John Doe, Stripey, and Billy.

1. Fact: CNN's Naked Man Proves Tamerlan Survived



Forget about Tamerlan getting wounded either by gunfire or by being run over by a car. That simply *did not happen*. Whoever was shooting on Laurel St in the wee hours of April 19, 2013, must have been a man other than Tamerlan.

We know this because CNN's Gabe Ramirez caught Tamerlan on camera (above, right) *after* the alleged Laurel St shootout. Clearly Tamerlan is unwounded and is being escorted naked into a cop car. The relevant video was on YouTube for years but is now gone. However, I recently found CNN's transcript:

Jake Tapper: Now, **perhaps completely unrelated to the Boston Marathon terrorist attacks**, there was a shooting this evening after 10 o'clock Eastern time, Boston time, **pm**, of a police officer on the campus of MIT, the Massachusetts Institute of Technology in Cambridge, right outside Boston, just over the river. There was also a carjacking in Cambridge. **And then since then there has been an arrest made**, an individual in Watertown, just a few miles away -- where Drew [Griffin] was reporting from. And I **want to now go to Gabe Ramirez, who is the photojournalist who took images of the apprehension of one of these individuals**. We believe that there is a second individual also being pursued.

Gabe, can you hear me? RAMIREZ: Yes, I can hear you. TAPPER: Gabe Ramirez, ...for those people just turning in, because **you saw so much of this with your own eyes, shot the images of the individual being arrested**, if we could actually show the video. Show the video that Gabe shot earlier of the individual being arrested ... TAPPER: **He's been pixelated because he's naked.** [Emphasis added]. Source: <http://www.cnn.com/TRANSCRIPTS/1304/19/bn.04.html>

Please keep in mind that everything I said in the Prologue is “the official narrative.” But it is easily knocked. Among the crimes for which Dzhokhar (Jahar) Tsarnaev was condemned to death is the throwing of pipe bombs on Laurel St, injuring a cop. I have no direct proof that Jahar *wasn't on Laurel St*, but as you see, we have direct proof that *brother Tamerlan* wasn't there.

I know you're thinking that there must be a time error. No. Try this logic: If Gabe Ramirez shot this video *after* Tamerlan had been run over, Tamerlan would not be standing up straight and walking easily to the car. And if you say this video *preceded* the Laurel St shootout, you'd need to believe that the cops then let him go, and gave him his pants and gun to take to Laurel St.

Ah, another thing I hear you saying: “Mary, you think you're a smarty pants, better than all the law professionals at Jahar's trial. If there had been CNN footage countering the prosecutor's allegation of a Laurel St shootout, the Defense Team would have used it and brought a swift end to the case.”

No, as we will see in Chapter 3, Jahar's family had a similar video of Tamerlan, taken at Mt Auburn St at 1:05am. The aunt, Maret Tsarnaeva, tried to show it to public defenders Judy Clarke and William Fick but they refused to even glance at it.

Am I suggesting that Tamerlan is still alive? No. His uncle Ruslan Tsarni went to the morgue and identified him. Morgue? What morgue? The one at Beth Israel Deaconess Hospital

where the Laurel St shooter is said to have arrived (dead, or almost dead). That person was declared dead at 1:35am, April 19, 2013. I suspect the real Tamerlan was killed in custody by the FBI. It is not unusual, sorry to say.

Most likely a man did die in a gunfight at Laurel St around 12:45am but I do not know what happened to his body. Prior to 2018, I made an assumption that there hadn't really been *any* Laurel St shootout. I now believe it did occur. In Chapter 10 below I refer to that non-Tamerlan person as "John Doe."

On January 23, 2018 I gave a lecture in the Watertown Public Library, followed by an Open Mic at which anyone could provide a personal account of the events two years prior. Sgt John McLellan of Watertown Police came to the mic and told us that he saw Tamerlan bleed to death on Laurel St.

It is hard to say "No" to an eyewitness; you feel like you are calling them a liar. I actually believe Sgt John McLellan – except I think the guy was John Doe. To repeat: IT CANNOT HAVE BEEN TAMERLAN TSARNAEV. Period. Full stop. (If you can shoot me down on that, please try. I am open to any explanation. The truth may be something yet unimagined.)

Of course if Tamerlan was killed in FBI custody, that is a major crime and needs to be dealt with. I have asked the state Medical Examiner to hold an Inquest. (See Chapter 15 below.)

For the moment, let me show the hopeless dishonesty of the FBI. At first they said they had no prior contact with Tamerlan. But his mother said they had visited him, and herself. Carmen Ortiz was speaking on a panel at Roxbury Community College after she stepped down as prosecutor. Per Masslive.com: "Ortiz points to one of the Tsarnaev brothers, who was on the FBI's radar two years before they set off the bombs at the Boston Marathon. The FBI investigated him but didn't find sufficient evidence to keep up surveillance." (2/24/2017)

Nevertheless, you will find this at archive.fbi.gov:

“In response to media inquiries about recent news reports relating to the marathon bombings, 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 have released:

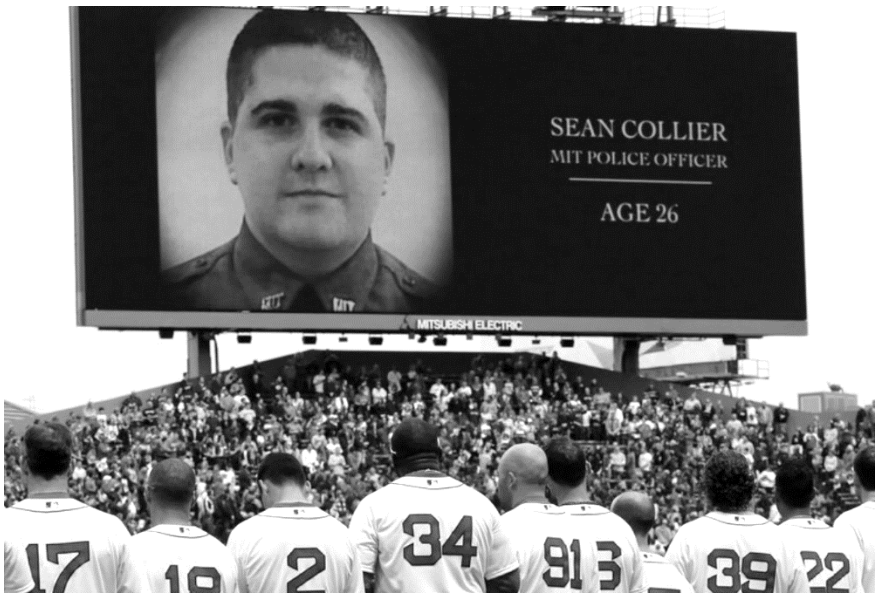
“Previously, members of the Joint Terrorism Task Force have responded to similar questions relating to whether or not the FBI, Boston Police, Massachusetts State Police, or other members of the Joint Terrorism Task Force knew the identities of the Boston Marathon bombers before the shootout. Members of the Joint Terrorism Task Force did not know their identities until shortly after Tamerlan Tsarnaev’s death when they fingerprinted his corpse.... **The Joint Terrorism Task Force was at M.I.T., located in Cambridge, on April 18, 2013, on a matter unrelated to the Tsarnaev brothers.** Additionally, the brothers were never sources for the FBI nor did the FBI attempt to recruit them. To be absolutely clear: No one was surveilling the Tsarnaevs, **and they were not identified until after the shootout. Any claims to the contrary are false.**” [Emphasis added]

I retrieved that on October 19, 2017 -- MM

As with the CIA, the FBI reserves for itself a “right to lie.”

Podstava. I mentioned a second video, from Mt Auburn St. near Adams St. It is time-stamped 1:05am April 19th. In it we see Tamerlan being frisked by a yellow-vested cop and hear him shout “Podstava,” Russian for “I’ve been set up.” His aunt identifies his voice. The man who filmed it is “Bigheadphone”; his Youtube channel shows that the Podstava video has 44k hits as of June 2021. I think Gabe Ramirz video occurred shortly after it and does not conflict with it. They are both valuable. I will discuss Podstava later in the book. Please see a street map of Laurel and Mt Auburn on page 184 of this book.

2. Fact: The Death of Sean Collier Is an Open Case



Red Sox baseball team pays tribute to a slain cop, Sean Collier, age 26

Photo: dailymail.co.uk

The death of Sean Collier is an open case. It would be foolish to believe what the prosecution said, given that they had no decent evidence to support their claim that Jahar killed Collier. You will be amazed when you hear how weakly the one “eyewitness” described, in court, his degree of witnessing.

The day we are looking at is Thursday, April 18, 2013. The Marathon was Monday; the Tsarnaev’s supposedly fled the law starting late Thursday, with an opening salvo of killing a cop, Sean Collier, for the purpose of stealing his gun. Note: the gun was locked in his holster, so they did not actually gain the prize.

MIT is a big campus with a formidable reputation. Everyone knows that some of its buildings contain secret scientific equipment and that MIT has big money. No lads who have just decided to become fugitives from the law are going to choose that location to steal a gun. (Would you?) Anyway, Jahar already had a gun, or so it was alleged by his close friend Stephen Silva

who had lent it to him. Tamerlan was a boxer and Jahar's sport is wrestling. They have no record of being gunmen.

David Sacco is a cop at MIT. He received an internal 911 call from a man who works in the Koch building, reporting loud noises: "a bit sharp like gunshots but more like someone banging on a trashcan." That call is registered as having occurred at 10:20pm, but the 911 caller did not indicate whether he had heard the noise immediately before the call, or earlier.

An audio of it is available to the public at my website. ("call to Sacco"). It sounds very scripted. I wonder if the jurors had a bit of skepticism about it. Or if they asked to hear it again.

Sgt Clarence Henniger was campus boss that night. He testified that he had patrolled the area where Collier's cruise car was parked at the reported time of the killing and did not see or hear anything amiss. By the way, MIT had swarmed with FBI that afternoon but Henniger and the FBI decline to say why.

So how did Jahar get hit with this criminal charge? Note: Only Jahar, not Tamerlan, is charged with this crime. Tamerlan never received any charges, as he was deceased before the trial. Jahar was charged with killing Sean Collier on the basis of *Tamerlan* having boasted to Dun Meng that he (Tamerlan) had killed a cop at MIT. Not very legal, right?

A witness, Nathan Harman, was brought in. He said he rode his bike that night past Collier's car and saw a thin man leaning into the car window. In this testimony, you will see that Nathan does not claim to have witnessed a killing, yet the media implied that he saw a killing. Note: the bolding was added by me:

Q. [From prosecutor Weinreb] How old are you? A. From Nathan] 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 ... on your bicycle?

[Exhibit 638, Nathan Harman touches it, as requested]

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... as I was coming up, and then **they** sort of stood up, startled, when....



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.**

Q What did **he** look like? A I mean, **he** was young. I just assumed he was an MIT student. Young, normal height, thin. Yeah... wearing a dark sweatshirt and a hat. Yeah.

Q **Did you notice, did the sweatshirt have anything on it or was it just plain?** A Well ... as I was coming up I just saw the back of his sweatshirt, and then when he turned around there was the door there, but there was something on the front, some sort of — so **the sweatshirt itself was dark and there was a lighter thing on the front**, but I didn't actually see what it was.... Q Do you see that person in the courtroom today? A Yes. [He points to Jahar.]

MR WEINREB: Can we have Exhibit 725 just for the witness....

Q Do you recall reviewing a segment of this video A Yes. ... It's

been shown to me a few times.... [Note: it's legal for witnesses to be rehearsed in advance by prosecutor or defense lawyer]

The jurors were shown a one-hour video composed by Matt Isgur, the manager of 1200 security camera at MIT. Below we see two “ants” walking speedily across the parking lot. They go right to where Sean’s car is parked (but how would they know anything about him?) They stay 44 seconds and then retreat speedily on foot, out of sight at the right-hand side of photo:



By the way, Matt Isgur won an unsung hero’s award. 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.” (*I’ll say.*)

Note Harman’s testimony in which a hat becomes a problem. Prosecutor William Weinreb displayed a cap in the courtroom:

Q Did you see a second person by the car? A No, I only saw the one person. Q Do you recognize the person pictured in ... 758 and 761? A Yes. Q How does that person compare to the person you saw that night? A That definitely could have been the person I saw that night. Q **The design on the front of the sweatshirt, is that consistent with what you saw that night?** A That’s definitely consistent with what I saw. Q ...you said the

person was wearing a cap of some kind. Is this what he was wearing? A That's not the hat that I remember seeing. I remember seeing a, like, more knit hat that you pull over your head.... [Oopsie...]. MR WEINREB: ... Thank you, Mr. Harman. No further questions. -- end of excerpt

The Defense Team did not try to nail down the prosecution witnesses or the material evidence. Defender Judy Clarke had told the jury "It was him." As in "My client is guilty." They also let the prosecution get away with destroying Collier's cruise car.

Now for an oddment. When Sgt John McLellan came to my lecture at Watertown Library, he said during the Open Mic:

"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 [so we had to hurry to Watertown]."

If "we sent a police car for her" then we know where she lives and so whatever she has to offer should be investigated, no? I find it not credible that the eye-witnessing of Collier's murder went to seed because the driver of the witness got called away.



Also, Cesar Baruja, MD (above) vouches that blood shown on front seat of Collier's cruiser isn't normal color of dried blood.

Surely Jahar was framed. Surely this whole MIT visit was added to the Marathon case so as to arouse cops re an “officer down.” Who really killed 27-year-old Sean? And why was this particular cop chosen? And how do fellow officers feel about one of their own getting bumped off and the real perpetrator walks?

Dear Reader, there are many Bostonians who followed the Internet to get a more critical view of the events of Thursday, April 18, and Friday April 19 (lockdown day in Watertown). I mean there has been a buzz going on all these years, but the government is impervious to it. To sum up my “no MIT” case:

1. Tamerlan allegedly boasted to Meng that *he* killed an MIT cop, yet the charge was laid on Jahar.
2. The surveillance film is a joke insofar as MIT would surely own top-quality cameras.
3. Neither Harman’s ride nor the “ants’ retreat” is clear to see.
4. Fugitives going to MIT to steal a cop’s gun is ludicrous.
5. The 911 call to Sacco about trashcan noise sounds scripted.
6. Nathan forgot that he was supposed to say *cap*, not knit hat.
7. It’s implausible that cops would just drop the female witness.
8. Photo of Collier graduating from police academy with Dic Donohue (victim at Laurel St) was immediately shown on TV.
9. FBI admits that it was present on campus that afternoon.
10. Collier’s cruise car was soon after destroyed, *no reason given*.

3. Fact: Defense Team in Russia Acted Like the Mafia



(L) Judy Clarke and Miriam Conrad of the Defense Team (R) Maret Tsarnaeva, showing off the Podstava video soon after Tamerlan's death

It's hard to know which chapter in this book is the *piece de resistance*, but if you haven't yet heard the Russia story it's got to be this one. We all know, do we not, that once a Mafia man is imprisoned his troubles are not over. He is in fear of his life.

Jahar's Aunt Maret was on the case from Day One. There are YouTube interviews with her on April 20, 2013. As soon as she heard that Tamerlan was dead, she called the FBI to offer to identify the body. Immediately someone showed her the Podstava video and so she knew Tamerlan had been killed by the authorities.

This made her think she, too, would be killed. And there is a worry that possibly the FSB in Russia, the FBI's cousin, could harm the elderly relatives. Note: I use the name "Russia" interchangeably with "the Russian Federation;" it includes Chechnya, Dagestan, Kyrgyzstan, and so forth.

As mentioned in the Prologue, Jack Graham, an attorney with over 50 years' experience, is counsel for my amicus curiae. But earlier he was counsel for Maret Tsarnaeva in her attempt to tell the trial judge, Judge O'Toole, what was really going on with the Public Defenders. Maret is a lawyer herself, an LLM. I'll now quote from her affidavit. Reach for your smelling salts.

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 Makhachkala which is in the republic of Dagestan adjacent to the republic of Chechnya.... My mother, my sister Malkan, 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;**

-- 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;

-- 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;**

-- 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. ... 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. ...

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. [This] 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....

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.** [All emphasis added]

So, did Judge O'Toole close down the case as he should have? We can't have threats to prisoners like that *in America*, can we? Nothing was said. The public would not have found out about it, except that Paul Craig Roberts published the affidavit, and Jim Fetzer discussed it at the Veterans Today website. Many readers must have been shocked that a court would not help.

This is not a question of an ethics breach, or anti-Muslim bias. This is kowtowing to tyranny. YOUR HELP IS URGENTLY NEEDED. The problem will not resolve itself, you know.

In 2017, Jack Graham submitted our amicus brief, appending Maret's affidavit, so the appeal court could see it. Again, her story about a threat to prisoner Jahar was ignored. The appeal court did remove the death sentence -- on grounds of venue. The role of an amicus is to be a friend of the court; it helps the court learn about external factors, or even about the law. Thus we often see ACLU acting as amicus on, say, religious freedom.

Note: Maret's amicus brief, and ours (Fetzer/Maxwell/Baruja), contain a further element. Namely, we disagree that Jahar could have been the bomber at the Finish Line. The FBI presented, as proof that it had found the weapon, a ripped backpack made of black nylon, on the ground near there. (See photo, page 63.)

Thus, the FBI should have tracked down a suspect wearing such a type of backpack, right? Yet the FBI offered a photo of Jahar wearing what is called whitish-grey backpack. Note: a jury is considered to be the final fact-finder; appeals judges do not re-open *facts*. They can only say the law was wrongly applied.

Jack Graham is adamant that the backpack color is not an issue of fact, rather it is a point of law, because juries cannot find someone guilty where the plain evidence shows not guilty. In *Herrera v Collins* (1993), it was held that it is unconstitutional to execute a person who is demonstrably innocent. Jahar Tsarnaev is demonstrably innocent of the Marathon bombing.

4. Fact: Dun Meng Was Not Carjacked by the Brothers



Dun Meng interviewed by CBS about his role in Patriot's Day movie

I was prepared for the carjack story of Dun Meng (aka Danny), as I'd followed the 2005 case in Georgia of Brian Nichols, who shot a judge, walked out of the courthouse, and allegedly committed five carjackings in one day. Imagine getting involved with five drivers, each of whom could assault you, when your need is to escape from having committed a judge murder!

I'm pretty sure all of the Brian Nichols story is a fiction. The purpose of a Tsarnaev carjack story was to give Tamerlan a way to put it on record that he had killed Sean Collier. It also helped the police "explain" how they tracked the brothers to Watertown -- namely, Meng's rental car had a built-in tracker.

Meng's story kept changing. That would have given the public defenders the grounds on which to demolish Meng's testimony. *But they did not cross-examine him!* Jahar was blamed for the carjacking. The jury found him guilty of "Count 19. Carjacking, resulting in serious bodily injury; aiding and abetting."

What? Dun Meng did not get injured. Ah, but they somehow managed to say the carjacking resulted in the friendly fire gunshot that injured Officer Richard 'Dic' Donohue on Laurel St.

The Bill of Rights promises: “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury....” Was there a grand jury for the charges against Jahar? Yes, there was; they wrote up the indictment. No doubt they felt public pressure – although their proceedings are secret. They could have determined that the evidence against the accused was negligible.

I say it is non-existent. The grand jury’s work starts from a police complaint (or notification by any citizen). Officer Daniel Genck wrote up the complaint that led to the indictment. Genck claims to have accessed the drivers’ license photos of the brother, from the Department of Motor Vehicles. He then compared them to surveillance videos at the ATM and Shell station. This is his complaint, to which I’ve added bolding:

“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....”

I think Genck was entitled to merely state “the two men *who Dun Meng alleges* to have carjacked him.” He does not claim to have checked on the reality of the carjack. Also why does he refer only *approximately* to the timing of the surveillance shots? It may be that Genck is incompetent at his job, but it’s more likely he was told to leave the timing vague.

The Scoop? Meng claimed that he had escaped from his SUV, now driven by Tamerlan. He asked the clerk at the Mobil to call 911. So it was very early in the post-manhunt drama that TV and newspaper audiences came to know of the carjacking. Have a look at this April 25, 2013 article in the *Globe* by Eric Moskowitz: “Carjack Victim Recounts His Harrowing Night”:

“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 [Jahar’s Honda Civic] 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. [The other person] was 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.”

“... 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” [Emphasis added]

The clever device of having a carjackee meant that a newsman could get away with saying something that Danny did not say.

For example, Eric Moscowitz tossed in the notion of the brothers taking their show on the road to New York, and soon enough other media talked of a plan to bomb Times Square!

I ask the reader to weigh up these factors in favor of the Dun Meng story being false:

1. The Tsarnaev brothers already had a car, a green Honda Civic, and even after Tamerlan snagged the SUV, Jahar continued to drive along behind them in the Honda (“all the way to Laurel St”).
2. Meng changed his story. That is a typical reason for testimony to be cast aside. The maxim is “*Falso in uno, falso in omnia*” – your one lie makes all your spiel untrustworthy.
3. The Shell Station photos were of miserable quality; a normal defense attorney would demolish them in five seconds flat.
4. In the ATM photo does not look like the real Jahar, and is quite grainy; one expects a bank to have good quality cameras



5. In the shot of Meng in the Mobil station, he is wearing his set of keys, yet logically they must have been in the ignition. (Later, the keys were cropped out of the Mobil station photo.)
6. Tamerlan’s telling Meng that he had killed a cop is absurd.
7. The defense did not cross-examine this witness. Ask: Why?

5. Fact: The “White Hat” Video Was Filmed in Arizona



(R) *Very pixelated shot of “Jahar” placing a backpack on the ground*

(L) *Reenactment: FBI men study this “footage” and see that “It’s him”*

In the Prologue I rattled off the big items that Bostonians were probably most familiar with from news coverage at the time of the Marathon in 2013, and news coverage during the 2015 trial of ‘Suspect Two’ who had by then become ‘Bomber Two.’

I was living in Australia at the time, but I think Americans were confident about the story. They “knew” there was a witnessed killing of a cop at MIT (Collier), a confession written on a boat wall that blamed Americans for hurting Muslims in Afghanistan, and a ride with a Chinese student. They knew that a guy wearing a white cap was *caught on tape* placing a backpack near the child Martin Richard, in front of the Forum Restaurant.

How did they know? The *National Geographic*, best known as a magazine publisher, made a popular documentary called *Inside the Hunt for the Boston Bombers*. A part of it is called “White Hat.” It’s only 2.39 minutes long and was and was run – often -- as a “trailer” for the full show. It shows a grainy “film” of Jahar dropping his backpack on the ground near 8-year-old Martin. (The media made much of the “cruelty” of Jahar for killing such a young person.) But -- the film is *not* surveillance footage! It’s pure Hollywood. Most people who watched it thought

they saw proof. Some of the law enforcement biggies do a voice over, implying that as they watched THAT scene, they spotted the man in the white hat. By sorting through hundreds of videos (from shops, and ones sent in by the public), FBI were wonderfully able to catch the terrorist and save Boston from further bombings. Is that what you thought?

Note: the first bomb went off at 2:49pm on the BPL side of Boylston St – it is credited to Tamerlan, though there is no film of him doing it. Twelve seconds later, the second bomb went off on the opposite side of the street. The basis for blaming Jahar is this (fictional) video. The young man in the White Hat video is not Jahar. It is Alex Karavay, a professional actor. And the city is not Boston; it's Phoenix AZ. This is properly admitted in the credits at the end of *National Geographic's* film.

Naturally I agree that cinematographers have every right to create dramas about real events. They are not even obliged to tell it truthfully. Art is art – we need creative space. However, in spite of rolling the credits at the end of the movie, this particular show, White Hat, conveys in the body of the show that it's the real deal – that it proves Jahar to be the bomber.

At 20 seconds, FBI man Richard DesLauriers says “IT WAS A VIDEO THAT SHOWED THE CROWD watching the Marathon, and WE IDENTIFIED ONE INDIVIDUAL in that crowd.” At 37 seconds, FBI man Jeffrey Sallett says “You see a backpack and YOU ACTUALLY SEE THE INDIVIDUAL PUT IT DOWN.” As those two FBI men speak, what we are looking at on the screen is 5 investigators looking at THAT film (the National Geographic's reenactment).

Surely anyone watching this went away thinking that the FBI does indeed possess a real surveillance video (or one donated by a tourist). The less-than-3-minute “trailer” for the full documentary was played on TV many times *before* Jahar's trial.

The “authenticity” of the item was given a further boost by the fact that Massachusetts governor Deval Patrick is seen at 41 seconds. He says, in a confidential tone: “It was chilling ... to try to imagine what kind of person enables that kind of destruction of innocents.” Patrick was formerly a US Attorney; I think he’d have dealt with many instances of destruction of innocent children and not found them chilling.

The video begins with DesLauriers saying “We had tears in our eyes every time we watched it.” Oh, come on. FBI Agent Jeffrey Sallett says: “There is no magic bullet to get the identity of this man.” But that itself was a lie. FBI knew the Tsarnaevs.

Let me repeat: *White Hat* tells the people that the authorities have a video of Jahar putting a backpack down. Crime solved. The one shown in court is a far-away shot with no way to see anyone putting a backpack on the ground. Note: a few sleuths did complain about this on Facebook and blogs, to no avail.

I wonder how Alex Karavay would feel if he learned that he had helped send an innocent guy to prison. Jahar was born in 1994, Karavay in 1991. This is not to say that I blame Alex Karavay. I blame the *National Geographic* and have included them in my civil RICO suit as part of a criminal enterprise.

There is no question that members of *National Geographic* knowingly participated in a form of obstruction of justice -- the crime for which Jahar’s pal Dias got jail plus deportation. I say that, even though the credits at the end told the truth. Folks got the wrong *impression*. Didn’t anyone wonder why a movie of Boylston St would be so pixelated in this hi-tech era? But it wasn’t shot in Boston and the pixilation was deceitful.

As for Sallett, he is now chief of the FBI’s Public Corruption and Civil Rights section. Amazing. DesLauriers left the FBI three months after the Marathon and became VP of Corporate Security with Penske Corporation. In farewelling DesLauriers

on June 2, 2013, the FBI said:

“Richard DesLauriers has announced his retirement from government service.... [He had been] deputy assistant director of the Counterintelligence ... where he was responsible for ... espionage investigations.” Mr. DesLauriers noted, “It has been a distinct honor and privilege to serve [in] the Boston Division of the FBI. I thank our many law enforcement and United States Attorney’s Office partners for ...contributions to enhancing public safety and security across Massachusetts....”

FACTOID #1

Where did Tamerlan allegedly get the material with which to build the bombs that exploded at the Marathon Finish Line in 2013? Evidence was furnished in court by the prosecution. It consisted of receipts for pressure cookers purchased, with cash, at Saugus Mall in January, 2013. How did the FBI locate the receipts? They were in Tamerlan’s wallet when he died on April 19, 2013.

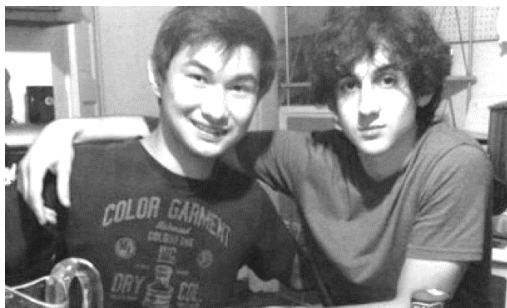
FACTOID # 2

The people were taught what the pressure cooker looked like, a familiar object -- Brian Ross shows it to Terry Moran.



Ross was ABC’s “Chief Investigative Reporter.”

6. Fact: Good Witnesses Were Harassed, SAMs Imposed



(L.) Dias Kadyrbayev with Jahar Tsarnaev



(R) Robel Phillipos

This is from the DOJ's website Justice.gov, dated June 2, 2015: **"The concealment and destruction of evidence can have profound effects on the course of an investigation,"** said U.S. Attorney Carmen Ortiz. "Mr. Kadyrbayev knowingly concealed and disposed of critical evidence relating to the Boston Marathon bombing." [Emphasis added]

"Dias Kadyrbayev, 21, a close friend of convicted Boston Marathon bomber, Dzhokhar Tsarnaev, was sentenced today to six years in prison for his role in retrieving, and later disposing of, evidence in the Boston Marathon bombing investigation, specifically Dzhokhar Tsarnaev's backpack, containing fireworks and other items, as well as his role in concealing Tsarnaev's laptop computer..." -- Justice.gov

According to the website PoliceFoundation.org, a helicopter was provided at 2pm on Friday April 19 to take law enforcement personnel to the campus of University of Massachusetts at Dartmouth, where Jahar and Dias were students. On Saturday, the day after the boatside arrest of Jahar, friends of Jahar at UMass were intimidated by police and FBI.

Todashev. We'll come back to Jahar's pals. Now consider the fate of Tamerlan's boxing buddy, Ibragim Todashev, a fellow Chechen. I bold such words as require a reader's skepticism.

“March 25, 2014. ABC News. After a sudden, bloody altercation in a Florida apartment, an FBI agent fired seven bullets to kill 27-year-old Chechen man Ibragim Todashev last year, according to an autopsy report released today.

*“Todashev, an associate of suspected Boston Marathon bomber Tamerlan Tsarnaev, was shot six times in the body and once in the top of the head, according to the report, which was released today along with other investigative documents compiled by office of Florida State Attorney Jeffrey Ashton. The FBI agent [later identified as Aaron McFarlane] along with other law enforcement officials was interviewing Todashev about **his alleged link** to an unsolved triple murder [actually a gangland-style slaying] in Massachusetts, in which **Tsarnaev was also reportedly** implicated.*

*“According to Ashton’s findings, Todashev had admitted he was ‘involved’ in the triple murder and was in the process of penning a written statement to that effect when he suddenly attacked the officers. First **a coffee table crashed into the back of the head of the FBI agent**, causing him to bleed profusely, and then Todashev came at the officers with a long **‘pole of some sort,’** Ashton’s report said. The FBI agent opened fire. Three or four shots hit Todashev, but he was still able to ‘lunge’ toward the officers, the prosecutor said. Another three or four more shots killed the young man. The autopsy report said that the shots were the cause of Todashev’s death and said there was **“no evidence of close range firing in any of the gunshot wounds.”***

What does “according to Ashton’s findings” mean? Nothing, except the word *findings* makes you think it’s authoritative. How can a finding leave the “pole of some sort” so vague? As for “no close range,” the men were in the same room. So? In short, one potential testifier, Ibragim Todahev, was removed from the possibility of exonerating Jahar, by furnishing some information about Tamerlan’s situation. Why else kill him? (It was later admitted that four law enforcement men were there.

We know that four could have captured one alive.)

Note: You may say “Mary is using her reasoning and she *may be wrong*.” Very true, but looking for motive is standard part of trying to understand a murder. Note: Todashev’s Dad later sued the government for the unwarranted death of his 27-year-old son. Did this lead to a proper investigation of the death? No. (But as of 2020 there is new action: see page 96 below.)

While work was being gathered for the 2019 appeal of Jahar’s case, the government pretended it was going to publish new stuff about the “Waltham triple murder,” no doubt a wholly irrelevant item. Journalist Michele McPhee casually mentioned that the Dun Meng carjack included a ride past the house where the triple murder occurred. No basis for that claim.

Cabbie Matanov. Now we turn to another of Jahar’s friends, a cab driver named Khairullozhon Matanov, whom I will refer to as “Cabbie.” He had met the Tsarnaevs at the Prospect St Mosque in Cambridge. The FBI did not have any crime to charge him with but harassed him for over a year before arresting him in May 2014. Then he was arrested, served time in Plymouth jail, and has now been deported. A sympathetic citizen, Julie Fehr wrote to Cabbie. She tells us:

“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’.”

Don’t believe him? Check this out. The FBI were following him (in case he might “spread more disinformation’ about the Tsarnaevs’ innocence”). This involved tailing him on the Expressway, a dangerous thing to do. Did the FBI get blamed for this? No. At Matanov’s trial *he* got blamed:

“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....” -- FBI Special Agent Tim McElroy

Note: Later, in prison, Cabbie wrote:

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 ~~flit~~ ^{flit} 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~~ ^{my} hands I try to take breath from under the door, LT spray that thing right on my face, then 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 no moving at all they jump on me so badly one of them stick his finger to my right eye (its 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 ~~then~~ 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

Another friend of Jahar, Robel Phillipos, his classmate at Cambridge Rindge and Latin, apparently was too dangerous to leave out there in free society. He was placed under house arrest. Former Massachusetts governor Michael Dukakis came to Robel's trial to be a character witness for him, to no avail.

In general, it appears that if citizens are able to do something helpful to justice in a case, the “proper response” is to show them up as criminals. Dias Kadyrbayev “disposed of Jahar’s backpack and fireworks” – wow, what a crime! Matanov attended mosque and chatted about Tamerlan’s innocence. Todashev got fingered as a triple murderer. Robel, at age 20, had – wait for it – lied to the FBI about his whereabouts!

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, he said. 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 from which they drew incriminating conclusions, ensuring 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?**” [Emphasis added]

Special Administrative Measures

Keeping favorable witnesses out of the way is one thing. Making Jahar himself incommunicado is another. For the last 6 years he has been under SAMs – Special Administrative Measures. The website Justice.gov says this:

“Pursuant to 28 C.F.R. § 501.3, which became effective on May 17, 1996, **the Attorney General** may authorize the Director of the Bureau of Prisons (BOP) to implement ‘special administrative measures’ upon written notification to BOP ‘that there is a substantial risk that a prisoner’s communications or contacts with persons **could result in death or serious bodily injury to persons**, or substantial damage to property that would entail the risk of death or serious bodily injury to persons.’

“... These special administrative measures ordinarily may be imposed ‘may include housing the inmate in administrative detention and/or **limiting certain privileges, including, but not limited to, correspondence, visiting,** interviews with representatives of the news media, and use of the telephone, as is reasonably **necessary to protect persons against the risk of acts of violence or terrorism**’.”
[Emphasis added]

In 2005, a well-known human rights attorney, Lynne Stewart, was charged with helping a client, known as the blind sheik, pass messages to third parties from prison. Lynne was found guilty of “conspiring to commit an offense against the US (18 USC 371), making a false or fraudulent statement (US 18 1001) and providing material support to terrorists (18 USC 2339A).

She was released from prison, as she had cancer, and died in 2017. Her conviction had meant disbarment as a lawyer. All lawyers were aware that Lynne Stewart’s case was ridiculous overreach intended to have a chilling effect on free speech and on the heretofore sacred attorney-client professional privilege.

7. Fact: Boat Confession and Jahar's Apology Are Bogus



Boat in David Henneberry's yard in Watertown where Jahar was arrested.

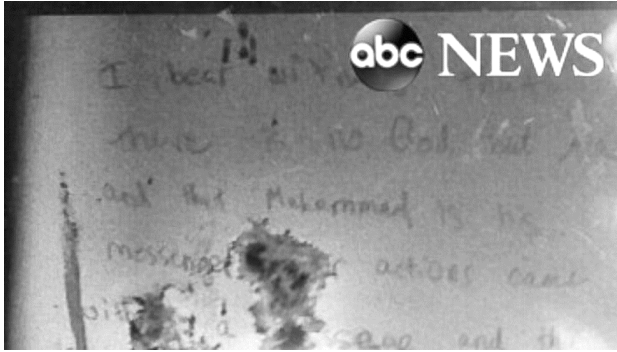
A confession written on its wall was discovered four weeks later.

Recap: In the Prologue, I babbled the official narrative. In Part One I have upended four major tenets of it. To wit: The FBI took Tamerlan non-violently into custody. Sean Collier was not killed by the Tsarnaevs. The White Hat video only shows an actor, Alex Karavay, laying down a backpack. Dun Meng did not get carjacked by Tamerlan. And I protested the intimidation of Jahar's friends who could have helped his defense.

At this point many will have stopped reading, because "Mary Maxwell is just too far out, man. She can't possibly have the facts right, as against a huge team of reporters, police, legal eagles, etc." Ah, I'll now show you how easy it is for a huge team to get something wrong: they just follow each other. Once the story has been told by a top newspaper (*New York Times*, *Boston Globe*, etc.), to doubt it is just plain unthinkable.

The "sources" of news used to be the community and events happening on the street, discovered by reporters. But for decades the source has been government press releases. Come walk with me thru the mainstream media's coverage of Jahar's boat-wall confession, using Michele McPhee's version of events, at ABC News. She says: "A new image shows the

bullet-riddled anti-American rant allegedly scrawled by suspected Boston Marathon bomber Dzhokhar Tsarnaev on the inside wall of a boat as he hid from a police manhunt last year.” She is making it sound like news, in April 2014, but the boat wall confession had been “found” a month after Jahar’s capture. This is just a “new image” of it:



There are holes in the message from bullets shot by police

McPhee writes: “The U.S. government is killing our innocent civilians, but most of you already know that I cant stand to see such [bullet hole] go unpunished,” says the handwriting captured in the image obtained by ABC News from a law enforcement official in Massachusetts. We Muslims are one body. You kill one of us, you hurt [bullet hole] us all.”

Then she encourages us not to doubt: “Two state and two federal law enforcement officials confirmed the authenticity of the image.”

-- How, I ask, did they confirm the authenticity? I mean did anyone analyze, say, the boy’s ability to write it on a *curved* wall? Did anyone question the ability of the only writing instrument in the boat to write on fiberglass? Exhibit:



McPhee continues: “Along with bullet holes that interrupt Tsarnaev’s message, the image shows drips of red liquid on the wall, which could be paint or, officials said, blood.”

-- I ask, How does their status as ‘officials’ add anything to that? Any 10-year-old could say “It’s paint or blood.” If blood, has anyone DNA tested it to see if it matches Jahar’s? If paint, ask Mr Henneberry if he had paint near the boat. Isn’t it the bread and butter of a “journalist” to probe?

“Dzhokhar had been injured in a firefight with police hours before the same firefight that took the life of his older brother.”

-- Whoops, I guess McPhee hasn’t read dissident stuff, of which there was plenty, even back in 2014. She continues:

“Law enforcement sources previously said that the message included the phrase F*** America. That portion of the message was not included in the image obtained by ABC News.”

-- I ask, Ms McPhee, how do you plan to deal, as a journalist, with the fact that ‘law enforcement’ said Jahar cursed America and that you have seen a photo of the boat note which simply refutes that?

“This week law enforcement sources said Dzhokhar also lamented elsewhere in the note that his brother was able to meet Allah first.”

-- Ms McPhee, why are you referring to “law enforcement”? You have the document in front of you. Yes, it says Tamerlan met Allah first. “I do not mourn [Tamerlan] because his soul is very much alive. God has a plan for each person. Mine was to hide in his boat and shed some light on our actions.”

Don’t you see there is a problem here? If Jahar ran over his brother, why is he giving God credit for allotting a certain span of life to Bro? And anyway, how does he know that Bro didn’t survive? By the way, did McPhee ever talk to his classmates or teacher? They all say he wasn’t into politics.

Apology Recited by Jahar on June 24, 2013. Some people feel there is no point defending Jahar as he already apologized:

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.

“.... 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... 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.

“Now, all those who got up on that witness stand and that podium ... 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.” – End of excerpts. [Emphasis added]

Is there any 21-year-old in the US who would use a phrase like: “**if there’s any lingering doubt** about that, **let there be no more**”? Note: Jahar refers to *four* deceased, apparently taking the blame for Sean Collier’s death. It’s a wonder he didn’t apologize for the Laurel St injury to Officer Donohue. Surely this apology was scripted by someone other than Jahar. In the court, public defender Miriam Conrad helped him read it.

8. Fact: Tsarnaev's Trial Is Reminiscent of Scottsboro's



(L) Men waiting to lynch the Scottsboro boys in 1932 (R) Jahar in boat, Photo: Sgt Sean Murphy at Boston.com

Although the public in Boston doesn't yet recognize it, the 2013 trial of Jahar Tsarnaev was on a par with the trial of the Scottsboro boys in Alabama in 1936. Their case, *Powell v Alabama*, is reputed as America's disgrace.

That was a case of nine Black men wrongly accused of raping two White women, one of whom later recanted. One of the men got away in 1946 and hid until 1976. When he was found, forty-five years after his 1931 arrest, he got a pardon from Alabama's Governor Wallace, as the people by then knew the trial had done injustice. One hopes Jahar will not have to wait forty-five years after 2013, that is until 2058, for people to "get it."

This chapter points to three egregious misbehaviors of court personnel, including the judge. One is the lack of calling of significant witnesses by the defense. Another is the decision by prosecutors, agreed to by the judge, to prevent any analysis of the accused's late brother Tamerlan, even whilst the theme of the defense was that "Jahar was carrying out Tam's wishes."

A third egregious (egregiously egregious) misbehavior of the court was the failure of the judge to inform the court that the accused had pleaded Not Guilty. Surely that is enough to have the Scottsboro -- oops I mean the Tsarnaev -- case thrown out.

Regarding failure to examine the MIT person who called in the 911 report of noise to David Sacco, we're left with no ability to pin down the time at which the noise was heard.

Regarding the allegation that Tamerlan died in a shootout, nobody sought out the CNN photographer, Gabe Ramirez, to ask him about the naked man. No one subpoena'd the FBI records of a man other than Tamerlan who must have been taken from the Laurel St scene to some location. (Regarding that, you will see in Part Two that I have asked the coroner for an Inquest into both the death of the real Tamerlan and the death of the John Doe who got run over on Laurel St.)

Even when a witness had something incriminating to say about Jahar, that witness was not jumped upon, in the way we expect a defense team to try to trash both the testimony and the witness. I am not sure who claimed that the boat confession was authentic, but no one said "Rubbish! Jahar couldn't have penned it on fiberglass without an appropriate writing instrument, nor write neatly on a curved surface."

When the purported carjackee Dun Meng gave testimony about Tamerlan boasting that he had killed a cop at MIT, no one jumped on Meng to ask why he had given an interview the following Monday (to Nick Spinetto at WMUR radio), omitting that hot fact.

I stated above that it was unfair for the court to prevent any discussion of Tamerlan. This was the arrangement desired by the defense -- proclaimedly to lure jurors away from the death penalty. Jahar would be portrayed as not very jihad-ish but a sort of unthinking follower of his dominant brother.

Even before the trial, defender David Bruck had publicly said “We know that this case is all about sentencing.” The judge did not admonish him. (A judge has responsibility for ethical procedure in his courtroom). Nor did anyone raise a red alert when, in her opening statement Judy Clarke said “It was him.”

Now we come to the incredible fact that proper instructions were not given to the jurors. 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 the credibility of any witness.

Naturally, too, he must remind them of how the accused has pleaded – Guilty or Not Guilty. It is the custom for the prosecution to send 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.

Back to Alabama in the Scottsboro Boys’ case. A mob of citizens showed up at the jail demanding that the “rapists” be handed over to them for lynching. Astonishingly, Sheriff Matt Wann said he would kill any man who walked into his jail. The state’s National Guard was called out to protect the prisoners! Their subsequent trials however were not fair.

The lawyer did not even give a summing up statement. He did ask for a change of venue but was refused. When the guilty verdict came in, a band outside played “Hail, Hail the Gang’s All Here,” to encourage the lynch mob. All but one of the Scottsboro boys, a 13-year-old, were sentenced to the electric chair. But thanks to a rally in Harlem the case went to appeal.

Chief Justice John Anderson of the Alabama Supreme Court wrote in dissent:

“While the Constitution guarantees to the accused a speedy trial, it is of greater importance that it should be by a fair and impartial jury, *ex ve termini* [‘by definition’], a jury free from bias or prejudice, and, above all, from coercion and intimidation.”

There were many more comings and goings of the eight separate cases, which finally ended up in the US Supreme Court. Some of the convictions were quashed, and some men got their sentences reduced. Much later, in the 21st century it was thought appropriate to grant posthumous pardons.

On May 4, 2013, the Alabama legislature passed a change that was needed to enable posthumous pardons. May 2013? Yes, that was just before Dzhokhar Tsarnaev happened to receive his death sentence in the Moakley Courthouse on Atlantic Av.

It took until November for the pardon board to issue the Scottsboro pardons. On November 21, 2013, Alabama's Governor Robert Bentley stated:

“While we could not take back what happened to the Scottsboro Boys 80 years ago, we found a way to make it right moving forward. The pardons granted to the Scottsboro Boys today are long overdue. The legislation that led to today's pardons was the result of a bipartisan, cooperative effort. I appreciate the Pardons and Parole Board for continuing our progress today and officially granting these pardons. Today, the Scottsboro Boys have finally received justice.”

FACTOID #3

In 2017, I ran for the US Senate seat in Alabama that Jeff Sessions had vacated when he became US Attorney General. Despite my being a carpetbagger, I was cordially welcomed. I lived in beautiful Tuscaloosa, and had a ball campaigning in Birmingham, Montgomery, and Huntsville. The people of that state are very educated. I got over my Northern prejudice against the South pretty fast.

FACTOID #4

Many people were listening to police radio transmissions when it was reported that an officer was shot at MIT, i.e., on Thursday April 18, 2013 after 10pm. Tom Fontaine recorded the police scans. Here are three odd items he picked up:

“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.”

“10:49 pm They just, ah, are advising they have located the officer’s weapon. Repeat: located officer’s weapon.”

“10:51 pm Last seen... Suspect is a Hispanic male, last seen wearing a cowboy hat. This happened at Vassar Street in Cambridge. Suspect fled in unknown direction. Again, that was in the last 10 minutes.”

FACTOID #5

Hanna Arendt wrote this in *The Origins of Totalitarianism*:

“For power left to itself can achieve nothing but more power, and violence administered for power’s (and not for law’s) sake turns into a destructive principle that will not stop until there is nothing left to violate.”

9. Fact: A Backpack Cannot Change Its Stripes



(L) Jahar with backpack, per FBI (R) the FBI's evidence of the pack which held the bomb that exploded at 2:49pm near the Finish Line

At this point in the book, I should say that when a few parts of the official narrative have proven untenable, and when officials refuse to take up a discussion about those anomalies, one doubts the reliability of any of it. Editor Dee McLachlan at Gumshoe News in Australia refers to this as the Monkey-business Theory. In Jahar's case, when defenders don't cross examine key witnesses, that's governmental Monkey Business.

I think the Tsarnaev brothers not only were not at MIT (there is no good evidence of it) and were not in a carjacked car (there is no good evidence of it) but were not at the Finish Line on April 15, 2013. Personally, I don't think they were at the Marathon at all, but I don't ask the reader to stretch that far.

Arguments in favor of the Tsarnaevs *being* at the Marathon are:

1. A witness who survived the bombing (Jeff Bauman) reported to the ambulance driver that he had a good idea who did it and described a tall man wearing dark sunglasses and a black baseball cap. That is, Tamerlan: Bomber One.

Recall that two bombs went off, the first is attributed to Tamerlan. (Note: I don't know if a backpack purporting to be *Tamerlan's* was ever found.)

2. A surveillance video provided by Whiskey's Steakhouse shows two guys (identifiably the Tsarnaevs) walking past in single file on a bright afternoon.

3. There's a very distant video of a guy with a white cap making a call on his cell phone (not the *National Geographic* video).

4. A clear video shows Jahar buying milk at Wholefoods, Cambridge at 3:12pm, which is 22 minutes after the bombing.

5. There are several, differing, editions of the following photo in which the three persons at the lower left are Jane Richard (green jacket) then Martin Richard (who died), then the Mom Denise Richard. It is very easy to photoshop such a photo. I asked a friend of mine to add Donald Trump and Josef Stalin to that picture, which he easily did:



Crowd of spectators standing in front of Forum Restaurant

At Trump's right shoulder you see a boy in a white baseball cap, worn backwards – supposedly proof of Jahar's presence.

The jury is required to write its vote on each charge. They

found him guilty on 30 counts Here is part of their verdict:

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 **X**

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 **X**

b. As to the death of Officer Sean Collier:

No Yes **X**

c. As to the death of Lingzi Lu

No Yes **X**

d. As to the death of Martin Richard

No Yes **X**

Concerning Jahar’s backpack, Maret Tsarnaev’s affidavit says:
“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 ... 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 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....”

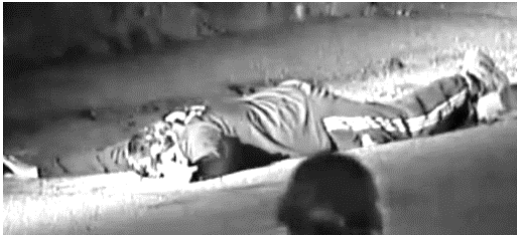
Granted, Maret’s affidavit did not reach the court in time to prevent a guilty verdict. But the judge could still take it up. No judge is hampered by the rules of procedure that courts have imposed on themselves. He can observe the maxim: *Apices juris not sunt jura* – “the niceties of the law are not the law.”

Our amicus brief argues that the Grand Jury should not have approved an indictment in the first place. It is the duty of a grand jury to see what evidence exists, and then determine if the accused has a case to answer. No one has accused Craft International’s men who were wearing black backpacks just like the FBI sample of the nylon one that held the bomb:



(L) Jabar (C) Tamerlan (R) Craft man near Finish Line

10. Fact: Laurel St Involved John Doe, Billy, and Stripey



“Stripey”



“Billy” with FBI man

The task of this chapter is to straighten out the problem raised by Chapter 1’s declaration that Tamerlan Tsarnaev did not die in a shootout at Laurel St, Watertown in the wee hours of Friday, April 19, 2013. Rather, he was taken into custody in good health and must have been killed in custody. His uncle, Ruslan Tsarni, saw the body and verified that it was Tamerlan.

That being so, how to account for all the hype about a shootout on Laurel St? Several of the Counts on which Jahar was convicted – and for which he faces execution or life in prison – refer to Laurel St. Supposedly, Jahar arrived via his Honda Civic and rendezvoused with Brother who got there in the carjacked Mercedes SUV. (The Honda drove behind.)

Officer Reynolds claims to have spotted the parked SUV. If the driver was aware of that -- Reynolds said they “made eye contact” -- he may have thought it was time to start shooting. He got out of the car and fired many shots, eventually running out of ammo and then dropped his gun on the ground.

Of course, as I said above, it couldn’t have been Tamerlan. It must have been someone else. The story continues with Jahar emerging from the Honda and throwing three pipe bombs and a pressure cooker at cops. I cannot guarantee that Jahar was not there in the way I can guarantee Tamerlan was not there. Let’s leave the Jahar problem aside for a moment and try to account for the yet-to-be-identified Tamerlan substitute.

Testimony at Jahar's Trial by Police Sgt John McLellan

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 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. [Note: the Defense didn't ask "Hey, how did you know that?"]

When Sgt McLellan attended my Open Mic session on January

23, 2018, he said that he actually had his hands on Tamerlan and saw him bleed to death. There are many reports of persons claiming to have been there or to have seen what happened, and varying reports by doctors at Beth Israel Deaconess Hospital as to Tamerlan's condition on arrival.

It won't pay for me to try to sort out who is telling the truth. The death-in-custody of Tamerlan is my center of gravity. Such a thing would require that a false story come out as to how this terrible Marathon bomber died in a gunfight that he started. Hence it appears to me that a real man was ordered (like a stuntman) to do some actual shooting and pipe-bomb throwing on Laurel St. I call that man "John Doe" and have asked the coroner to investigate.

A separate character is the young-looking guy stretched out. I call him "Stripey" for the stripe down the side of his track pants. I note that he does not have the curly hair of a Chechen. My guess is that CNN's shot of him was thrown in to confuse.

There is also a man for whom I have made up the name "Billy." I think he may be a cop who was asked to step in after someone realized that Gabe Ramirez had gone full CNN with a video of the real Tamerlan getting naked into a cop car.

Billy was asked to stand against a wall, naked, and be photographed with an FBI man standing next to him. Sgt McLellan at the Open Mic gave an implausible story about his having tried to contact that guy ("Damage-Control-Billy") afterwards, to apologize for the way he was treated.

I find Andrew Kitzenberg reliable. His narrating of the events, on his YouTube channel was done in real time. He lived at 62 Laurel St and filmed some of the action from his window. (I first discovered his video in April 2021. Before that I knew only of his still shots.) At least he verifies that there was plenty of noise and plenty of men. See map on page 184 below.

Note: I cannot *prove* that *Jahar* was not at Laurel St. The official story is that he hopped into the SUV (I suppose “Tamerlan” had left the keys?) and charged madly at cops, killing, instead, his beloved brother. Then, they say, he drove off. (Couldn’t a cop shoot the tires?). A half mile away “Jahar” abandoned the SUV and was seen by Officer St Onge who – implausibly -- could not catch him.

A lady approached me in 2017 to offer a short diary she had written. I have met with her several times and believe her observations are honest; we should be grateful to her. The rest of this chapter is a quote from her diary. I have added bolding:

DIARY. 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 Dzhokhar [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.**

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.

I [diarist] 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.

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.

– End of diary [not of my authorship – MM]

FACTOID #6

In an amicus curiae brief, shepherded by Counsel Jack Graham, we find:

“But with respect to any and all evidence offered or treated as suggesting an extrajudicial admission of guilt in this case, amicus cites the penetrating observation by Sir William Blackstone in his *Commentaries on the Laws of England*, Edward Christian, London, 1765, Book IV, p. 357: **‘[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’...**”

FACTOID #7

“Just two days after Bauman nearly lost his life, an FBI sketch artist walked into his [hospital] room. Over the next couple of hours, Bauman did his best to describe the suspicious figure he had seen at the Marathon. To his surprise, the artist’s final result was an incredible likeness of the man he remembered.”

-- from *The Boston Marathon Bombing: Running for Their Lives*, by Blake Hoena (2019)

11. *Conclusion to Part One: There Is No Case To Answer*



(L) Happy Tsarnaev brothers (R) Tamerlan and daughter, 2012

Part One of this book listed these ten embarrassing facts:

1. CNN's naked-man video proves that Tamerlan survived.
2. The death of Sean Collier is a completely open case.
3. The "defense team" made mafia-like threats about Jahar!
4. Dun Meng did not get carjacked by the Tsarnaevs.
5. 'White Hat' video deceives; it's not surveillance footage.
6. Favorable witnesses were kept out, and SAMS imposed.
7. Jahar's boat confession and apology have no credibility.
8. Jahar's trial had justice reminiscent of the Scottsboro trial.
9. Jahar's backpack doesn't match Marathon's bomb-holder.
10. Laurel St shootout involved John Doe, Stripey, and Billy.

That encompasses Marathon, MIT, ATM, Shell, and Laurel St.

Now I invite you to make a fool of me; tear my argument to shreds. Prove Jahar guilty beyond reasonable doubt. I ask you to "show the jurors" how Jahar went to the Marathon race on April 15, 2013, laid a bomb down and detonated it. Was it his first crime ever? Please assume he will take the stand – pleading the Fifth didn't do him any good in 2015.

Ask him: did he study past Marathons to gauge when the winner would cross the Finish Line? How much damage did he expect would occur? How did he and Bro calculate this? Did he deliberately lay the bomb near a child? Quiz him about his emotional state. He looks awfully relaxed buying the milk 22 minutes after the first violent crime of his life. And how did he get to Wholefoods so fast, given that no spectators had been able to park a car anywhere near Copley Sq on race day?

OK. So April 18 comes along and Jahar hears from a friend that photos were shown on TV calling him and Tamerlan “suspects.” He replied “lol” – laugh out loud. Yet, allegedly, he feels so desperate that he wants to help Tamerlan get a gun. Why did they pick MIT for this? Did he know where a cop would be sitting in a cruise car? Why didn’t Bro do the killing?

Next, with one gun and one car they decide to complicate their lives by getting a second car! The gun was in Tamerlan’s hand when he reached in, to open Meng’s car door. Why did they pick that car? If Meng had exited his car, would they have shot him? If Jahar was coldblooded enough to kill Collier, why didn’t his pals pick up any clues that he was killer material?

When Tamerlan got the SUV, Jahar transferred a pressure cooker and pipe bombs from the Honda. Where did they plan to go? How would they hold Meng? When Jahar withdrew cash, he must’ve known the ATM takes a photo. And did Jahar have \$800 on him later in the boat? Did Meng ever get it back?

(How are you doing? What exhibits will you show to the jury?)

When Meng escaped at the Shell station, Tamerlan drove the SUV away -- but Meng apparently had the keys? Jahar drove behind, in the Honda. Instead of hitting the highway, they went to a quiet residential street in Watertown. Why? They were soon surrounded by police. Tamerlan used up all his bullets and had to drop the gun. Jahar ran him over!

Dear Pretend Prosecutor, by the time the case comes to you, Tamerlan is dead, so you have to prove Jahar's guilt without benefit of interrogating his mentor. You worry that a defense attorney will get Jahar off the hook. There's not much physical evidence. For Boylston St, there was a grainy video of Jahar carrying a white-ish backpack. For MIT there was Nathan, a student who drove by and saw one person at Collier's car. But Nathan heard no noise, nor did MIT's Sgt Henniger! For the carjacking, no one took fingerprints of the wheel. No one has tried to shake Meng's story despite him changing it in 2013.

Turn now to the boat. You have to prove that Jahar had a way to climb into it (wounded). Henneberry himself said he fetched a ladder, so there wasn't a ladder at boatside. Did Jahar have any plans? He would need food. You must tell the jury that Jahar confessed by using a pencil on fiberglass wall, no mean feat, and in fact the wall was curved. How was he able to know, in his prayer, that Tamerlan had "gone to Heaven"? How did he sleep through all those flashbangs?

Go on, I mean for you to do this exercise, please. There's a lot at stake. I want to see if you feel able to concoct a credible prosecution now that I've done my best to undermine it.

In order to fill the jury in on his motive, which is a required element of a crime, ask Jahar: Does he have a positive attitude towards jihad? Does he attend mosque? How about his weapons training -- can he hit a target with a gun? Has he ever tried out incendiary devices? Where did he learn to detonate? Even when a crook pleads guilty (which Jahar did not do), a judge has to make sure he was truly capable of doing the deed.

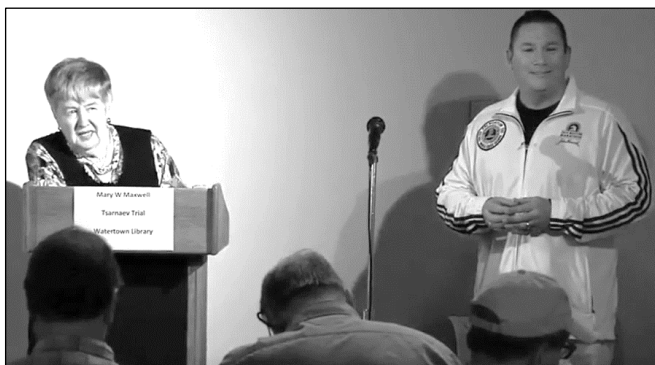
Jahar cried in court when his elderly aunt said he was a good boy. Ask: Was that because of shame over his criminality? Did Tamerlan not give a hoot about what his Marathon terrorism would do to the family in Russia, never mind his wife and kid? The people of Boston are entitled to hear his side of things.

WELCOME TO PART TWO

Bringing the law to bear

12. Introduction to Part Two – What can law do?
13. *McCoy* ruling means Jahar walks, but does he know?
14. Blackstone listed “crimes against justice,” in 1765
15. Law says inquests for Tamerlan, John Doe, Collier
16. Muslims’ civil rights are protected by USC 1983
17. Federal gov’t can’t dictate to the States: *Printz v US*
18. Congress can impeach a US District or Circuit judge
19. Ruling in *Brady* mandates exculpatory evidence
20. Media officers can be indicted for many crimes
21. Marathon criminals are ready to be nabbed
22. Profiling the FBI: Could they have planted the bomb?

12. Introduction to Part Two: What Can Law Do?



(L) Mary Maxwell (R) Sgt John McLellan of WPD

This part of the book is about doing something to correct what went wrong in regard to the Marathon bombing. It appears that many people know the “ten embarrassing facts” presented in Part One, but would rather not think about them. Naturally they’re free to opt for passive acceptance. There are, however, many who do wish to deal with the justice aspects of this case.

Part Two canvasses what is available in the formal law. Some of the chapters detail what can be done for the prisoner, Jahar. For example, Chapter 13 shows a recent (2018) US Supreme Court precedent, in *McCoy v Louisiana*, that says a lawyer is not allowed to strategically have her client admit guilt if that is not what her client wishes. Chapter 19 shows that the 1963 ruling in *Brady v Maryland* guarantees every person the right to have exculpatory evidence brought forward – by the prosecution!

Some chapters are more about sticking up for Boston than sticking up for Jahar. Chapter 14 goes back to 18th century to draw from Sir William Blackstone’s collection of “crimes against justice.” The law against suborning perjury was very strong in Blackstone’s day, and still very much on the books. It’s foolish not to use it!

Chapter 15 presents the Massachusetts law that mandates Inquests into the deaths of Tamerlan, Sean Collier, and the

John Doe of the Laurel St shootout. Two chapters draw directly from the US Constitution, viz, Chapter 18 quotes Article III's provision for the removal of a judge from the bench, and Chapter 17 is about Article IV's protection of states' rights – I claim that the murder of Collier should be treated as a state crime not a federal crime. That chapter also refers to *Printz*.

Chapter 16 is about suing for one's civil rights such as the right against discrimination. Chapter 20 is about the crimes committed by media. Chapter 21 catalogues the many crimes committed at the various crime scenes associated with this case and shows what the real culprits are “up for” once they're nabbed.

Chapter 22 deals with the crimes of the FBI. It mentions the use of the RICO Act and refers to a civil RICO suit that I filed in 2019 about the Marathon (see Appendix H). A concluding chapter promotes solidarity.

There is plenty happening in the world today that needs the care of citizens. I normally like to place issues in their widest context, but in this book I'm determined to focus tightly on Jahar's case, as I think correcting *it* will benefit the whole world.

I am pretty sure that the best way to deal with it is strictly by law. We Americans have no shortage of excellent and imaginative law. It took our ancestors a long time to perfect it. Is there any excuse for us to throw it away? Cogitate upon this neat little maxim: *Lex semper dabit remedium* – “The law will always furnish a remedy.”

Or cogitate upon this observation by a person who was very well placed to note it:

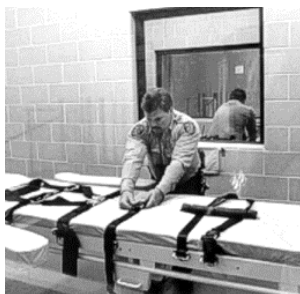
“The simple step of a courageous individual is not to take part in the lie. One word of truth outweighs the world.”

– Aleksandr Solzhenitsyn

13. *McCoy* Rule Means Jahar Walks, But Does He Know?



US Attorney General Loretta Lynch



An execution gurney

A man in Louisiana, Robert McCoy, was accused of murdering members of his ex-wife's family. He wanted to plead Not Guilty but his lawyer (not a public defender) overrode his wishes and "conceded guilt." McCoy objected at the state level and lost. But he won at the US Supreme Court in 2018.

I make the assumption that Jahar did not approve of his public defender's "strategy" of conceding guilt (as the means of making the jury go easy on him, and maybe not give a death sentence). There really is no question that Jahar is entitled to what McCoy got -- the right to a retrial.

Justice Ruther Bader Ginsburg, writing for the 6-3 majority in *McCoy v Louisiana*, in 2018, said:

"The lawyer's province is trial management but some decisions are reserved for the client—including whether to plead guilty, waive the right to a jury trial, testify in one's own behalf, and forgo an appeal. Autonomy to decide that the objective of the defense is to assert innocence belongs in this reserved-for-the-client category. Refusing to plead guilty in the face of overwhelming evidence ... rejecting the assistance of counsel, and insisting on [innocence] are not strategic choices; they are decisions about what the defendant's objectives in fact *are*."

Note the date of the SCOTUS decision: 2018. This was after

Jahar was convicted. He perhaps is unaware of the McCoy ruling. Of course, it is possible that Jahar is “in the know” but is still following instructions to stay mum.

As shown in Part One of this book, Jahar’s public defender team made a decision to virtually assist the prosecution. In her opening statement at trial on March 4, 2015, Judy Clarke said:

“The government and the defense will agree about many things that happened during the week of April 15th, 2013. On Marathon Monday ...Jahar Tsarnaev walked down Boylston Street with a backpack on his back carrying a pressure cooker bomb and placed it next to a tree in front of the Forum Restaurant. The explosions extinguished three lives.”

Also, the defense assisted the prosecution by not cross-examining such persons as Nathan Harman in the MIT part of the story, and not calling as a witness the man who reported noise, David Sacco. There was also the CNN Gabe Ramirez video of the naked man. It remained available on YouTube until at least 2017, so could have been used to knock the story of Tamerlan’s being in a shootout on Laurel St. And since Tamerlan was provably not on Laurel St, it’s reasonable to argue that Jahar was not there either.

Let’s be blunt. It can’t simply be that public defender Judy Clarke’s motive in saying “It was him” was to avoid the death penalty for him, as she could have avoided it by other means, specifically the means of easily proving his innocence.

By the time of the appeal, in 2019, the public defender Daniel Habib definitely had in file the information about the white-ish backpack. Maret Tsarnaeva had sent it to the court on May 15, 2013, too late for the trial verdict, but not too late for the appellate ruling. Yet it was not mentioned in Habib’s Oral Argument for appeal on December 12, 2019. Here is another photo in which you can examine the “color problem”:

And, beyond the color problem, there is an issue of how the

surveillance camera in Whiskey's Steakhouse got a back view of Jahar, and why the man on the left needed to be pixelated.



Note that the American Bar Association says pretty much what the *McCoy* decision says, in its Model Rules of Professional Conduct Rule 1.2(a):

“Subject to paragraphs (c) and (d), a lawyer shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. ... In a criminal case, the lawyer shall abide by the client’s decision, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify.”

The public defenders budget for the Tsarnaev case was \$5 million. Some of this was spent on 13 trips to Russia. Why make 13 trips, or even two trips, to talk to the parents? As noted in Chapter 4 above, Maret claims this in her affidavit:

“We expressed our concern that the federal public defender’s office in Boston was untrustworthy, Dzhokhar’s parents expressed willingness to engage independent counsel, ... Mr. Fick reacted by saying that the government agents and lawyers would obstruct independent counsel...”

Recall that three non-lawyers from the public defenders’ office

also traveled there – Olga, Charlene, and Jane. They said they understood the innocence of Jahar but were under pressure. Needless to say, they should now be interviewed. And an elderly cousin in Russia, Dzhamaly Tsarnaev, should be invited to present the evidence of Jahar’s innocence that he claims he was prevented from presenting. (See Appendix B.)

I don’t know if there are “international complications” about Jahar’s fate. Tamerlan had visited Dagestan in 2011. There was innuendo about Tamerlan’s travels, but his family says he went there to organize his papers to apply for US citizenship.

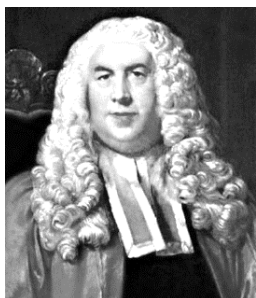
The SAM situation needs to be straightened out. It is up to Congress to change 28 Code of Federal Regulations 501.3. However, the US Attorney General has discretion to impose SAMs or lift them.

“(a)... These procedures may be implemented upon written notification to the Director, Bureau of Prisons, by the Attorney General or, at the Attorney General's direction, by the head of a federal law enforcement agency, or the head of a member agency of the United States intelligence community, that there is a substantial risk that a prisoner's communications or contacts with persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons.”

I recommend that some trustworthy citizen be allowed to see, in confidence, what there may be in Jahar’s file to indicate that someone’s life is at stake if he “sings.”

For that matter, a disinterested person should examine the many documents that are still under seal. And as for any member of the public who signed a gag order to hide crime, please be aware that no court will not enforce such a contract against you. This is still America. You can sing all you want.

14. Blackstone Listed Crimes against Justice, in 1765



Sir William Blackstone Jack Graham The Moakley Courthouse

Sir William Blackstone's *Commentaries on the Laws of England* was a best seller in the American colonies prior to the revolution that started "on the eighteenth of April" in 1775, as folks needed to know what kind of law they should establish.

Volume 4 of the *Commentaries* is devoted to "crimes against justice." That category pretty much covers anything one can do wrong when bringing an accused to justice – including not bringing him at all, bringing the wrong man, allowing perjury in court, threatening a witness, bribing a judge, and so forth.

To give you an example of how sacred Blackstone considered the process of law, he pointed to the fact that you must not advertise "\$50 Reward for return of my [whatever]; No questions asked" -- as you may be sparing a thief from justice. Let us see some punishments of old. Most are still in force:

1. **EMBEZZLING or vacating records or falsifying certain other proceedings in a court** is a felonious offense against public justice. It is enacted by statute 8 Hen. VI. that if any person, shall willfully take away, withdraw any record, **or process** in the superior courts of justice in Westminster-hall, by reason whereof the judgment shall be reversed; it is felony not only in the principal actors, but also in their abettors. ...

2. TO prevent abuses by the extensive power, which the law is

obliged to repose in jailers, it is enacted by statute 14 Edw. III. c. 10. that if any jailer by too great duress of imprisonment makes any prisoner that he has in ward, **become an approver or an appellor** against his will; it is felony in the jailer. [See? The sins of the powerful is just as answerable to law as are the sins of, say, Robel Phillipos and Dias Kadyrbayev.]

3. A THIRD offense against public justice is **obstructing the execution of lawful process**. This is at all times an offense of a very high and presumptuous nature; And it has been held, that the party opposing such arrest [of a criminal] becomes thereby an accessory in felony, and a **principal in high treason**. [Numerous offenders come to mind, for having prevented the arrest of certain “protected” folk.]

4. AN escape of a person, by eluding the vigilance of his keepers. But the officer cannot be thus punished, till the original delinquent is actually found guilty or convicted, by verdict, confession, or **outlawry**. [Outlawry comes into effect when the miscreant can’t be caught by the authorities. All citizens are then under a duty to catch him and will be punished for harboring him.]

5. BREACH of prison by the offender himself, when committed for any cause, was felony at the common law: But this severity is mitigated by the statute *de frangentibus prisonam*, 1 Edw. II. which enacts that no person shall have **judgment of life or member** [!!], for breaking prison, unless for some capital offense.

6. RESCUE. By the statute, 16 Geo. II. c. 31. to assist a prisoner with any arms, instruments of escape, or disguise, and subjects the offender to **transportation for seven years** ... or for offenses in the black act. [The Black Act prohibited darkening your face so as not to be seen when on a poaching raid. Merely to be caught in the forest wearing a disguise was a crime.]

11. COMMON barrety is the offense of frequently exciting and stirring up suits and quarrels between his majesty’s subjects, either at law or otherwise.... **if the offender (as is too frequently the case) belongs to the profession of the law**, ought also to be disabled from practicing for the future. ...and

treble damages to the party injured. [Fie on barrettry!]

12. MAINTENANCE is an offense being an officious intermeddling in a suit. And therefore, by the Roman law, it was a species of the *crimen falsi* [forgery] to enter into any confederacy, or do any act to support another's lawsuit, by money, or **witnesses**. [as in FBI informants.] ...

15. A CONSPIRACY also **to indict an innocent man of felony falsely and maliciously**, is a farther abuse and perversion of public justice; for which the party injured were by the ancient common law to receive what is called the villainous judgment; *viz.* to have those lands wasted, **their houses razed**, their trees rooted up. [See how injustice angers thinkers to this degree.]

16. THE next offense against public justice is **the crime of willful and corrupt perjury**; which is defined by Sir Edward Coke as a crime committed when a lawful oath is administered, in some judicial proceeding, to a person who swears willfully, absolutely and falsely, in a matter material to the issue or point in question. Subornation of perjury is procuring another to take such a false oath.... The punishment was anciently death; afterwards banishment, or **cutting out the tongue**, then forfeiture of goods; and now it is fine and imprisonment, and never more to be capable of bearing testimony. But the statute 5 Eliz. c. 9. inflicts the penalty of perpetual infamy, and a fine of 40£ on the suborner; and to stand **with both ears nailed to the pillory** [Best not to suborn.]

17. BRIBERY is the next species of offense against public justice; which is **when a judge, or other person concerned in the administration of justice, takes any undue reward to influence his behavior in his office**. ... But in judges, especially the superior ones, it has been always looked upon as so heinous an offense, that the **chief justice Thorpe was hanged for it** in the reign of Edward III. [Something to cogitate on today.]

18. EMBRACERY is an attempt to **influence a jury** corruptly to one side by promises, persuasions, entreaties, money,

entertainments [e.g., showing the video of the Marathon bombing over and over], and the like.

19. THE **false verdict of jurors**, whether occasioned by embracery or not, was anciently considered as criminal, and therefore exemplarily punished by attain.

20. ANOTHER offense of the same species is the negligence of public officers, entrusted with the administration of justice, as **sheriffs, coroners, constables**, and the like.

21. THERE is yet another offense against public justice, which is a crime of **deep malignity**; and the power and wealth of the offenders may often deter the injured from a legal prosecution. [Elementary, my dear Watson.] This is the tyrannical partiality of judges, in the administration and under the color of their office.
-- End of excerpt. [Emphasis added]

Comment on the Commentaries

Just imagine how different our nation would be today – or just the state of Massachusetts if judicial people there got all hot and bothered – if the Blackstonian list of crimes were kept in mind. Or just the phrase “crimes against public justice.”

In Part One of this book, I “took for granted” that police act wrongly, that lawyers in court are always playing games, and that the ability of a young person such as Jahar to overcome bad treatment is next to nil. I even passed pretty lightly over the fact that Tamerlan and Todashev were murdered for the sake of someone wanting the truth to remain hidden. Yet there was, in court, plenty of weeping and gnashing of teeth over the murders Jahar is said to have committed.

This could all be fixed up, and it would give pleasure to do so.

15. Law Says Inquests for Tamerlan, John Doe, Collier



The mortuary photo of Tamerlan. His uncle Ruslan identified the body

Part Two of this book searches for any law that can relieve our concern Recall: *Lex semper dabit remedium*.

In regard to inquiries about the death of a person, laws have long provided for both the affected family and the citizenry to demand that a full inquest by a coroner be undertaken. In Massachusetts the coroner is known as the Medical Examiner. The office is presently filled by Dr Mindy Hull, MD.

As far as I know, no inquest was performed for Tamerlan Tsarnaev, as it is “settled” that he died during the Laurel St shootout, and his death certificate says he died of gunshot.

No inquest was performed for Sean Collier as it is “settled” that he was shot dead by Jahar Tsarnaev. As for Ibragim Todashev, whom the FBI admits to having killed in his home in Florida, an inquiry was carried out, but it was by the FBI itself which is not something acceptable to law per the maxim *Nemo iudex in causa sua*. (“No one may be the judge in his own cause.”)

I have written to Dr Hull to ask for inquests for Tamerlan and for the John Doe at Laurel St. I will also ask re Sean Collier.

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., of which I list the relevant ones]:

(1) death where criminal violence appears to have taken place

(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

The official Laurel St story has Tamerlan very wounded. But he was seen *and heard* on a Mt Auburn St sidewalk in a video made by a local guy, Bigheadphone. Then he was seen naked being put in a cop car at the corner of Dexter and Nichols Av. Both videos were made after 1am on Friday, April 19, 2021.

According to PoliceFoundation.org, “at 1:06am, first suspect [this means Tamerlan] taken into custody.” This refers to the person who was shot at and dragged under a car at Laurel St.

On April 25, 2013, the then Medical Examiner, Henry M Nields, MD, PhD, signed the death certificate of Tamerlan 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,” Nields 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.

Chapter 10 above quoted from the testimony of Sgt John McLellan as to what he saw happen on Laurel St. Here is Officer Joseph Reynolds answering prosecution’s questions:

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**. [Emphasis added]

A fuller statement by Reynolds is in Appendix D of this book.

The law must be followed. Period. All three deaths, those of Tamerlan, Collier, and John Doe require an inquest.

MGL Chapter 38, sec 3 even calls for punishment of “A physician, police officer, hospital administrator, licensed nurse ...or funeral director” that fails to report deaths in the categories discussed above.

A Word about Todashev. In August 2019, the city of Boston installed memorial poles on Boylston St for the four victims

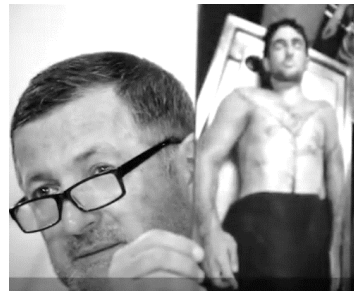
of the Marathon bombing: Lingzi Lu, Krystle Campbell, Martin Richard, and Sean Collier. It will be a happy day for all our souls when we install two more poles, at least. Tamerlan Tsarnaev, RIP. Ibragim Todashev, RIP.



4 poles

Boylston St

You may think there is something wrong with me, saying nice things about “two criminals.” Don’t worry – I, too, wonder what’s wrong with me. However, I did meet Maret Tsarnaeva in Toronto, and she’s a good person, so I can extrapolate to her nephew. As for the guy in Florida, I’ve only seen his ex-mother-in-law, Elena Teyer, give good talks on Youtube. She had the moxie to get 7,000 people to sign a “Free Jahar” page.



(L) Ibragim, expert in martial arts (R) his Dad, showing autopsy photo

My affection for the law causes me distress over the fact that civil rights were trashed by the court in Florida who dismissed Todashev’s Dad’s “USC 1983” claim. Talk about adding insult to injury. We can do better. *Of course we can.* We have law – it’s a great gift but it does not stand up for itself. HELP!

16. Muslims' Civil Rights Are Protected by 42 USC 1983



Elena Teyer at Jabar's trial. Islamic Society Cultural Centre, Roxbury.

All Americans are protected by the same law of civil rights.

42 USC 1983: "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted ..."

18 USC 242: "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or both, shall be fined under this title or imprisoned not more than one year, ... and if bodily injury results from the acts committed in violation of this section may be sentenced to death."

Since the 1970s there has been talk in American newspapers about terrorism in the Middle East, first described as “Arab terrorism” and later as “Islamic” or “Muslim” terrorism.

Thus if someone wants to pull off a crime surreptitiously, he would be well advised to cover himself in Muslim costume and yell “Praise Allah.” The authorities will have no trouble ascribing the crime to the “right” person, such as someone who has been seen near the local mosque. There is no question that if Jahar Tsarnaev was named as the possible committer of a violent crime, he would stand little chance of “clearing his name.” The prejudice is very deep.

As far as we know Jahar had not the slightest training in bomb making, but all it took was for one person to speculate that he may have “learned to make a bomb in the kitchen of his Mom” and it became “gospel.” Common sense was not applied. Only the stereotype was applied. “Tamerlan was a jihadist.”

Here is an excerpt from a book by two *Boston Globe* writers (oh how we loved that newspaper in the old days!). The title is *Long Mile Home*, published pre-trial in 2014. The authors are Scott Helman and Jenna Russell. This is from pp 241-246:

“The Waltham 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 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!]

“The authorities began to take a hard look at Ibragim 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.”

[Note: a court filing doesn’t *confirm* anything. It only *claims* it.]

“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.

“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 going to go to New York?]

“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 Alawki’s house.” -- End of excerpt.

See Appendix C, on the US *policy of planting evidence* of jihadism in the homes of persons, e.g., in Iraq who are not jihadists.

Now let's consider the near-murder of Jahar. 228 shots were fired into the boat where he lay. Policefoundation.org says:

"At 6:42 p.m., Watertown PD received a 911 call from a resident [Henneberry] reporting a sighting of the suspect in a winterized boat parked in his yard. The first officers on scene requested support from tactical teams. [Many] law enforcement officers self-deployed to the scene after overhearing radio traffic. Within moments, more than 100 officers had gathered.

"A responding officer fired his weapon without appropriate authority in response to perceived movement in the boat. Other officers then opened fire on the boat under the assumption the initial shot was fired at them by the suspect."

Later that police group admitted to "indiscipline" of the officers. I don't think that is correct. Given that Tamerlan was killed in custody for no apparent reason, it is likely Jahar was meant to be killed onboard. And given the note written on the boat wall, it would have worked as a suicide note.

Had that happened, Boston would not have mourned him. We didn't even show sympathy for the wounds he, an unarmed 19-year-old, received. The following injuries are documented in Defense Motion #13 and Motion #295:

"Jahar was in critical condition with life threatening gunshot wounds to his head, mouth, pharynx, face, severe soft tissue injury, jaw, throat, left hand, both legs. Also, his scapula (shoulder blade) was shattered, apparently by gunshot. Damage to cranial nerves required that his left eye be sutured closed, and his jaw was wired shut."

Jahar can sue under 42 USC 242 for police brutality. In fact he recently sued, from prison, over rather minor infringements of his rights. As for the attack on him in the boat being due to cops' "indiscipline," that won't cut the mustard in court.

17. The Federal Gov't Can't Dictate to States: *Printz v US*



Boston Mayor Kim Janey, Chief Massasoit, Sheriff Richard Mack

No sooner was the ink dry on the parchment in Philadelphia in 1787, than centralizing forces started to undo the constitutional protections of state sovereignty. Or should I say “No sooner was the ink dry on the parchment, than the 13 states started to get lazy about protecting their sovereignty.”

We can begin by talking about the 2013 death of Sean Collier. Who had the authority to investigate his death? Certainly not the feds. Per the Sixth Amendment in the Bill of Rights:

“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.”

For Sean Collier, that means the district known as Middlesex County, of which the District Attorney is Marian T Ryan. She can still, and should, charge Jahar with murder of Sean Collier. Granted, no man has to face a second trial for the same crime – that’s double jeopardy. But the word *jeopardy* means risk and what would Jahar be risking? He is already facing life imprisonment. Anyway, it is his *right* to be tried locally.

This chapter is about the distribution of power in our nation. The Framers of the Constitution did a great job balancing the federal system against the states, the judiciary against the legislature, and so forth. Any citizen can check the constitu-

tionality of a federal law simply by running it down the following list of “allowable areas” in Article I, sec 8. If it’s not here, Congress is acting *ultra vires* and states should nullify the particular law:

-
1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;
 2. To borrow money on the credit of the United States;
 3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
 4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;
 5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;
 6. To provide for the punishment of counterfeiting the securities and current coin of the United States;
 7. To establish post offices and post roads;
 8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;
 9. To constitute tribunals inferior to the Supreme Court;
 10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;
 11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;
 12. To raise and support armies, but no appropriation of money

to that use shall be for a longer term than two years;

13. To provide and maintain a navy;

14. To make rules for the government and regulation of the land and naval forces;

15. To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

16. To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

17. To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; --And

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Note: That last one, Clause 18, is not a “plus whatever you want” thing. It means that when another branch (executive or judicial) needs a law – say a Civil Service Act for guiding employees of the Executive – it must ask Congress. Those branches don’t make law. No Executive Order is a law.

We must observe the Framers’ wisdom in regard to states’ rights. As far as I can see, this depends on a state actually

seizing its own prerogatives. Sheriff Richard Mack makes a good case that counties, also, should throw their weight around. Sheriff Mack brought a case to court against the incursions of federal government agencies (for example the Bureau of Land Management). He won. The case is *Printz v US*. Justice Scalia writing for the majority in 1997 said: “The Federal Government may not compel the states to enact or enforce a federal regulatory program” (to which Mack adds “This means none, nada, zilch and zero).

Note: The verdict reached by Jahar’s jury in 2015 found him guilty of “conspiracy to use a weapon of mass destruction” that resulted in the death of Sean Collier. That is nonsense, and writing it was an abuse of process. It came from the UN 1997 treaty about “the unlawful and intentional use of explosives and other lethal devices in, into, or against various defined public places with intent to kill or cause serious bodily injury, or with intent to cause extensive destruction of the public place....”

If Congress has enacted it *ultra vires* (i.e., beyond their proper authority) -- which is something they do every day -- the law has to be attacked. This can be done in court or by a state nullifying it, as in the 1798 Virginia and Kentucky Resolutions.

Still, we can’t wait until state governors get around to reasserting their correct authority. We can act on specific matters. I encourage the DA of Middlesex County to simply charge Jahar Tsarnaev with a crime (anything will do, such as the alleged theft of \$800 from Dun Meng’s ATM) as a way of bringing the federal prisoner to Massachusetts where he can *tell his story*.

Or, as suggested above, charge him with the killing of Sean Collier. I claim the federal district court relied on an unconstitutional law, concerning weapons of mass destruction, to pin the MIT crime on Jahar. Most of the anti-terrorism laws violate the Constitution but are seldom challenged. Here is our chance to air *that* entire matter.

18. Federal Judges Can Be Removed by Congress



SCOTUS

When I went, just now, to fetch a photo of the US Supreme Court, I saw a heading “Supreme Court Needs a Code of Ethics.” No, no, no it does not. If nine persons in the US population of 330 million have been picked as the best law minds, they could not possibly be anything but great ethicists.

Houston, we have a problem. It is not livable that our courts have ceased to be ethical. We can’t possibly let this go on.

The good news is that the Framers had that all figured out (I wonder what they would have done with our Jahar problem). They decided that judges would be appointed for life – and thus would not make rulings with an eye to their fate. They also decided that a judge could be impeached if he ceased to hold the office with good behavior (Constitution Article III).

I have been attempting to get Judge George O’Toole impeached. That cannot be done by the state of Massachusetts, but it can be done by members of the Massachusetts delegation to the House of Reps – they would propose it and it would then go to the Judiciary Committee. If the House then votes Yes by simple majority (217 votes plus 1), the matter would go to the Senate where a 2/3rd majority (67 senators) is needed. See my Articles of Impeachment:

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 Judge O'Toole's duty to *ignore* such an injustice, but he 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, LLM. 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. [end of Articles]

*Correction: The request for that came from the Prosecutor.

If impeached and convicted (that's not a criminal conviction) a judge would lose his/her pay of \$202,000 per year. I feel awful asking for a judge's removal from the bench. But Judge O'Toole 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 of a judge 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," can enable conviction.

On November 13, 2018 I sent Congress a letter with my five proposed Articles of Impeachment of Judge O'Toole. 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. The year 2018 was ending however, and so that Congress came to an end. I presume any pending requests died on the vine. The 2019-2020 Congress concentrated on presidential impeachments.

I will now try again in 2021 to alert members of Congress to the need to impeach judges who are working against the people.

19. Ruling in *Brady* Mandates Exculpatory Evidence



(L) US Attorney Carmen Ortiz



(R) Alex Karaway

“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.”

-- US Supreme Court in the 1963 *Brady* case

Thank God for *Brady v Maryland* in 1963. In fact, thank God for the Sixties. The word *justice* meant something in the Sixties. Which is not to suggest that our forebears ignored it. They saw the judicial function as existing to sort out conflicts, rather than for prosecutors, as today, to weaponize the law. In short, courts are for justice. Both sides have to respect its workings.

The essence of the *Brady* rule is that the prosecutor must hand over to the defendant anything she has in her files that would beef up the defendant’s case rather than her prosecution case.

Why is that? See, you shouldn’t ask. To ask implies that you think of her as having a mission other than to find the truth of who-dunnit. Why would American taxpayers be paying anyone to do such work? All we want is for her to make justice happen. If she is doing something else, we need to worry.

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 District Court Judge Mark Wolf reexamined the situation and said he had to let Ferrara out of jail, animal or not. Wolf blamed US Attorney Jeffrey Auerhahn for having suppressed the exculpatory evidence, *contrary to* the Brady rule.

We must thank Judge Mark Wolf of Boston, for speaking clearly of Auerhahn’s wrongdoing -- which is common behavior among US Attorneys. Fortunately, the First Circuit Court of Appeals referred to Auerhahn’s behavior as “outrageous,” “egregious,” “feckless” and “a grim picture of blatant misconduct.”

But they should have referred to it as criminal. Per 18 USC 1503:

“(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.

This man who caused another to be falsely imprisoned did not even get disciplined by the profession. The decision makers in such cases at the Board of Bar Overseers are made by 3 judges: George O’Toole, William Young, and Rya Zobel. They said, of US Attorney Auerhahn, “Allegations of professional misconduct have not been proven by clear and convincing evidence.”

The trial of Jahar Tsarnaev was a crime unto itself. I have already provided my evidence in Chapter 3, regarding the mafia-like

behavior of the Defense Team when visiting Russia, and in Chapter 8, as to the similarity of this trial to the all-time worst Scottsboro case. Just think of how much exculpatory material was available in the prosecutor's file to prove Jahar not guilty:

1. The FBI evidence of the bombing consisted of two contradictory exhibits: a black nylon backpack that held the bomb, and a photo of the accused on Boylston St wearing a whitish backpack. (I suppose this isn't strictly Brady, as Prosecutor Carmen Ortiz did not conceal the two items – she flaunted them! It was up to the Defender to point to the contradiction.)
2. There is blatant contradiction re the carjacking. Meng says Tamerlan drove, yet Meng is wearing his keyring at Mobil station.
3. The prosecution made an hour-long video to explain how Jahar killed Sean Collier. They used film provided by Matt Isgur at MIT. It is a joke. I say the jokiness of it proves the point. They showed only hard-to-decipher images instead of good ones.
4. The Prosecutor provided, as evidence that Jahar wrote a boat-wall confession, a sharp pencil. She could have had it examined for Jahar's fingerprints but didn't. She could have invited experts to say that a pencil can write on fiberglass but didn't. Why not?
6. Prosecutor had Collier's car destroyed before trial. Why?
7. This one is the parallel to Vincent the Animal: the prosecution knew CNN's video of the naked man. To have shown it would have firmly proved that Tamerlan was not the Laurel St shooter. (As I have already conceded, I can't *directly* absolve Jahar of stealing \$800, being on Laurel St, throwing pipe bombs, or causing a friendly-fire injury to Officer Donohue.)
8. There is fantastic exculpatory evidence in the Podstava video of Tamerlan on a Mt Auburn St sidewalk being frisked. When he yells "I've been set up," that should be taken as the denouement of this whole affair. Ortiz must have known of it.

Justice Collaborative notes, at its website, theappeal.org: “The prosecutor is responsible for disclosing anything known by members of the prosecution team, which includes law enforcement, forensic investigators, and other experts. Per *Kyles v. Whitley* the government cannot claim ignorance. It must actually find out what information is in the files of the people on whose work and expertise it relies.”

The US Supreme Court wrote in *Kyles: v Whitley* (1995):

“One does not show a *Brady* violation by demonstrating that some of the inculpatory evidence should have been excluded, but by showing that the favorable evidence could reasonably be taken to **put the whole case in such a different light as to undermine confidence in the verdict**... Thus, the prosecutor, who alone can know what is undisclosed, must be assigned the responsibility to gauge the likely net effect.” [Emphasis added].

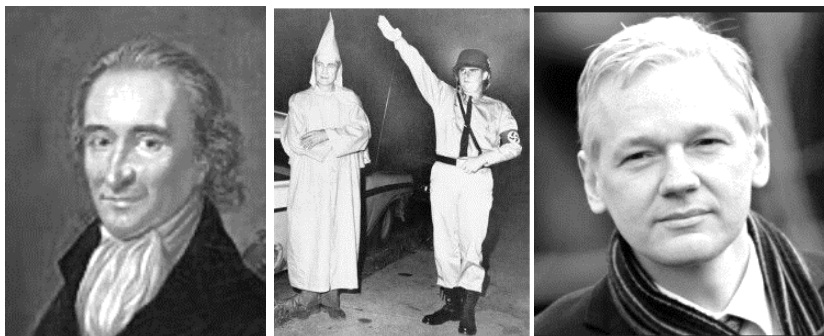
Ms Ortiz, you must agree that Dzhokhar can now go home.

Guilty Knowledge. The Brady concept is Blackstonian in that it cares about the court’s honesty. Indeed, Sir William would be rushing in to show crimes against justice being committed left and right. Brady is also “Bastiatian.” Frederic Bastiat, a Frenchman opposing communism in 1870, said the only job of law is to make an unjust situation just.

If you see members of the DoJ, the Justice Department, doing something else, they are likely involved in bigger wrongdoing. Carmen Ortiz’s (and Judy Clarke’s) deviation from good legal practice, to frame Jahar, shows *guilty knowledge* of the truth.

The maxim *Contra spoliatorem, omnia praesumuntur* means “against the one who destroys evidence, everything can be presumed.” Those who try to frame Jahar should be presumed guilty themselves. Please think about this. The law maxims are based on centuries’ worth of wisdom and insight.

20. Fact: Media Officers Can Be Indicted for Crimes



Tom Paine (1737-1809), the Nazi salute, Julian Assange (b 1971)

In the middle photo above, we see a Ku Klux Klansman. And the Nazi salute. The US Supreme Court decided in *Brandenburg v Ohio* (1964) that we must permit such ideas, in order to keep the marketplace of ideas open. Britain's Tom Paine came to the colonies in 1774 and his pamphlet, *Common Sense*, helped the US to be born. Our First Amendment inspired the world, as to freedom of the press. But today, Julian Assange endures grueling jail treatment for exposing the US's war crimes.

Americans mistakenly assume that Free Speech means that the media itself can't be punished for telling lies. Not true. Today the MSM (mainstream media) is committing felonies galore.

The media produced much of the Boston bombing deception. In case you have come to this chapter first, please be aware that there is no reasonable Chechen-jihadist theory of the Marathon. Bostonians fell, hard, for a cooked-up story. To "let it go" is a terrible mistake. If Bostonians choose to accept lies, they are denying our children a happy future. You can be a great supporter of free speech and yet hold media accountable.

I now discuss five crimes of media: assault, obstruction of justice, incitement to violence, treason, and fraud. Under corporation law, the persons to indict are the office holders.

Assault. There are 4.8 million people in metropolitan Boston.

Some large fraction of that group was *assaulted* by the news that there was a dangerous bomber on the loose. The crime of assault (and also the tort of assault, for which you can sue) includes not just physical contact but the arousing of fear in another person.

There was no bomber on the loose. I think media knew that. The fear was deliberately instilled as part of a game, an overall plan to put us under control. It is well known in psychology that a panic makes everyone willing to obey instructions.

In MGL (Massachusetts General Law), the crime of assault is at Part IV, Title I, Chapter 265, section 13A: Section 13A. (a) “Whoever commits an assault ... upon another shall be punished by imprisonment for not more than 2.5 years in a house of correction or by a fine of not more than \$1,000.”

The US and other countries always beat up the atrocity stories of the enemy during war, or to get people to agree to make war. But we are not at war with Islam. (You could be forgiven for thinking that we are!)

Jahar Tsarnaev is very American, a normal college kid. Yet the media was easily able to go straight for our emotions and make us accuse the brothers of violence. “Shelter in place”

Obstruction of Justice. The relevant federal law is at 18 USC 1503, as discussed in the Brady chapter. But they should have referred to it as criminal. Per 18 USC 1503:

“(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.**”

Many people in the courtroom were guilty of obstructing justice -- but so was the media. Chapter 10 showed how *National Geographic* produced the White Hat video, deceitfully causing Bostonians to think that the officials looking at a grainy film

of Jahar, laying a bomb and detonating it, were looking at surveillance footage. No, the whole thing was a reenactment. Are reenactments legal? Yes, they are fine. No doubt *National Geographic* will say it covered itself by listing the credits at the end “Alex Karavay played Jahar; filming was done in Phoenix Arizona.”

Sorry, not good enough. We are talking about crime. Jurors were influenced by that movie. Everyone in Boston thought Jahar had been caught red handed with a bomb-package and a detonator. That’s plain, ordinary obstruction of justice.

Also, the media are cover-up experts. Coverup of crime is a crime. Indeed failure to report a crime is a felony, called *misprision*. The media did at least do that much crime. But I say they did more – they are accessories after the fact to the murder of Tamerlan. Here we are, 8 years after his death, and media is deeply covering it up. Note: An accessory gets the same punishment as the principals in the case, and there is never a statute of limitations on murder (or on treason).

Incitement to Violence. MGL at Chapter 264 section 11 is about prohibiting the promotion of anarchy. I say the media inflamed the self-deployed cops – a hundred of them sped to Watertown, according to policefoundation.org. The law says:

“Whoever by speech or by exhibition, distribution or promulgation of any written or printed document, paper or pictorial representation advocates, advises, counsels or incites assault upon any public official, or the killing of any person, or the unlawful destruction of real or personal property... shall be punished by imprisonment in the state prison for not more than three years, or in jail for not more than two and one half years, or by a fine of not more than one thousand dollars....”

Freedom of speech doesn’t absolve anyone from the crime of incitement of imminent violence. The police, and many of the residents of Watertown, thought they had the right to kill Jahar (it’s a miracle he survived) thanks to incitement of violence

against him. Portraying him as a terrorist who had to be taken down for public safety made it OK to shoot at him.

The boatside scene at 7pm followed the Laurel St shootout early that morn (say, at 12.45am). Recall the diary-keeper: she said everyone knew, by breakfast that day, April 19, 2013, that Jahar had run over his brother. The Robocall alluded to imminent danger. Incitement to violence was rife and the media can be charged with this crime. It resulted in the 228 bullets shot into the boat.

See Appendix A for Anderson Cooper's remarks, posed as questions to his fellow CNNers, such as their "Homeland Security analyst" and their "Chief Washington Correspondent," Jake Tapper. Cooper, in April 2013, was perfectly at home with the idea that Islamic terrorism was the cause of the Marathon bombing. He even slips us a reminder that Chechens did the Beslan siege (at which 186 children died, in 2004) and the Moscow theatre take-over.

There's rebelliousness in Chechnya and it's OK for a TV broadcaster to discuss it. I don't even claim that a channel of news should be balanced, giving airtime to both sides of a controversy. We now accept that each network has its political biases. Fine. That's how it was in America when newspapers first started; the editor showed his preferences. But crime is crime.

Treason. If I am correct that Tamerlan was set up to be killed -- my thesis is that he was killed in custody between 1am and 6am -- this fits the federal definition of treason which copies the US Constitution (Article III, section 3). 18 USC 2381:

"Whoever, owing allegiance to the United States, levies war against them ... is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined...."

"Levying war" does not have to mean soldiers in uniform. It means attempting to kill. Could the media be charged with treason? You decide. See my 2011 book, *Prosecution for Treason*.

Massachusetts state law on treason is at Chapter 264, sec 6:
“Whoever commits treason against the Commonwealth shall be punished by imprisonment in the state prison for life.”

Fraud and Giving False Statements

The media must know about laws against false statements, as they were happy to proclaim that Jahar’s friends got prison and fines of \$250,000 each for lying to the FBI. Per 18 USC 1001:

“(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—**(1)** falsifies, conceals, or covers up by any trick, scheme, or device a material fact; **(2)** makes any materially false, fictitious, or fraudulent statement or representation; or **(3)** makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years....”

There is also common law against fraud, often adjudicated in the context of contract law, when one party gains at the other party’s expense. As far as I’m aware, when you buy merchandise, including a newspaper, you are in a contract with the producer. The fraud committed on you must have been intentional. It would be interesting to find out how much lower-echelon media person realized the overall Marathon fraud.

A Word about the Podstava Video

What interest has YouTube.com got in the Marathon crimes? We in the sleuthing community have noticed good videos being taken down or being altered. For example, the once-clear videos of Dun Meng’s key ring on his back pocket have gotten dark! I said in Chapter 1 that finding the Ramirez transcript was a big help as we have lost the original naked man video. CNN’s removing such a vital video bespeaks *guilty knowledge*.



Podstava video

Bigheadphone had his Podstava video up almost in real time. Do you recall Aunt Maret screaming that it's Tamerlan at 546 Mt Auburn St? He is seen face down on the sidewalk with a yellow-vested cop frisking him and opening his wallet. His pal is on the ground next to him, but the cop fails to frisk the pal.

Maret thinks Tamerlan was lured to Watertown by that “pal” and that he suddenly realized it was a set-up. He yells, in Russian, Podstava – “I’m a patsy,” or “I’m being framed.” Maret says Tamerlan was an FBI informer. All immigrants in US are vulnerable to being made to act as spies on their group.

Bigheadphone’s Podstava video is time-stamped 1:05am on April 19, 2013. Tamerlan is wearing khaki pants. I am guessing he was escorted somewhere and quickly stripped. Then, a little after 1:05 he makes a second appearance, now as Naked Man.

I made a YouTube about it in August 2015. In my book *The Soul of Boston and the Marathon Bombing* (2019) I discussed Podstava, and I described it at the Library lecture in 2018. But for the book at hand, I have placed more importance in the Ramirez video, as CNN has nearly got the status of authority.

In 2021, I see Bigheadphone’s YouTube channel is still up. I’d like to talk to him. We must all be grateful to him for bravery. Oh wait, no, this is America, it should not require bravery to take a picture of a man being arrested. We have freedom of speech and we hold government accountable to us, right?

21. Many Marathon Criminals Are Ready To Be Nabbed



The guns of Watertown

It's an unspoken rule that the police should grab little guys but never grab big guys. Generally, we don't acknowledge our protection of the powerful. I think we have a deep-seated psychological expectation that the big guys are good. They are like Daddy and please don't offend my Daddy.

Little guys are portrayed as not worthy of respect. Here is a Reuters report dated May 1, 2013, a fortnight after Marathon:

“U.S. authorities charged the two Kazakhs, Azamat Tazhayakov and Dias Kadyrbayev, both 19, with **conspiring to obstruct justice** by disposing of a backpack containing fireworks they found in Tsarnaev's dorm room. The third man, Robel Phillipos, also 19, was charged with **making false statements to investigators**. Kadyrbayev and Tazhayakov face a maximum sentence of five years in prison and \$250,000 fine.

Kadyrbayev decided to throw away the backpack with the fireworks tubes inside, according to court papers. “He put the backpack and fireworks in a dumpster near his apartment. Investigators recovered the backpack on April 26 in a New Bedford landfill. ...It included a homework assignment sheet from a class that Dzhokhar Tsarnaev was enrolled in.”

Let's Identify the Crimes at Each "Tsarnaev" Location

The Marathon affair involves many crimes – I'll underline any for which there is a corresponding law, either federal or state. I'll sort them according to location, and per the chronology. (Note: many crimes of conspiring must have occurred before April 15 but we must omit them here.):

The Finish Line. On Monday April 15, 2013 there must have been several people involved in the bombing. It must be someone who had the know-how for doing a bombing and the cleverness to choose a good spot and the best timing.

On the next two days, Tuesday and Wednesday, there was the criminal attempt to keep people in fear, waiting for more possible bombs. Note: the crime of assault includes not just bodily contact but arousing apprehension of physical harm.

MIT. On the Thursday, April 18, there was the murder of Sean Collier followed immediately by key people covering it up. Cover up is not a statutory crime in Massachusetts, but it exists in common law, as in Blackstone's *Commentaries*. Common law is what we inherited from England. It's made up of judges' decisions on cases. Legislatures add to it and subtract from it by statutes. New judgments enter common law every day. (See Oliver Wendell Holmes, *Common Law*.)

Mobil Station. After the murder of Collier around 10:30pm, there was another adventure involving Dun Meng showing up at a Mobil Station with a false story. As stated above, regarding "the two Kazakhs," it is a federal crime to make false statements to investigators and to conspire to obstruct justice.

With whom did Meng conspire? I don't know. Conceivably he conspired with the Tsarnaevs if they had been told to carry it out. I doubt it, but we need to ask him. (Possible he was carjacked by two stooges, but he identified Jahar in court.)

Mt Auburn St. The next event is the arrest of Tamerlan where

he shouts Podstava. The yellow-vested cop kneeling down to handcuff him may be an unknowing tool rather than a participant in the great deception. However, such persons as took Tamerlan away (one appears on Gabe Ramirez's CNN video) are more likely to have been prepared for the whole game. We can find out by asking the man in the CNN video.

In Custody. The next crime committed against Tamerlan was his murder. Homicide is of course a common law crime, as old as the Bible. In the MGL it's at Chapter 265 section 1:

"Murder committed with deliberately premeditated malice aforethought, or with extreme atrocity or cruelty, or in the commission ... of a crime punishable with death or imprisonment for life, is murder in the first degree. Murder which does not appear to be in the first degree is murder in the second degree. The degree of murder shall be found by the jury."

Laurel St. Simultaneously with the Podstava frisk, someone was killed at Laurel St. According to policefoundation.org, that person was put in an ambulance at 1:06am. Maybe it was John Doe. If so, he may have come to the appointed place, Laurel St, under instruction. If so, the instructor is an accomplice to murder and may be punished the same as the murderer.

As for Officer Ric Donohoe, he was hit by friendly fire, which is generally not considered a crime. However, the man who jumped into the SUV is clearly a killer with malicious intention. And he managed to escape! We should ask Officer St Onge to describe him, as St Onge is the one who saw him after he abandoned the vehicle a half-mile away. There is a special category for homicide with a motor vehicle in MGL:

Sec 24G: (d) "When a motor vehicle is the instrument of the offense, the registrar shall revoke the license of a person convicted ... for a period of 15 years after the date of conviction ... [or] revoke the license of a person convicted for a subsequent violation ... for the life of such person."

At Hospital. Now the coverup of Tamerlan's murder begins, with Dr Richard Wolfe giving evasive news about the condition of the body. Dr David Schoenfeld said Tamerlan was "apparently give massive amounts of blood to replace what he has lost." Hospital accountancy records will show any such blood, as it has to be paid for. And as the case is still in appeal, all records concerning "the convict" are to be preserved.

Watertown's Martial Law. Decisions were made by 6am, by Governor Deval Patrick as to closing down Watertown, and Greater Boston by 8am. President Obama had declared an Emergency on the 17th. This formality helps funding to flow from federal coffers. It qualifies as financial fraud (assuming Obama "knew"). The relevant federal law is at 18 USC 371:

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

There then proceeded a perfectly unconstitutional invasion of Watertown by National Guard or state troopers going door-to-door and entering homes with guns drawn, expelling the homeowners to their yards and handcuffing some of them.

The Boatside. Now to David Henneberry's boat. Many cops reportedly "self-deployed" to the scene. On signal they shot at the boat, 228 bullets being the official count. Jahar was unarmed. At 8:02pm, he emerged. In one picture he still has an uninjured face, with a red laser target on his forehead. In another boat photo his face has become lopsided. No official information is given as to whether he was personally shot at.

The Roundup of Jahar's Friends. This, and the murder of Todashev, was part of a major operation to obstruct justice.

The Trips to Russia. As described in Chapter 3, the Defense Team made 13 trips to Jahar's folks in Dagestan. If unwarranted, this expenditure is a financial crime. And, assuming Maret Tsarnaeva's report is accurate, public defender William Fick outright threatened the family, limiting their, and Jahar's, options, obstructing justice and assaulting them via fear.

Phoenix, Arizona. The creation of the White Hat video and the participation in it by Gov Patrick, Police Commissioner Evans, and others should qualify as treason, in my opinion.

Destruction of Evidence. Consider just the destruction of Sean Collier's bloodied cruiser. Per MGL Ch 268, sec 13E(b):
"Whoever alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair its ... availability for use in an official proceeding, shall be punished, by (i) a fine of not more than \$10,000, or by imprisonment ... for not more than 5 years...."

Modern Slavery. If my view of Ramirez's CNN video is correct, then most of the story requires people to have faked information. I think many media folk are enslaved. Those who are enslaving them are committing a crime, per 18 USC 1583:

"(a) Whoever (1) carries away ... a person, with the intent [he or she] be sold into involuntary servitude, or... (3) obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be fined under this title, imprisoned not more than 30 years, or both."

If you know of any persons who committed these felonies you are obliged by law to so report, per 18 USC 4. That is, you would be committing misprision (rhymes with vision) for not reporting, and that is a felony.

What is the penalty? Look it up. It's easy, just google for "failure to report a felony."

No Immunity from Crime, But Immunity from Lawsuit

Most folks, even some law professionals, are under the ridiculous misapprehension that “officials” cannot be punished for crimes, thanks to “qualified immunity.”

There’s no such thing as being above the law, regarding crime. Granted, everyone is legally above the law when an extreme situation demands it, per the maxim *Necessitas non habet legem*. – Necessity has no law. And there’s such a thing as having an established defense to a crime. The law of self-defense says that if someone is about to harm you, or a person near you, and you act violently to prevent it, you’ll be arrested but at trial you will “get off” by citing the defense of self-defense.

Offering immunity from criminal prosecution to one whose cooperation the state vitally needs is also legitimate. Of course, no Attorney General has authority to offer immunity to a class of people, as the CIA sometimes claims for itself.

Theirs is, however, such a thing as immunity from civil action. The 50 states and the US traditionally enjoy sovereign immunity (although we the people are the real sovereign!). You can’t sue the government unless it grants you leave to do so, which it often does. Also, many workers have qualified immunity. A cop who shoots you under dire circumstances won’t be sue-able. (You can file a suit under 42 USC 1983 for infringement of your rights, but the taxpayer will be the payer.) The cop can nevertheless be charged with crime. No one is immune.

Traditionally, and quite sensibly, legislators have parliamentary privilege to speak from the floor without fear of being sued for defamation. Understandably, a judge can never be sued for making the wrong call -- but if she acts criminally, the law will not prevent her being prosecuted. When officials escape prosecution, it is *impunity* (our turning a blind eye) that does it. The maxim is: *Impunitas semper deteriora invitat* – “Impunity always invites worse faults.” We need to stop turning a blind eye.

22. What Should Happen If the FBI Planted the Bomb?



FBI's April 18th release of the "Suspects One and Two" photos

Whom does the FBI represent? You may think they stand for an abstract thing – law and order. But that's unlikely. Granted, their clerical employees carry out simple tasks for law and order, such as checking on records. But it's at least arguable that the FBI exists for the sake of a small group who would like to control everyone. In that case, they do not have society's welfare in mind. Quite the opposite!

In 2011, I published *Prosecution for Treason* which contained a theory (on pp183-184) that many government workers are veritable impostors. Please try this out to see if it makes sense to you or helps you be less afraid of some of today's badness:

Maxwell's Definition of Imposture. When an officer of the US government uses his position to perform a crime on behalf of someone else (say, the elite), he is not being a US employee, acting per his job description. Compare these legal concepts:

1. *Vicarious liability.* If a carpet cleaner ruins your rug by using the wrong chemical, out of ignorance, who should take the blame? His employer! The worker was the *agent* of the employer, so really the employer ruined your carpet. By law, she is vicariously liable for what the cleaner does on the job.

2. *'On a frolic of his own.'* The bank teller mixes up some cash that he is to give you, and pockets \$500 for himself. Is

the employer (that is, the bank) liable? No, because stealing, unlike cleaning a carpet, is not what the boss ordered. The teller was on a frolic of his own.

Now back to *imposture*. Assume that someone got our president to sign a form authorizing a strike on a foreign state, ‘Ruritania.’ For simplicity, say that the motive was money. A third country wanted someone to strike Ruritania and offered a huge bribe for the US to do it. Of what is our president guilty? Officials who take bribes tend to get indicted for *corruption* (if they get indicted at all). But in this case, the president has done more than just pocket some money for himself. His action may cost American casualties, environmental destruction, foreign backlash.

One might say “He’ll get his punishment by not being re-elected.” That is beside the point. He needs to feel the brunt of the law. When he doesn’t feel it, our nation collapses. Note: when a US president carries out unlawful actions it is rarely the frolic-of-his-own type (for \$\$). He was most likely placed in the White House by others so *they* could commandeer the nation’s resources. His mind may be manipulated, or he may be threatened, and thus he is *not* really acting freely as our leader. He works for ‘the man.’ Are you with me? Now try looking at such a president as an impostor. (This is my theory.)

Wouldn’t it be better for all of us if we said, “Look, there’s someone sitting at the president’s desk in the Oval Office who is a puppet for outside forces. He’s *not* the real president – he’s an impostor” Similarly, if a judge is committing crimes every day by misinterpreting evidence deliberately or citing the law incorrectly (at the behest of, say, the Mafia), she’s an impostor, not a ‘real judge.’ Please note that my scheme is only to be used as a mental exercise; I do not want a new law against ‘impostoring.’ Once the mental exercise is performed, we won’t be as inhibited as we normally are about recognizing our leaders’ sins. We’ll be able to identify the appropriate criminal charge and make arrests. It’s painless to arrest an *impostor*.

Profiling the FBI. The FBI is a division of the Department of Justice answering to US Attorney General Merrick Garland. There is also an Inspector General, Michael E Horowitz, in the DOJ, who is paid to keep an eye out for corruption!

Because of the way the Tsarnaevs were so capriciously named as the bombers (via the dubious photos), and the way the media case against them was so manifest, and the trial so dishonest, I am sure the bombing was done by someone else. It had to be someone who could penetrate security barriers, someone who knew how to make explosions, and someone who could get away and never be arrested. The best candidate for the 2013 Marathon bombing is the FBI itself.

Profiling is a useful mechanism for deciding where to look for criminality. The FBI has a lot of “previous.” For example:

*The 1993 bombing of the underground garage at New York’s WTC was a sting operation. Informant Emad Salem luckily taped his meetings with his handler.

*Leonard Peltier, a native American, has most pathetically been in federal prison for 44 years after being wrongly accused of killing an FBI intruder.

*The 1986 Oklahoma City bombing was declared by the FBI to have been done with an ammonia truck bomb. Yet when a local cop, Terrance Yeakey, found explosives within the building, he was soon found dead.

*Also related to OKC, a man named Kenneth Trentadue was mistaken for someone the FBI wanted. He was in on a minor charge and was said to have hanged himself. The family protested. The FBI admitted to mishandling the matter and paid a settlement. The man for whom Trentadue has been mistaken then hanged himself, too.

*Even the Boston office of the FBI has ‘form.’ As reported by

Associated Press, 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. Four men convicted on Barboza’s lies were treated as “**acceptable collateral damage**,” their attorneys said.” [Emphasis added]:

*James Earl Ray was unfairly blamed for the assassination of Martin Luther King in 1968, imprisoned, and after 30 years killed. His brother John Ray, said in an interview for the great 2008 book *Truth at Last* by Lyndon Barsten (p 81):

“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.” [Emphasis added]

***TODASHEV WRONGFUL DEATH, COURT CASE**

The FBI’s criminality in regard to the Marathon is as plain as day, owing to the murder of Tamerlan’s friend Todashev. A claim was filed in 2017 in the US District Court in Orlando, by his parents, against the US and against FBI men Aaron McFarlane and Christopher Savard, and Massachusetts state troopers Curtis Cinelli and Joel Gagne. The case was dismissed but is alive again since 2020. This is from the pleadings:

McFarlane was a special agent of the FBI since 2008. Prior to [that], McFarlane had a blemished career as a police officer for

the Oakland Police Department in Oakland, California. While an Oakland Police Officer, McFarlane was the subject of two police brutality lawsuits and four internal affairs investigations. In 2004, McFarlane retired from the Oakland Police Department, claiming disability and, thereupon, began receiving disability payments. McFarlane was still receiving disability payments at the time he was hired by the FBI which continued through the time he killed Mr. Todashev. Mr. Todashev was of interest to the FBI because he knew Tamerlan Tsarnaev

Starting on about April 15, 2013 [the day of the Marathon], FBI agents followed, harassed, and repeatedly questioned Todashev regarding the bombings. There was no reason to believe Todashev took part in the bombings but he and Tamerlan Tsarnaev both trained at the Wai Kru Gym in Boston. On April 21, 2013, Todashev and his girlfriend, Tatyana Gruzdeva were approached by six or seven plainclothesmen. Although the agents had no reason to believe Todashev had committed a crime, they ordered him to the ground at gunpoint and handcuffed him.

The agents unlawfully searched the apartment, questioned Todashev for four to five hours, and confiscated his phones, computers, and other property.... Todashev denounced the Bombings as “horrible and unnecessary.” Todashev was cooperative and forthcoming with the FBI agents. Todashev voluntarily appeared at the OPD April 22, 2013, for additional questioning by Savard though he was not required to do so. In April 2013, FBI questioned Reniya Manukyan, Todashev’s wife, from whom he has been separated since 2011. FBI agents detained Manukyan in New York and questioned her for five hours. During the week of May 13, 2013, FBI agents questioned several of Todashev’s friends [asking] Miraliev to inform on activities at local mosques and restaurants When Miraliev declined, the agent said he would make sure Miraliev’s asylum application would be denied.

On May 15, 2013, Savard again called Todashev to the OPD for questioning. Todashev’s girlfriend Gruzdeva accompanied Todashev to the OPD.... She was handcuffed and taken to

Orange County jail. On May 21, Savard contacted Todashev again to arrange what he referred to as “one last meeting,” with Savard, Cinelli, and Gagne. Todashev brought his friend Tamarov to act as witness. The interview in Todashev’s home began at 7pm on May 21, 2013. The agents made Tamarov stay outside the apartment with Savard. At 10:30, Gagne went outside to call the district attorney, leaving McFarlane and Cinelli alone [inside].

As Todashev tried to leave, McFarlane shot him 7 times. Todashev was unarmed with any sort of weapon. The FBI had used intimidation and deceit, including interferences with the immigration status of Todashev’s family and friends, to coerce him into falsely confessing to crimes he did not commit. After Todashev was dead, the agents tried to arrange the apartment to make it look like [he] had picked up a metal tube to use as a weapon but failed to get Todashev’s fingerprints on the tube. The FBI hired McFarlane because of his known unscrupulous methods and willingness to work outside the law to achieve FBI goals.

Expectations Matter. What can now be done? The Suffolk County District Attorney, Rachel Rollins, elected in 2018, could open an investigation, as could either of the Massachusetts legislative chambers. If they won’t do it, a group of citizens should form a Grand Jury to discuss any indictments. Don’t forget: *Contra spoliatorem, omnia praesumuntur*.

Let us restore the ideal of our republic. After all, a republic *is* mainly an ideal. It is an imaginary projecting of society’s good onto a conventional entity, the state. We have done it to great effect in the past. Other nations saluted our success at this. *We claimed* our republic meant justice for all.

And so it did – because we idealized that. If we now trash it, by saying “Oh, you know how politics works these days,” there is *nothing* left to make justice happen. Our *expectations* are a controlling force. We need to expect that the law works.

23. Conclusion to Part Two: The Law Does Work



Boston's swan boats reopening in 2021 after the pandemic

The subtitle of this book asks What Can Law Do? As we have seen, it can do a lot. A friend of mine in Europe read the manuscript and said “But you didn’t prove Jahar’s innocence.” That’s true, I didn’t, but in the American legal system no person accused of a crime ever has to prove his innocence.

He must only counter what the prosecutor offers as evidence of his guilt. The prosecutor in *US v Tsarnaev* offered a truckload of ridiculous evidence, and probably a lot of perjured testimony. I wonder if there was chatter in the jury room about some of the points addressed in this book. In any case, the jurors seem to have bought the official story.

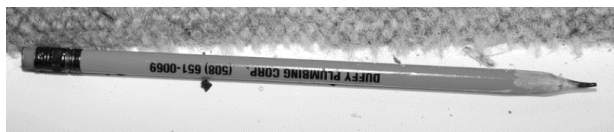
Anyway, Jahar did get convicted and has been behind bars for 8 years. There are precedents that SCOTUS can use to spring him (or order a new trial): *McCoy*, *Brady*, *Kyles*, and *Herrera*.

Other options for liberating Jahar are: a presidential pardon, an inquest into Tamerlan’s death-in-custody, or a new prosecution of Jahar, brought for some minor crime. Peripheral players would be called to speak under oath at trial.

Note: Jahar’s cousin in Russia, Dzhamaly Tsarnaev, said he tried to come to US with “proof” of Jahar’s innocence, but was blocked (see Appendix B). Massachusetts Attorney General Maura Healey could no doubt wangle a visa for him.

My favorite approach would be to go Blackstonian all the way. DA's in various counties can bring charges against the persons who committed *crimes against justice*. Plus those responsible for the media propaganda. Note: Anderson Cooper's broadcast, in Appendix A, is a perfect example. Everyone should read it.

One thing we need to do as a society is figure out how we let all this happen to us. How can we be so easily led by a few almost absurd visual clues, such as these four:



How they must be laughing at us!

The RICO Act of 1970 can be used by prosecutors against criminals or by citizens to demand damages. "RICO" stands for Racketeer Influenced and Corrupt Organizations. The defendants must have committed two "predicate crimes." They will be described as working on an "enterprise." It is at 18 USC 1961-1968. Please read my RICO suit in Appendix H, in which I refer to the Marathon bombing as an enterprise.

Solidarity. Solidarity is needed but we are not good at it. The Boston Strong movement appears to have *not* been a way to create solidarity, but to say we don't need to do anything; we've already got solidarity. See how easy it is to fool people by accessing their patriotism! A word about Boston being *weak* could get you beat up.

A ceremony was held on Boylston St eight days after the bombing. Did you hear about this? There was a flag lowering and prayers to mark the FBI's handing back the area to Boston. *What?* The Feebs owned Boston for eight days? What would John Adams say? What do you say?

I say we need to *get* solidarity. We need to never let a bunch of Humvees come rolling down the street, as they did -- with no justification at all -- on April 19, 2013. We need to exert loud skepticism when we hear that Jahar's classmates got rounded up and FBI-intimidated. *They* all need an apology over that. Think of this. If "Bostonians" could be so terrific at "uniting" against a 19-year-old, why aren't they uniting to fight wrongs?

The human race lacks a structure by which the lower members of society police the upper members. Just to acknowledge that lack would be a major step forward. Might as well be humble and admit that we're like peasants. Also, we are guided by fear. Aren't most of us living in fear today? How could anyone *not* feel apprehensive? As a whole, things are going downhill.

I can recall, in the olden days (1950s and '60s) planning for a happy future. There isn't any real reason why folks can't do that now. I suggest we not look to any of our institutions to help us with that. The response of the clergy to today's crises, for example, is very short of the mark. Union leaders, instead of worrying for their workers, are worried about pleasing the upper strata. Academia is observably in some sort of fog.

It would be good to get the professions to rise up. In her 2005, *Dark Age Ahead*, Jane Jacobs, writing at age 90, made a strong case that the loss of professional ethics is killing us.

One young lawyer in Australia, Serene Teffaha, is making a dent by sheer will power. The state of Victoria could think of only one way to stop her -- by disbarring her. But this has now caused many citizens to wake up and see what's really going on.

Go Local – Small Is Beautiful

Mass Av, Comm Av, Dot Av, Columbus Av, Talbot Av, Blue Hill Av. There are dozens of neighborhoods in Boston proper. Plus, Route 1, Route 9, Route 128, and the South East Expressway take you to Greater Boston. Even my town of Concord, New Hampshire is technically in Greater Boston.

I recommend little meetings, even if only 3 or 4 persons. If each section of Boston had *little* meetings, the situation would be rapidly turned around. Make the meetings happy; everyone will be eager to attend. Suddenly a no hoper becomes a hoper.

I guarantee that merely focusing on the subject will give you sudden insights. I've had the advantage of examining two Australian cases similar to the Marathon. See my book *Port Arthur: Enough Is Enough* about a shootout massacre. In that 1996 case, loads of alert people know that the accused guy, Martin Bryant, IQ 66, did not carry out the complicated shootings but he is still in prison after 25 years. Atty General Vanessa Goodwin got state Parliament to enact a law about bringing fresh evidence, but then she died of brain cancer.

My book *Inquest* about the 2014 Sydney Siege is based on my having attended the coronial hearings. The boobos in the courtroom and the heavy TV coverage couldn't be just accidental. I sent the coroner a list of "99 things that don't add up." No reply. In other words, the inquest was a whitewash.

Lately I'm working on crimes carried out daily by Family Court. Judges, police, and lawyers steal children or the pedophile market. It is so flagrant that I have deduced they are not dealing from a full deck. Someone has captured their minds.

We can agree that the overarching rule is that Big Persons must never get held to account, much less be punished. All is set up to achieve that rule. Right here in America, Big Persons are above the law! And not-so-big persons support it. Note: many lackeys of the powerful are probably wanting to abandon a

sinking ship at the moment, but they have no safe way to do it. You could talk to them about amnesties. Try to meet their needs. Everything should be on the table. Be very creative.

Nothing Will Get Corrected at the Top

Please understand that we have a structural problem. There should be leaders at the top. Leadership is a naturally occurring phenomenon, part of human nature. I assume our government was once a way for good leaders to arise. But for a few decades, at least, that road has not been available to would-be leaders.

The real decision makers are hidden. They employ Yes-men to do their bidding. As mentioned earlier, some of those Yes men may actually be enslaved to them. (I don't know how it works.)

My gig is to show that we have the law on our side. Have I not shown it in each chapter of Part Two? Yet law is truly blocked. Let this book stand for many other situations in which the courts are not only not helping us, they are the problem. I imagine people above them control their output. It is tragic.

The trick is to not keep expecting that having the moral high ground will, of itself, assure your success. It won't. You need to work at low levels to enlighten others. You have to make the counter-intuitive statement that some high-level people are not just individually corrupt; they are purposefully harming us.

You know you have leadership qualities, right? Then it is your responsibility to attack this attack on Boston and on the US. "From him, to whom much is given, much is expected."

Don't rely on rallies and marches. We need more. Get courageous. Go do something that scares the living daylights out of you, and then notice that you survived it. Write a list of impostors and figure out how to unload them. We unloaded the wooly mammoth, didn't we? It's well within our capacity to turn the Marathon situation around, and *have fun doing it*.

Welcome to the Appendices

A. CNN's Anderson Cooper on Jihadist Tendencies	133
B. Cousin Dzhamaly Tells of Being Refused a Visa	141
C. During Raids, They Leave Gifts of Incriminating CDs	144
D. Officer Reynolds' Testimony of Laurel St Shootout	147
E. <i>En Español</i> : Maret Tsarnaeva's Affidavit Translated	152
F. Letter to Middlesex DA for Re-look at Collier Death	159
G. Support Letter to Racial Justice Initiatives Director	161
H. Pleadings in a Civil RICO Case: <i>Maxwell v FBI et al</i>	162

Appendix A. CNN. Anderson Cooper, "Boston Suspect Charged; New Details of Bombing Revealed," April 22, 2013.

COOPER, CNN ANCHOR: Good evening, everyone. It's 10:00 here in Boston. We're got breaking news tonight about what the surviving marathon bombing suspect is telling investigators.... Our Jake Tapper joins us momentarily with that.

Earlier today, the suspect only managing head nods and a single word as the federal charges were read to him in his hospital room. He acknowledged that he understood them and then uttered the word no when asked if he could afford counsel.

According to the FBI affidavit also released today, new details of the bombing itself and the chase that followed -- 11 minutes before the bombs went off, security cameras picked up the two brothers turning on to Boylston Street.

The affidavit also said the younger brother's dorm room was searched. There investigators found "a large pyrotechnic, a black jacket and white hat that matched the same general appearance as those worn by bomber two."

Late today, a week after two bombs went off there, the FBI handed control of that stretch of Boylston Street back to the city... With dignitaries gathered, a bagpipe playing, the flag [was] folded. Earlier today, at 10 to 3:00, that same stretch of Boylston, all corners of Boston, Watertown and beyond fell silent. The silence fell over Washington....

Traders on Wall Street also stood silently, silence for the three whose lives were taken in the bombing, Krystle Campbell, Martin Richard and Lingzi Lu, as well as for fallen MIT police officer Sean Collier, gunned down Thursday night allegedly during the suspects' flight to Watertown.

We honor and remember them all tonight. [Jake], what are you learning about what the suspect has been saying?

JAKE TAPPER, CNN CHIEF WASHINGTON CORRESPONDENT: Well, according to one government official -- and this is a preliminary investigation -- but Dzhokhar Tsarnaev is saying the following to investigators, first of all, that there were no foreign terrorist groups involved, that this was the two brothers acting on their own. Dzhokhar, not surprisingly, is saying ...that Tamerlan was the one who really was the driving force behind this.

In addition, there's an indication from the interviews that the brothers were self-radicalized online. They were getting information from ... YouTube videos online, not from communication or not from e-mail, the way the Fort Hood shooter was. The older brother seems from preliminary investigations to have been motivated by jihadi, ... the idea that Islam is under attack and that jihadis need to fight back.

COOPER: Fascinating if what he is saying is true. Many questions still remain what his brother did for the six-month period when he first flew to Moscow, then was in Dagestan, also believed to have visited Chechnya. The online component of his alleged radicalization is also interesting. The idea that this was sort of self-motivated from jihadist groups online....

TAPPER: that's why these jihadi groups put videos online hoping they will motivate individuals to [get] self-radicalized.

COOPER: The other question ... is, did he receive any kind of bomb training overseas ... I spoke to Bob Baer two hours ago, former CIA officer with experience in the Middle East and also with explosives..... He said a lot of explosive experts he has talked to ...seem to think that a lot of this is not stuff that you can just teach yourself on the Internet,... you actually need somebody to show you some of the tradecraft.

TAPPER: Yes. The investigators and experts say things along the lines of these were crude bombs, these were not complicated bombs.... But to do what they did ... it would take practice.

COOPER: Jake, stay with us. I also want to bring in former White House Homeland Security Adviser Fran Townsend, who currently serves on the CIA and Department of Homeland Security external advisory boards. Fran, first of all, what do you make of this new information that the suspect indicated to investigators that no foreign terrorist groups were involved?

FRANCES TOWNSEND: Well, look, they have a lot of leads to follow through. I understand ... that the cooperation with Russian authorities has been actually very good.... It is just not conceivable to me, Anderson, that he could have successfully learned to build these bombs and have them blow up correctly simply from the Internet. ...there are terrorists in cases we have tracked that have gone overseas and been trained and still when they come back to try to build the bombs can't get it to explode.

This guy built three pressure cooker bombs, the two at the end of the Boston Marathon, the one that was thrown at police in the course of the chase in Watertown and all three successfully exploded and then three of five pipe bombs exploded. This is a guy who not only had training, but to Jake's point, he had experience, he had actually done this before with someone who trained him how to do it.

COOPER: Jeff, I want to read a portion of the transcript of the hearing in the hospital room today. The judge says, can you afford a lawyer. The defendant then says no. The judge then say let the record reflect that I believe the defendant has said no. What do you make of what you heard in that transcript, the fact that he apparently can talk, at least one word, though he nodded instead of speaking at other points in the hearing?

JEFFREY TOOBIN, CNN SENIOR LEGAL ANALYST: It means the legal process can succeed. If he were ...essentially unconscious indefinitely, the legal process would be frozen.

JULIETTE KAYYEM, CNN NATIONAL SECURITY ANALYST: Right. What's interesting is what they charged him with. ... it's a weapons of mass destruction charge. Actually, you

don't have to prove he was intent in this case, that he was a terrorist or jihadist or had workings with other governments. All you need to actually do is show he used weapons of mass destruction, which generally means anything other but a firearm or fireworks and that he used them to kill people.

COOPER: Jeff, I mean, there was never really, at least among the Obama administration, never really a thought of having this guy being charged or treated as an enemy combatant.

TOOBIN: ... It's far from clear that there's any law that would allow him to be tried as an enemy combatant. This is a procedure we know works. People get tried in criminal courts every day. The enemy combatant laws.... That's lost in a morass in Guantanamo. This case is now....

COOPER: Next, we will dig deeper in this question of foreign connection, given, as we mentioned, that the older suspect spent half of last year in parts of Russia, Dagestan and even in Chechnya, that have been hotbeds of radicalism.

We are getting some new photos of the moments right before the bombings. A photographer capturing a series images of the two suspects in the crowd, the two brothers together working their way through the crowds last Monday. You can see runners going by.... A short time later, the bombs went off and authorities say the two slipped away, both going back to their lives. The younger one even showing up in class at UMass.

As reported tonight, the surviving bombing suspect has been talking to law enforcement, is telling there were no connections with former terror groups and he says his older brother was the ringleader. Tamerlan spent the first half of last year in Dagestan, including even Chechnya. Our Nick Paton Walsh joins us now from that region.

COOPER: Have you been able, Nick, to really piece together a complete timeline of his six-month trip overseas, or are there still some sort of blank spots?

NICK PATON WALSH, CNN CORRESPONDENT: People are not completely clear exactly where he was during that period of time or whom he met with, though there is an interesting link when he returns to the United States from his YouTube channel to a video of an extremist that shot dead in December of last year. Not proof they met, but proof certainly he was interested in some of the violence and extremism....

COOPER: Bob, the elder brother we talked about had linked to some extremist videos on his YouTube page. From your experience, does this kind of radicalization typically involve just an online component that goes together with trips overseas for potential training? You are pretty convinced he had to have some hands-on experience with explosive devices.

BOB BAER, CNN CONTRIBUTOR: Well, Anderson, on the devices. You need practice. You need hands-on practice. If he went to a camp in Dagestan without any other objective other than training, that's possible. But ... in the early '90s when the Soviet -- when Russia hit Grozny, the clerical leadership fled into Saudi Arabia. There they made connections with essentially al Qaeda in Medina and Mecca and other cities in Saudi Arabia. These same clerics are back in Dagestan trying to raise a resistance against Russia and Chechnya.

It would be inevitable he would run into Salafis/al Qaeda, whatever you want to call it. Now, whether they gave him instructions to go to Boston and set these two explosions up... it's a good chance he was further radicalized and decided maybe on his own, maybe with somebody's help to turn to violence.

COOPER: Bob, you were saying you have experience making these kind of devices. ... but you are saying it is not something you can just read about on the Internet?

BAER: Anderson, two years ago, I went down to Huntsville, Alabama. The ATF sort of put me through a course down there and there were all these ex-explosives experts from Afghanistan and Iraq, American soldiers that knew their explosives. But in

order to learn the homemade devices, they had to go into a course that was several weeks long.

They were creating their own detonators, but it's not something they could read from a manual and actually make these things go off. They had to sit through the instruction. ... They needed to be mentored. They were already experts with years of expertise. It was the only way to make sure these things would go off with the percentage these guys made them go off in Boston.

COOPER: Nick, in terms of other terrorist acts by Chechen militant terrorists, we have seen... the Beslan school incident, the taking over the movie theater in Moscow years ago. But in terms of targeting the United States, we have not seen -- we have not seen Chechen militants targeting U.S. interests, correct?

WALSH: Absolutely. And I covered both those incidents you referred to and they were purely targeted by pretty radical elements within the Chechen separatist extremist movement, that it was all directed their anger at Russia, who they see as the occupier in what should be an Islamist area for them.

More recently, there have been -- and it's increasingly fractured and repressed -- Islamist rebellion degrees here, groups here that are younger. Perhaps part of their manifesto occasionally makes references to the United States as well potentially being a target, particularly post-Afghanistan and Iraq. But that is on the fringe and it's more aspirational. I think many of them still always their main target being Moscow....

COOPER: ... And just ahead tonight, The SWAT team that actually put the Boston bombing suspect in handcuffs describes how his capture played out -- their first national interview ... Here's a shot of Tsarnaev as he -- as he's leaving the boat

OFFICER JEFF CAMPBELL, MBTA TRANSIT POLICE SWAT: We got out there, and several agencies were out there already. The suspect was cornered and had been hiding in this boat. Different agencies were trying less lethal means to get the

subject to turn himself in. I believe they tried numerous flash-bang grenades -- they tried to gas him out of the boat.

COOPER: Did you know at the time whether the suspect was conscious or not?

CAMPBELL: We were getting reports from the -- I believe it was the state police helicopter, ...that there was movement inside the boat. They were using the flair, the infrared to look....

OFFICER SARO THOMPSON, MBTA TRANSIT POLICE SWAT: He was going in and out of consciousness because he was losing a lot of blood, so...

CAMPBELL: Which is how the homeowner actually found him, was from a blood trail...

COOPER: But at that point, do you know if he was armed??

THOMPSON: He gotten into a firefighter earlier that day ... Some of our patrol officers. And we know for sure there was -- there was a weapon there. Sol...

CAMPBELL: You have to assume with the events of the last week that there were explosives, as well.

COOPER: So you guys get together to come up with a plan?

CAMPBELL: It was basically just to get across that danger zone. There was an open area from -- from where the house was. That was the final line of cover. If he stops firing at us. We have no protection getting across that danger zone. So we had a Kevlar shield up in front of us and we all lined up in a stack behind that shield to cross that danger zone. It was our understanding that he was giving himself up he was sitting on the edge of the boat with one leg hanging over the side.

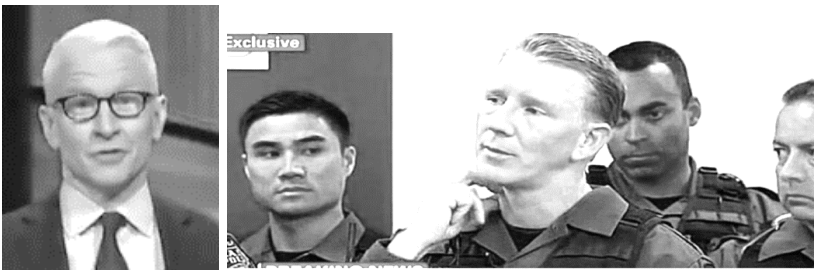
COOPER: When you first saw him what did you think?

CAMPBELL: You could see one hand was clear of any weapons, but each time he went the other way, his hand went down inside the boat out of our view. And I know everybody here -- we've spoken about it. ...we had to assume that he was reaching for either a weapon, a firearm, or some type of explosive ignition device to try to draw us in and then take us out in a suicide-type manner. ...

At one point where both of his hands were up because of the rocking back and forth, ...we could see that there were no weapons in him, no ignition devices. We broke away from the shield protective cover and just rushed him. We put hands on him. Grabbed him and pulled him off the boat, down on to the ground. Of course ... we had to ... take his sweatshirt off because he may have been wearing a suicide vest.

VELEZ-MITCHELL: There's a report that he was shot in the throat. Unclear whether that was self-inflicted, whether -- or at what point -- could you tell that?

CAMPBELL: I did see a throat injury. To me it looked more like a knife wound. It wasn't a puncture hole. It was a slice where it was spread open. Possibly a piece of shrapnel from one of the explosives that they were using the night before. It didn't look like a bullet wound to me. It looked more like a cut of some kind.



Anderson Cooper (pictured separately) interviewed Jeff Campbell on CNN

The other members of the Transit Police SWAT Team are, left to right, Officers Kenny Tran and Syler Thompson, and Detective Brian Harer.

Appendix B. Affidavit of Jahar's Cousin Dzhamaly, Not Allowed To Enter US To Testify at the 2015 Tsarnaev Trial

Here, slightly abridged, is an affidavit written by an elderly relative of the accused person Jahar (proper name Dzhokhar) Tsarnaev. Slightly abridged, and with bolding added by MM.

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 con-versations 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-Khussein 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

Appendix C. “During Raids, Gifts of Incriminating CDs Are Left,” by Mary Maxwell, at GumshoeNews.com, 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 the brothers had learned how to do "their" bombing of the Finish Line at the 2013 Boston Marathon. 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 English-language online, was published by al-Qaida in the Arabian Peninsula. "They" also found videos of sermons by Anwar al-Awlaki, the firebrand jihadi cleric.



Professor Mia Bloom

"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."

Note: the author, 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**."

Elias Davidsson, author of *America's Betrayal Confirmed*, 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.



Elias Davidsson

Appendix D. Testimony of Officer Joseph Reynolds of Watertown Police Department, at trial of Dzhokhar Tsarnaev.

This is considerably abridged, and with bolding added. Officer **Joseph Reynolds**, in Direct Examination by Mr Steven D Mellin for the Prosecution in 2015:

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

Buenos días especialmente a las personas de Masachusetts 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 envío sus mejores deseos.

Appendix E. Spanish Translation of 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.



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 e 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 dónde 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 cualificada 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 públi-

cos 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 dólares 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 públicos 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 través 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.

Appendix F. Letter to the Middlesex District Attorney's
Director of Racial Justice Initiatives, Antonia Soares Thompson.

Dear Ms Soares Thompson, Director

April 19, 2021

I am an Irish-American who respects the Islamic religion. I lived in a Muslim society for five years, 1988-1993, and never saw anything wrong with its people or customs. That was in the United Arab Emirates where they actually have a Cabinet-level post for Minister of Tolerance!

So here in the United States I am annoyed when I see the way Muslims and Arabs are assumed to be some kind of troublemakers. Part of this is due to the media creating false impression of terrorism and jihadism. ...In his testimony to an April 9, 2014 Congressional hearing (on C-Span) Prof Herman Leonard of Harvard referred to the Tsarnaev brothers a "two murderous thugs." Many people who know Cantabrigian Jahar (Dzhokhar) Tsarnaev would never agree that he is a thug.

It was great to hear that DA Marian Ryan has appointed you to look out for racial justice. I ask you to please investigate the death, exactly eight years ago, of 26-year-old **Sean Collier**. His story is often entwined with the Boston Marathon bombing but if fact has nothing to do with it. I can easily prove that **Tamerlan Tsarnaev**, accused of bombing the Marathon, did not die in a shootout in Watertown. He likely died in FBI custody.

If you will look into the 2013 death of Sean Collier, an MIT campus cop, I think you will find that he, too, "died in custody" – not literally but he died at the hands of someone who simply used his death in order to strengthen the case against "the Muslim bombers from Chechnya." At the trial of **Jahar (Dzhokhar) Tsarnaev**, it was said that Jahar betook himself to the MIT campus in order to steal a gun, which is an absurdity in itself. And shot Sean who was seated in his cop car. The car was then swiftly destroyed, concealing any evidence that conflicted with the story.

A new inquiry into how Sean really died would have a very good anti-racism effect. It would not only show the innocence of Jahar but the malice of those who would be so unbelievably callous as to take Sean's life as a sort of side issue: "cop-killing." A not untypical racist thing to do.

... The DoJ had never tried Jahar for the crime of killing Collier, although many people assume that was one of the charges against him. All these years, the DA of Middlesex could have charged Jahar with that death and I wish it had happened. Even today it could happen. Massachusetts can interpose on the feds.

By the way, some of Jahar's 19-year-old pals who are from the Russian federation were arrested almost as soon as Jahar was arrested, as a way of silencing them. One has since been deported to Uzbekistan and another (I think) to Kazakhstan. They were students here at UMass. And, as you know, Tamerlan's pal **Ibragim Todashev**, a fellow Muslim, was silenced -- by the FBI.

Ms Soares Thompson, you may wonder why I am involved. It isn't really to help Jahar, or to fight racism. It is that I consider the "martial law" that went on in Watertown after the Marathon to have been a tryout of what will be coming at all of us soon. It is so unAmerican!

I am a constitutional scholar, wanting to protect everyone's dignity. I grew up in Dorchester and graduated from Emmanuel College in 1969, then moved to Australia for marriage and got a PhD in Politics there, and a law degree. My recent work in Australia is against child trafficking.

I hope to hear from you or DA Ryan as to opening the Collier case. If you could make time to see me, Ms Soares Thompson, I can front up in Woburn any day. Thank you for considering this important matter in the context of a racial justice initiative!

Yours sincerely,

Mary Maxwell 175 Loudon Rd, Apt 1, Concord NH 03301

Appendix G. Elias Davidsson's Letter to Ms Antonia Soares Thompson, Director of the Racial Justice Initiatives, Middlesex County District Attorney's Office, Woburn Massachusetts.

Elias Davidsson, Katzenbacher Str. 7, 57548 Kirchen, Germany

Ms Antonia Soares Thompson, Director,
Racial Justice Initiatives
Office of the District Attorney of Middlesex County
15 Commonwealth Ave, Woburn MA 01801

Dear Ms Soares Thompson, April 21, 2021

I am a son of Jewish Holocaust victims, now living in Germany. I am an expert in human rights law and international law and author of several books on terrorism.

In connection with my work on terrorism, I have investigated the event designated as the Boston Marathon bombings. My investigation was published as an Annex to my German book "Psychologische Kriegsführung und gesellschaftliche Leugnung" (Zambon, Frankfurt a.M. 2017). My research discovered a large series of anomalies that made me doubt about the official account on this event. I also followed the trial of the surviving accused, Jahar Tsarnaev, whom I consider as having been wrongly convicted and sentenced. I plead for his release.

I read the letter sent to you by Ms. Mary Maxwell, whom I never met personally but know as a diligent militant for human and child rights. I am not in a position to confirm the detailed statements made in her letter. I do, however, recommend that you consider with priority her submission, because it appears to reveal extremely disturbing abuse by the authorities, including deception, cover-up and possibly murder. Although the case appears to concern only a handful of victims, elucidating this case may serve the entire American people.

With my respectful greetings, Elias Davidsson

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Civil RICO suit 1:19-cv-01208 JD

MARY MAXWELL, Plaintiff, PRO SE.

v

THE FEDERAL BUREAU OF INVESTIGATION,
UNITED STATES PROSECUTOR CARMEN ORTIZ,
PUBLIC DEFENDERS WILLIAM FICK AND MIRIAM
CONRAD, WATERTOWN CHIEF OF POLICE EDWARD
DEVEAU, RICHARD WOLFE, MD, CHIEF OF
EMERGENCY MEDICINE AT BETH ISRAEL
DEACONESS HOSPITAL, THE DIRECTOR OF THE
FEDERAL BUREAU OF PRISONS, THE BOSTON
GLOBE, INC, NATIONAL GEOGRAPHIC SOCIETY,
MASSACHUSETTS INSTITUTE OF TECHNOLOGY
(MIT), AND JOHN DOE, HIGH OFFICER IN THE
RULING CABAL, Defendants.

Jury trial demanded.

I. Introduction

1. On April 15, 2013 two bombs went off during the Boston Marathon race. This crime was blamed on Tamerlan Tsarnaev and his younger brother, Dzhokhar "Jahar" Tsarnaev (hereinafter Jahar). Tamerlan was killed four days later. Jahar was wrongly convicted of the bombing and is currently on Death Row in Florence, Colorado federal prison, where he is not allowed to send or receive mail.

2. The FBI submitted a video of the brothers walking near the Marathon. It is clear that Jahar is carrying a grey backpack, in that photo, minutes before the bombing, yet the FBI presented a bomb- ripped backpack, of black color, as proof that Jahar did it.

3. A friend of the Tsarnaevs, Khairullozhon Matanov, was harassed by the FBI for making false statements, and was unfairly convicted and later deported. This was probably because he had information that would exculpate the convict. Another friend, Ibragim Todashev, who could have been a witness in the Tsarnaev trial, was killed by the FBI in his home in Florida, in May 2013, as is admitted by the FBI.

II. Jurisdiction and Venue

4. This is the proper court because it is a federal RICO case under 18 USC 1961, and one of the predicate crimes is obstruction of justice, per 18 USC 1503.

5. The New Hampshire venue is proper because the plaintiff lives in New Hampshire and also because it is considered problematic to file the case in Boston where emotions run high on the subject of the Marathon bombing.

III. Parties

6. The plaintiff is Mary Maxwell, widow, age 72, who works fulltime as a law researcher and writer. She has a PhD in Politics and a Law Degree from the University of Adelaide, Australia.

7. She suffered stress and financial loss as a result of the Tsarnaev trial that occurred in April 2015, and devoted much of her work time in 2016 and 2017 to offering correctives.

IV. Statute of Limitations

8. The statute of limitations for federal civil RICO is four years. Plaintiff's injury and losses occurred from 2016 through 2019.

9. The enterprise to be identified in this case has existed from at least 2001 until now.

V. The Racketeering Enterprise

10. A racket, within the intent of the RICO Act, means organized crime. An example of this is a child-trafficking racket in which top members of schools, churches, adoption agencies, and hospitals start to do the opposite of what one would expect them to do -- protect minors from harm. They network secretly to achieve their criminal goals.

11. The racket related to the Boston Marathon bombing has to do with carrying out a psychological operation (a "psy-op") on the people of Boston via a terrorist incident.

12. A terrorist event may be used for three things -- to cause social fear, as a way for people to be rendered weak (and thus not challenge the power-holders); to set the stage for invasion of an enemy nation for having done the deed (in this case setting off two bombs on Boylston St, Boston, helps justify United States' crackdown on terrorists such as ISIS in the Middle East); and to pave the way for legislation that supports the security state, wherein all neighbors gradually become distrustful of one another.

13. The media are essential to this enterprise of psy-ops, as they are able to purvey the racketeers' narrative to everyone who watches television or reads a newspaper.

14. Police and lawyers, working within the enterprise, have the means of making sure the wrong person gets blamed for a so-called terrorist incident. Police can intimidate and/or arrest persons who create any obstacles to the enterprise's plans. Within a court case there may be falsified evidence (the production of which is a known skill of the FBI), tampering with witnesses or jurors, and other violations of due process.

15. Of the 11 Defendants in this case, the racketeers of the enterprise, only four are outside of the categories of media, law

enforcement, and the legal profession, namely the Director of the federal Bureau of Prisons (BOP), MIT, Dr Wolfe, and John Doe.

16. The Director of BOP participates in the enterprise by being the custodian of Jahar Tsarnaev, keeping him incommunicado.

17. MIT, the site-owner of the place where Sean Collier was murdered, is included for having contributed a misleading video surveillance that was used against Tsarnaev.

18. Dr Wolfe, chief of emergency, Beth Israel Deaconess Hospital, is named for giving an eyewitness description of Tamerlan's last moments of life that can't possibly be accurate.

19. A RICO case must show pecuniary gain. The Marathon bombing may have enriched the media, the security industry, and war-makers. But tricking citizens and their elected representatives gives an indirect gain to all members of the wealthy, powerful class.

20. John Doe, "high officer of the ruling cabal," is listed speculatively. To prove a RICO enterprise, one must show collaboration of criminal parties. But there probably exists a set of society's masters, imagined as "the cabal." Their man, "John Doe," may have worked behind the scenes, dictating the agenda to media, cops, lawyers, and others.

21. A theme of Jahar's trial is that he was motivated by Islamic ideology. This helped galvanize Americans against Muslims, with President Trump saying they should be barred from entering the United States, even if they had permanent residence status.

VI. RICO Requirements of Continuity and Relationship

22. A RICO suit must show continuity of the crimes involved. There had to be continuity at least from, say, January 2013 to plan the bombing, then publicize the false story, until the

present time, in late 2019, when Jahar is holding his appeal in the First Circuit.

23. A RICO case must also show relationship. All eleven Defendants may have colluded. The doctor at Beth Israel Deaconess had to misreport Tamerlan's death, to suit the story of the Watertown shootout; the Director of the BOP keeps under wraps anything that Jahar might want to share with the public; MIT had to know what the enterprise required when its man, Matthew Isgur, was selecting surveillance footage, and so forth.

VII. Two or More Predicate Acts

24. For RICO, a minimum of two pertinent crimes, known as predicate acts, must have been committed. Plaintiff names the murder of Tamerlan as one predicate act, and the Public Defenders' refusal to let the jury know that Jahar's plea was Not Guilty as the other predicate act, an obstruction of justice. A spectacular crime allegedly occurred in Russia.

Maret Tsarnaeva says in her affidavit: "Dzhokhar's parents expressed willingness to engage independent counsel.... Mr Fick replied that government agents would obstruct independent counsel." And the Public Defenders shockingly warned "that, if their advice were not followed, Dzhokhar's life in custody near Boston would be more difficult."

VIII. Injury to Business and or Property

25. Plaintiff has suffered distress and monetary loss resulting from the bombing of the 2013 Boston Marathon. For example, she sent a petition for a Writ of Error Coram Nobis to the District Court in 2016 and a follow-up on that to the Massachusetts legislature a year later. The price of postage (sent from Australia) was approximately \$20.

26. Plaintiff also lost valuable time from her business interests, in responding to the scandalous trial -- time she could have spent marketing some of her books and plays.

27. To produce a book on the matter, entitled *The Soul of Boston and the Marathon Bombing*, Plaintiff had to pay \$1600 for printing it and spend \$240 on postage to distribute copies. She also had major travel costs, for example going to Sydney to film the Youtube video "To Massachusetts Governor, Please Arrest the FBI."

IX. Facts and Allegations

28. The Marathon bombing was presented to the public as a terrorist incident, similar to many others in the world. Typically, these incidents are "false flag operations," blamed on the chosen enemy. A "patsy" is assigned to be accused of the crime.

29. Media immediately built up the excitement in Boston and emphasized both the personal tragedies involved and the human- goodness aspects of the day's events. This is a well-developed tactic; psychologists know that raising any emotion, sad or happy, will deepen one's impression of an experience. The media arranged to spotlight a Marathon amputee at a sports match waving the flag, with a slogan for the event: Boston Strong.

30. After the bomb crisis was over, on Monday, April 15, 2013, no news came out as to who did it. Then, on Thursday at 5:00pm, FBI leader Richard DesLauriers -- along with Senator Elizabeth Warren, Governor Deval Patrick, Boston Police Commissioner Ed Davis, and many others -- held a press conference to announce that they had picked out two men, Suspects One and Two, that were recorded on a Boylston St surveillance camera.

31. The FBI said it did not know the Suspects' names, but that is a lie. The FBI had been in contact with Tamerlan for years prior to the Marathon. He was probably an FBI informant. Many immigrants are asked to be informants and are afraid to refuse.

32. DesLauriers then made a statement that cannot possibly have an innocent interpretation. He told the TV audience that

the photos he had chosen are the only ones "the public should view to assist us. Other photos should not be deemed credible."

33. In other words, if you were holding in your cell phone a perfect shot of some other person planting the bomb, you should realize it is not to be given credence, even by you!

34. The brothers probably did not see this TV spot. But the psy-op story has them starting to act like fugitives. Allegedly, around 11:00pm, Tamerlan carjacked a parked SUV (sports utility vehicle), and its driver, despite his having his own Honda with him.

35. Carjackings are diagnostic of scripted events, as in the Brian Nichols case in Atlanta or the Martin Bryant case in Tasmania. Real fugitives do not add to their woes by taking a hostage who will only be a burden, and a witness, later. The media relayed a comical story in which Tamerlan said to the SUV owner, Dun Meng, that he had just killed a cop at MIT. Has there ever been a man who volunteered to a stranger that he was a cop killer? *The Boston Globe* expected people to believe that item on the basis of human nature -- a man wants to throw his weight around, to another man, pulling rank.

36. Next, all three persons in the carjacked SUV stopped at an ATM machine so Jahar could steal \$800 from Meng's account. For purposes of the script, this beefed up the story that the brothers needed cash for their next stop -- Times Square -- to do more bombing. (Meng eventually said there was no discussion about a trip to New York, but the media had creatively carried it.)

37. The bank's photo of Jahar at the ATM machine does not look like Jahar. The carjacking probably did not happen at all, nor did the ATM heist.

38. Next, they reportedly go to a Shell station for gas. Meng makes his escape and thus, very conveniently, he is able to alert police to the identity of the bombers' SUV and the fact that it can be tracked. Thus the police see the car headed for

Watertown. Members of the enterprise would no doubt have made advance plans for a drama in Watertown.

39. By now it's Friday morning, April 19, 2013, around 12:30am. Something violent occurs on Laurel St, Watertown but most likely it did not include the Tsarnaevs. The Enterprise may have arranged for two guys to start shooting at cops in the dark and even toss an explosive device. At least one cop, Rick Donohue, was seriously wounded. Plaintiff notes that the enterprise put all those lives at risk. Have others also died over this affair?

40. Soon the media spread a story that the younger brother, Jahar (but not saying his name) had tried to escape from the Laurel St shootout in the SUV and in the process ran over his brother. He allegedly sped away, then abandoned the car and was met by Officer St Onge, who did not kill or capture him. A capture would have been awkward for the enterprise, as it would have precluded the important Friday event -- a huge manhunt with military style trucks and soldiers, incredibly, entering homes with guns drawn.

41. Meanwhile, the allegedly run-over man, who isn't Tamerlan, perhaps a "stooge," is still at Laurel Street. (In one variation on this story, he was dragged 40 feet.) Reportedly this man acts aggressively with cops despite his injuries. Sgt John MacLellan was close up and saw this man bleed to death. (He said "unless I'm mind controlled.") MacLellan later figured it was Tamerlan. There hadn't been any way to identify the participants during the Laurel St shoot-out. The FBI later said they did it by testing the corpse's fingerprints.

42. That unidentified (bled-out) man's corpse was dispatched in an ambulance, yet Dr Wolfe says he supervised "Tamerlan's" final moments in hospital and blood was transfused. In court Wolfe testified: "multiple injuries, probably, we believe, a combination of blast, potentially gunshot wounds." Nothing about run-over wounds or drag marks (road rash). And it is odd to say the wounds were only "potentially" gunshot.

43. The real Tamerlan appeared, as can be seen in two different films, at about 1:05am (around 20 minutes after the run-over man's body was taken by ambulance). The scene is Mt Auburn St. A cop in a phosphorescent yellow jacket has the real Tamerlan pinned to the sidewalk. Tamerlan yells "Podstava" -- Russian for "I've been set up."

44. The brothers had probably come to Watertown on their own, under FBI instructions. A "pal" of Tamerlan's seems to be on the ground with him; maybe he had lured him to the right place. Lawyers did not call that person to court.

45. The Podstava video was reportedly filmed by a Mt Auburn resident named Big Headphones who posted it on Youtube shortly after.

46. This man, the real Tamerlan, may have been stripped naked as a precaution that he could be carrying explosives. He was then escorted into a police car. Anyone can see this on CNN's Youtube video, originally broadcast live as news. CNN man Gabe Ramirez is standing nearby and narrates to the audience that "It may be Suspect 1."

47. Tamerlan's relatives agree that the man pinned down on the sidewalk who yelled "Podstava" is Tamerlan, and the naked man getting into the car is also Tamerlan. It is obvious that the naked Tamerlan has no blood on him and is not making any gestures of pain. He is healthy. This raises the question of how he subsequently died in custody.

48. Five hours later, at 6am, residents of Boston got a robo call telling them to "shelter in place," that is, not to go out. The reason given was that a 19-year old terrorist (Jahar) was on the loose. This is theatre.

49. It made possible a rare scene for Americans: an army-like group rode down the residential streets and forced their way into any homes, even where the homeowner came to the door and assured law enforcement that all was well. Some people were made to stand in their front yard for hours, in Watertown.

50. Excitement was high in Boston, too. Trains and buses were cancelled for the day at the request of Massachusetts Governor Deval Patrick. A governor who was not in on the enterprise's psy- op plans would more likely have kept transportation normal.

51. The RICO enterprise in which the Defendants were engaging, on that occasion, has to do with controlling the public. The unconstitutional, warrantless raid on people's homes had the desired effect of giving citizens the impression that the United States Constitution is no longer able to shield them. After all, if a raid happened once it can happen again. And it must now be "acceptable."

52. Recently, on December 2, 2019, *The Boston Globe's* editor Kevin Cullen wrote an article headlined "After a few years of respite, Dzhokhar Tsarnaev is about to invade our consciousness again," referring to the upcoming Appeal. Of course, it is not Tsarnaev, but the *Globe*, that will be invading our consciousness again, telling us where we stand.

53. On December 3, 2019, an investment website, Stock Daily Dish, had the headline "Defending the world from terror: Fascinating pictures show anti-terror police in action around the world." The article said "Some of the photos document training exercises, while others show the reality of operations in Boston following the marathon bombing in 2013 and in Paris after the Charlie Hebdo massacre in 2015. ... [They] show the innovative tactics being used to combat new terror threats and the advanced weapons technologies being deployed." Perforce, we are expected to take this all as a given, as the new norm.

54. Governor Patrick's shelter-in-place order was lifted at 7pm, Friday, April 19, 2013. At that time, a resident of Watertown, the late David Henneberry, went outside for a smoke. Henneberry's house had been spared from the police raid earlier in the day. Henneberry noticed that the cover on his drydocked boat was loose. So he got his ladder to climb up and look inside. He saw blood and a body. His wife called 911, which led to the

discovery of Jahar in the boat. Probably the "going out for a smoke" was choreographed. Without it, the media would have no blood-stained boat wall confession saying "I bear witness that there is no God but Allah." (Were those blood marks ever tested for identity?)

55. A police helicopter used thermal imagery and saw that a person in the boat was still warm, but not moving. Jahar may have been unconscious from being drugged. He could hardly have climbed into the boat with no ladder. And was it his blood on the floor? The police then "went wild," shooting 228 bullets into the boat. This was technically not necessary. The enterprise's plan may have been for Jahar to die, like his brother.

56. In scripted terrorist events, or school shootout cases, it is the norm for the gunman to be shot dead by police, even though police need only taser someone to render them harmless. Alternatively, the mass shooter "turns the gun on himself." That is the desired ending, as it eliminates a man who may otherwise reveal how he actually got there.

57. When Jahar emerged from the boat, dazed and bloody, someone may have tried to slit his throat. CNN's Anderson Cooper interviewed Jeff Campbell of the MBTA Transit Police, whose members are in an SOG (Special Operations Group). Campbell said "I did see a throat injury. To me it looked more like a knife wound." No follow-up on that.

58. Jahar was then taken to Beth Israel Deaconess Hospital and operated on. In between surgeries he was interrogated by a team that interrogates high-value suspects at Guantanamo Bay military camp. Interrogators did not record anything Jahar said, but they told the public that he said this or that, and that he asked "Where is my brother?" In 2019, photos of an alleged notebook he scribbled on, in the hospital, were publicized.

59. The team announced that they believed Jahar's alleged statement that he had no further accomplices in the outside world, so it would be safe for Boston to resume normal life.

This is an unusual way for interrogators to behave. Why trust a mass killer?

60. The next day, Saturday, a district attorney came to the hospital to charge Jahar with one count of murder. When discharged from hospital, Jahar was sent to Fort Devens to await his trial. He waited two years. We don't know if they made life "difficult" for him.

61. On April 16, 2013, the FBI zoomed in on three of Jahar's friends, as though to make sure they did not have a chance to talk to the public in a way that would support Jahar's innocence. Certain FBI agents are trained to intimidate citizens, standardly threatening them with criminal charges however inappropriate. Rule of law be damned.

62. In the vicinity of Tsarnaev's dorm room at University of Massachusetts, Dartmouth, two students from overseas were arrested for lying to the FBI or throwing evidence away. One was Dias Kadaebayev, the other was Azamat Tazhayakov, friends of Jahar.

63. In July 2014, before Jahar had a trial, those two students were tried and found guilty, and sent to prison. Upon release, three years later, they were deported.

64. Jahar 's best friend, Stephen Silva, appears to have been set up on drug charges, and imprisoned. The authorities then gave Silva a chance to testify against Jahar in regard to ownership of a gun, and in exchange for that testimony Silva was sentenced in December 2015 to "time served."

65. Robel Phillipos, Jahar 's classmate from Cambridge Rindge and Latin, was accused of lying to the FBI -- by saying he was asleep when Dias and Azamat went into Jahar's room. An appearance in court by former Massachusetts Governor Michael Dukakis, as a character witness for Robel, did not prevent conviction.

66. Another friend, Khairullozhon Matanov, a taxi driver, remained free until 2016 but then was arrested, and has since been deported. He had stated that he dined with the two Tsarnaev brothers at Satwas Restaurant on the night of the Marathon, April 15, 2013, and that Tamerlan was bearded. A beard on Tamerlan challenges the validity of the video that shows the brothers walking single-file at the Marathon with Tamerlan shaven.

67. An aunt has suggested that the photo may date to 2012, not 2013, since Tamerlan, for religious reasons, had grown a beard in 2012 and never removed it. In other words, FBI's all-crucial video of the boys may be no proof that they even attended the Marathon.

68. Matanov's prison time was spent in Plymouth Prison where he was teargassed in his cell by the authorities. He says that before his arrest, the FBI engaged in stalking him on the Freeway, causing dangerous driving, and also that a helicopter was used to track him.

69. Thus, for purposes of RICO, we can discern a coordinated effort to make sure no one could speak on behalf of Tsarnaev when he came to trial in 2015. Then, after he was tried and convicted, Jahar became unavailable to anyone who may want to ask him some questions. The trial judge put him under SAMs, special administrative measures.

70. The Bureau of Prisons (BOP) is enforcing the SAMs on Jahar as though he were a terrorist who may somehow commit crimes from his prison cell. But there is no worthy evidence of Jahar's being a terrorist or of his preaching religion to anyone.

71. The inclusion of the director of the BOP in the list of RICO Defendants is meant to show how many factors have to be monitored in a psy-op. All normal freedom of a client to choose his own attorneys has been denied to Tsarnaev as he cannot phone or write to any attorney except the ones appointed to him, the court-appointed Public Defenders.

72. Administrators of Plymouth prison must also have been alerted to prevent Matanov, SAMs-free, from contacting the press with allegations about Tamerlan's beardedness.

73. Although Plymouth Correctional Facility is county-run, the US Marshals were supervising Matanov. When asked for information about his treatment, the US Marshals office said it could not be discussed as it is a "security-related matter." How can that be?

74. The persons in the enterprise must be aware of how the human brain tends to shut down when matters related to a foreign enemy are presented. People will side with the authorities of their own group, unquestioningly, rather than feel doubt about their leader. Rarely do Americans question the torture that their government practices today, such as at Gitmo, preferring to think there must be a real need for it.

75. Matanov, now deported, seems to have acquired a lot of money. There may have been a payout in exchange for his silence or an agreement not to sue for mistreatment.

76. The enterprise must make it possible for particular prisoners to get roughed up, or even killed. Matanov wrote: "I fell down, my hands are on my back with the cuffs.... They jump on me so badly one of them stick his finger to my right eye, it's swollen right now full of blood."

77. The enterprise also makes for a corrupt police system. At Plaintiff's lecture of January 23, 2018, at the Watertown Public Library, Watertown Police Sergeant John MacLellan, who was the supervisor on duty at the scene of Henneberry's boat, at 8pm on April 19, 2013, was asked why so many bullets were aimed at the boat. He said they were not his cops doing the shooting; they were "outside agencies."

78. Sgt Maclellan also mentioned at that lecture that there was a female witness to the killing of Sean Collier who came forward to his office, via her father, but whose statement was not

pursued because of the other pressures of the night. That contradicts all protocol and common sense.

79. Sgt MacLellan also said that he had tried unsuccessfully to identify "the other naked man," not Tamerlan, so he could apologize to him. One would think police could obtain the man's identity from either the CNN photographer or from the FBI whose agent was pictured next to him. Apparently MacLellan isn't allowed to interfere with the enterprise.

80. *National Geographic* is most likely a CIA proprietary (judging from its ability to enter foreign countries). It is named as a Defendant here on account of its role in creating a major piece of false evidence, a video called *Inside the Hunt for the Boston Bombers*.

81. A segment of that video, called *White Hat*, was used to persuade Bostonians that Jahar placed a bomb-filled backpack on the ground and then detonated it from his cell phone. Viewers were repeatedly shown this video on TV. But, as the credits of the film admit, this *National Geographic* video was all filmed in Phoenix Arizona, starring Alex Karavay as Dzhokhar Tsarnaev. It is a re-enactment, and not a truthful one.

82. The video gives the impression that the real FBI agents shown in *White Hat* are examining a real surveillance video taken on Boylston St. FBI man Richard DesLauriers narrates: "It was a video that shows a crowd that was watching the Marathon and we identified one individual in that crowd" (meaning Jahar, who was wearing a white baseball cap). But no, in *White Hat* they were watching the Arizona re-enactment.

83. Another real FBI man, Agent Jeffrey Sallett, says, "There is no magic bullet to get the identity of this man." But that was a lie. The Boston FBI office clearly knew, and later admitted that it knew, the Tsarnaev family. Sallett was the head of FBI in Chicago and is now chief of the FBI's Public Corruption and Civil Rights section.

84. Governor Patrick also appears in the *White Hat* segment stating "It was chilling ... to try to imagine what kind of person enables that kind of destruction of innocence." But Patrick was formerly a US Attorney; he would have dealt with many instances of destruction of innocence and not found them chilling. But this is part of theatre, directed at people's emotions to make them fall in, to believe a fiction about what was happening right there in their own Copley Square.

85. *National Geographic's* production and promoting of *White Hat* may constitute a crime of obstruction of justice. Every jury member would have seen it on TV in the lead-up to the 2015 trial. Everyone "understood" that Jahar had been caught on camera committing a crime (placing the backpack on the ground). But no, he hadn't, and he didn't.

86. Not mentioned in this RICO suit are the producers of the very deceitful movie *Patriot's Day*, but that was not released until after the 2015 trial of Jahar. Its function may be to reinforce in citizens minds the fact that there is "no doubt" as to what happened at the Marathon and after. "We all agree."

87. Also not mentioned in this RICO suit are the services of groups who spread disinformation, although the enterprise does depend on their existence. UK journalist Feliks Garcia said "US government spent \$500m [half a billion] on fake Al-Qaeda propaganda videos that track location of viewers."

88. Senator Rand Paul and Rep Tulsi Gabbard sponsored a bill named "The Stop Arming the Terrorists Act." They said their own country was funding the organization known as the Islamic State. Like the Boston bombing, that funding can be a false flag designed to make Americans hate a foreign group (Muslims) so that the weapons industry can thrive.

89. One story about the Tsarnaevs is that they frequented terrorist websites such as "Inspire" which teaches folks how to make bombs. German scholar Elias Davidsson traced thus type

of propaganda to MEMRI, a Zionist group, and Jihadology run by Aaron Zelin.

90. A professional propagandist, Martin Wells, told The Independent, UK, that US Marines would take his CDs and drop them into houses they were raiding, to cast a terrorist reputation on the house's residents. So, when we hear that the FBI "found" Inspire magazine on the Tsarnaevs' computer, there's not much reason to believe it.

91. For an enterprise whose goal is to change everyone's minds about their world, by creating a new false reality, it must follow that the new reality can't coexist with the normal practice of reasoning and debate. Instead of arguing the points, the enterprise dishes out slogans and entertainment, and incessantly spotlights social conflict. Meanwhile, children are not longer taught, in school, to tackle a problem intellectually.

92. The whole structure of society would need to change to suit the enterprise. Producing false statistics regarding a scientific experiment, or denying that major events in history even happened, would start to become normal. There would be no standard for judging anyone's claims. Civilization can be revoked. Humans can be remade into machines. Alternatively, as Plaintiff requests, we can break up the enterprise.

93. At Jahar's trial in 2015, four of the Defendants played major roles: the Prosecutor -- US Attorney Carmen Ortiz, two Public Defenders -- William Fick and Miriam Conrad, and the FBI. The main malfeasance of the Prosecutor was to proffer false accusations. The main malfeasance of the Public Defenders was to go along with the Prosecutor rather than defend their client. In the opening statement for the defense, Defender Judy Clarke said "It was him."

And despite the US Supreme Court's 2018 ruling in *McCoy v Louisiana*, which ruled against public defenders proclaiming a clients' guilt to the court against his wishes, Jahar has not had an opportunity to put that ruling to his own use. Almost certainly he does not know that he now has a sure right to a new trial, as

Mr McCoy got, in *McCoy v Louisiana*, since no one is able to write to Jahar about this. Albeit, Jahar may at this point have lost the mental capacity to choose an attorney who would actually help him.

94. The main malfeasance (actually criminality) of the FBI was to furnish dubious material evidence, and to round up Jahar's Tsarnaev's local friends and kill Tamerlan's friend Ibragim Todashev, preventing them from being defense witnesses. The FBI also took part in the crucial deceit of *National Geographic's White Hat* as mentioned in 82 above. And, the FBI bombarded the public with the video of the brothers walking single-file, with Jahar, "Suspect 2," carrying a grey backpack -- yet simultaneously proffered a black backpack as proof of Jahar's guilt. A true absurdity that went unnoticed by any lawyers.

95. The Prosecutor had to persuade the jury that Tsarnaev did all the things the story says he did, starting at the Finish Line of the Marathon. That is, he had to learn how to make a bomb, to obtain the ingredients, to plant the backpack at the site, to detonate the bomb by cell phone, to go to MIT campus and kill Officer Sean Collier, to steal money from Dun Meng's account at an ATM, to shoot at cops on Laurel St and throw an IED, to hide in a boat and write a confession on the boat wall, and to tell interrogators in the hospital that there were no more accomplices.

96. The Defenders could have, but didn't, punch many holes in the prosecution's story. Some easy targets were: 1. Tamerlan's carrying the January receipt for pressure cookers in his wallet until caught with it three months later, at the shootout, 2. Tamerlan being identifiable from his high school diploma that was found in his car, 3. the need for a second gun (for which they went to MIT to steal Collier's), 4. the fact that the eyewitness, Nathan Harman, never claimed to have seen Jahar attacking Collier, 6. the fact that Sgt

Henniger's knowledge of the FBI swarming MIT wasn't queried, 7. the brothers' need for a second car (which caused the

carjacking), 6. the changes in Meng's story as to what the brothers said, 8. the lack of resemblance between the ATM thief and Jahar, 9. the lack of any dashcam photo of the Laurel St shootout, 10. one brother running over the other, 11. inconsistent stories about being dragged by the SUV, 12. the acceptance of unclear reports from doctors as to "Tamerlan's" condition at the hospital, 13. Officer St Onge failing to capture Jahar, 14. complete omission of evidence of the Podstava video, 15. lack of curiosity about the naked man, 16. the delay in discovering that the boat's wall had a confession on it, 17. the impossibility of writing a neat statement on a fiberglass wall with a pencil, 18. the ridiculous wording of pious sentiment by a non-religious teenager, 19. the oddity of the hospital interrogation ending in a statement that there were no other accomplices out there, 20. the acceptance of law enforcement's right to shoot 228 bullets at the boat which would likely kill the suspect, 21. no follow-up on Jeff Campbell's observation of a knife wound on Jahar's neck at the boat side.

97. The most stunning suppression of information that occurred at trial was the lack of attention to an affidavit sent to court by the brothers' aunt, Maret Tsarnaeva, a lawyer. Maret was present during one of the 13 visits that the Defenders made to the Russian Federation before the trial, and has sworn that Public Defender

William Fick refused to look at the Podstava video she offered him. That video shows Tamerlan being arrested at Mt Auburn St at 1:05am, which negates the whole story of the boys being in a Laurel St shootout 25 minutes earlier, and corrects Sgt MacLellan's mistaken belief that it was Tamerlan who bled to death. Also, Maret's affidavit says that Mr Fick, at that meeting, got angry when she asked the Defenders to consider others who may have been the real Marathon bombers. This would have taken the heat off her bereaved family.

98. Paragraph 97 is proof to any American that the Marathon bombing incident is surreal. The entire Department of Justice has become corrupted because some of its members are in on an enterprise that creates wars and seeks complete control of the

people. "Justice" as a value is longer promoted. Due process is considered entirely dispensable. The members of the enterprise want us to move into an era in which the Bill of Rights means nothing and where no citizen can expect to get justice.

99. The acronym RICO stands for Racketeer Influenced and Corrupt Organizations. The Defendants must be held accountable for their participation in a radical change to our political system. And what better way to do so than to make them account for the particulars of the event known as the Marathon bombing.

100. What will posterity think? It is only a matter of time until everyone knows that the Boston case is a false flag. Similar bombings elsewhere, from London to Mumbai, have now been outed as false flags. Naturally it is difficult to prosecute powerful officers. But the American people have a means to sort things out without having to wait till all the players are dead. They have the law. The RICO Act of 1970 was originally intended as a way to circumvent the problems of arresting Mafia criminals; it has since expanded. It has been used in civil actions as a means of performing quasi-private prosecutions, to benefit the nation. RICO's concept of racketeering solves many puzzles of the Marathon case.

X. Possible Additional Defendants

Other media outlets, other doctors, other law enforcement person, other US Attorneys and Public Defenders could possibly be added to the list of Defendants. The three Attorneys General who have kept Jahar Tsarnaev quiet under SAMs are Eric Holder, Loretta Lynch, and William Barr. They could be named as individual defendants.

XI. Prayer for Relief

Plaintiff asks for injunctive relief, monetary damages, and declaratory relief thusly:

1. For the Appeals panel to be enjoined to stay the case against Tsarnaev, and for him to be freed from prison.
2. For the state Medical Examiner to be ordered to carry out an inquest into the deaths of Tamerlan Tsarnaev, Sean Collier, Martin Richard, and the man who bled to death in view of Police Sgt John MacLellan, on Laurel Street Watertown, in the wee hours of April 19, 2013.
3. For Gabe Ramirez of CNN to be ordered to explain the filming of naked Tamerlan climbing into the police car at 1:05am on April 19, 2013, and to furnish the identity of the other naked man who was filmed standing against a wall with an FBI man beside him.
4. For Deval Patrick, Richard DesLauriers, and Jeffrey Sallett to be ordered to explain the statements they made in the *National Geographic* film *White Hat*.
5. For Matt Isgur, expert of MIT's cameras, to be ordered to explain why he omitted the crucial five minutes in the video he compiled as evidence of Sean Collier's death.
6. For Carmen Ortiz to be ordered to explain why Sean Collier's car was destroyed.
7. For Richard Serino of Emergency Services to be ordered to state why his Power Point talk in 2008 suggested the Marathon Finish line as the place where a bombing may occur.
8. For William Fick, Judy Clarke, and their workers Jane and Olga, to be ordered to tell what they said to the parents of Tsarnaev on numerous trips to Russian Federation.
9. For MIT police Sgt Henniger to be ordered to say what he knew of the FBI swarming the MIT campus in the afternoon of April 18, 2019, and why he suppressed it.
10. For the Court, at its discretion, to seek prosecution of any person who may have committed crimes such as perjury, in

connection with Jahar Tsarnaev's 2015 trial. And to seek indictments of any who committed the crimes at the Marathon Finish Line, or at the boat side, but with offers of amnesty for those who will swiftly report the truth.

11. For the Defendants to be ordered to pay \$22,000 dollars (trebled, as punitive damages) to Plaintiff for her financial losses connected to the Marathon case.

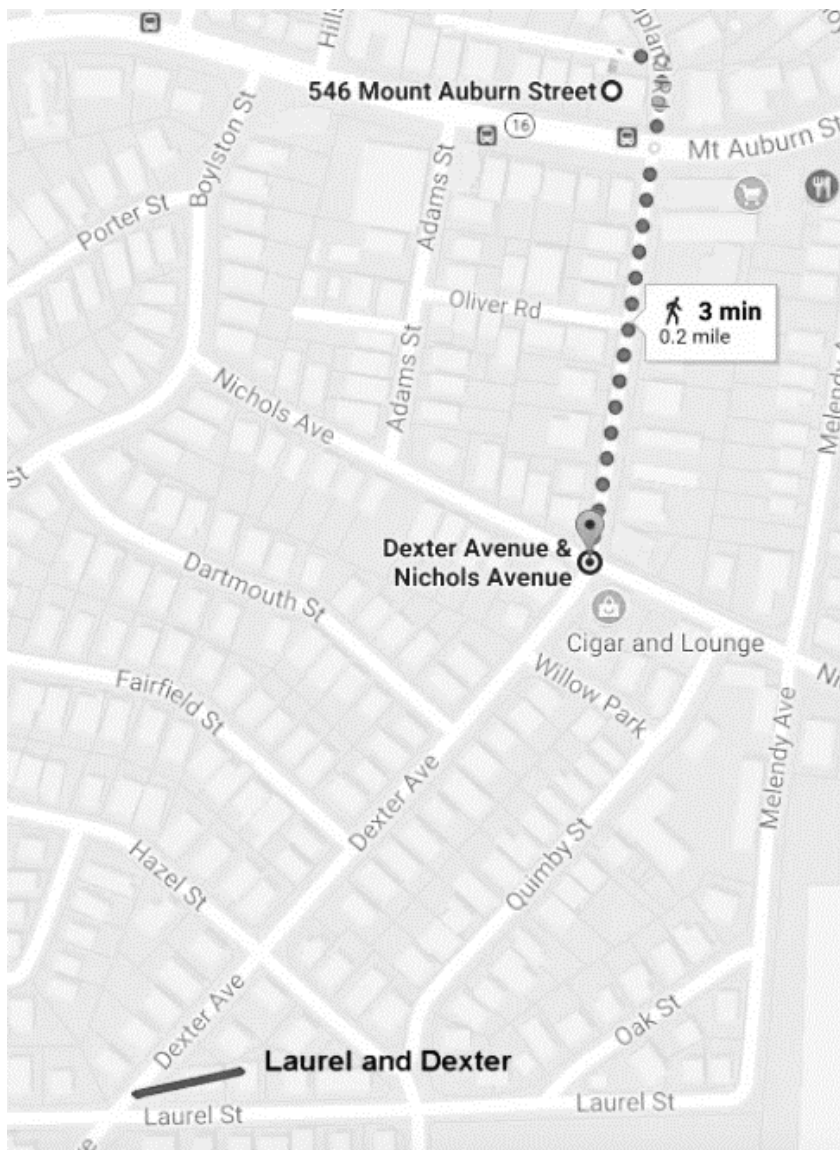
12. Declaratory relief under RICO could issue, say, from a judgment that *The Boston Globe* wrote up the Marathon bombing and its sequelae according to the enterprise's agenda, both to establish a myth about Islamic terrorism coming to Boston, and to persuade Americans that they no longer live in that City Upon a Hill where, as Massachusetts Governor-to-be John Winthrop said, aboard the Arbella, *en route* hither in 1630:

“Now the onely way to avoyde this shipwracke and to provide for our posterity is to followe the Counsell of Micah, to doe Justly, to love mercy, to walke humbly with our God, for this end, wee must be knitt together in this worke as one man, wee must entertaine each other in brotherly Affeccion, wee must be willing to abridge our selves of our superfluities, for the supply of others necessities. Soe shall wee keepe the unitie of the spirit in the bond of peace, the Lord will be our God and delight to dwell among us...soe that wee shall see much more of his wisdome power goodnes and truthe then formerly wee have been eacquainted with. Therefore lett us choose life, that wee, and our Seede, may live; by obeyeing his voyce, and cleaveing to him, for hee is our life, and our prosperity.”

Respectfully submitted,

Mary Maxwell, PRO SE

Note to readers: My lawsuit fizzled out when I failed to respond to a magistrate's letter. The Post Office declared it was undeliverable at my home address (on December 17, 2019), yet I did receive Christmas cards that week at home. I could resubmit it. Anyone is welcome to imitate it.



Map source unknown

Three locations in Watertown: **Laurel St** where the shootout began “no later than 12:35am” on April 19th; **Mt Auburn St**, the site of the 1:05am frisking where Tamerlan Tsarnaev yells Podstava; and the corner of **Dexter and Nichols** where Gabe Ramirez videographed the unwounded naked man. Deduction: Tamerlan couldn’t have participated in the Laurel St shootout.

ABOUT THE AUTHOR [from the back cover of this book]:

Mary W Maxwell holds a law degree and a PhD in Politics. She has published several books that popularize the law: *Prosecution for Treason*; *Fraud Upon the Court*; *Inquest*; *Reunion: Judging the Family Court*; and *Grass Court: How To Use Law To Deal with the Pandemic*.

Born and raised in Boston, Mary lived in Australia from 1980 to 2018 where she produced five stage plays. She also makes YouTube videos, her most conservative one is entitled “Dear Governor of Massachusetts, please arrest the FBI.” Her website is ConstitutionAndTruth.com



Maxwell at the Opera House

“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. **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.**”

-- Paul Craig Roberts, former US Assistant Secretary of the Treasury

PHOTO CREDITS

P13: Tsarnaev family P15 europapress.es P16: YouTube.com
P17: bostonglobe.com P18: Andrew Kitzenberg P18: (gun)
Court P19: bja.ojp.gov P20: wjs.com P22: (Man on crutches)
Bosonglobe.com P22: (protestor) foxongreen.com P23: (Judge
O'Toole) cooljustice.blogspot.com PP23: (Judge Duffly) wbur.
org P23: (Judge Torruella) Twitter.com P25: (boxer) nowmy
news.blogspot.com P25: (naked man) CNN.com P29: daily
mail.co.uk P31: Bostonglobe.com P32: Court P33 (Dr Baruja)
researchgate.net P33: (car) CBS.com P39: cbs.com P43 (both)
NatioalGegraphic.com P46: ABC.com P47: (Dias) Mother
jones.com P47: Robel. edsitement.nch.gov P53: Mercury
news.com P54: (boat wall) abcnews.go.com. P55: (pencil)
Court P57: (lynch mob) Wikipedia.com. P57: (Jahar) theboston
marathonbombing.weebly.com P63: (both) Court P63: Court
P67: (Stripey) CNN.com P67: (Billy) CNN. com P75: (both)
Family P79: Hummux Anax P81: (Attorney General Lynch)
abcnews.go.com P81: (gurney) pinterest.com. P85: (Black
stone) intaglio-fine-art.com P85: moakleycourthouse.com P89:
mortuary 162 P92: (poles) canal-midi.info (Todashev) Family
P92: (autopsy) wbur.org P97: (Janey) audacy.com P97: (Chief)
ancient.eu P97: (Mack) CSPOA.org P101: miller lawpc.com
P105: (Ortiz)wired.com P105: (Karavay) NationalGeographic.
com P109: (Paine) billofrightsinstitute.com P109: (KKK)
detroit news.com P109: (Assange) cbc.ca P113 Bigheadphone
Youtube.com P115: guns cnn.com P121: NYTimes.com P127:
Beaconhill times. com P140: CNN. com P146: (Bloom)
newamerican.org. P146: (Davidsson) heresycentral.com P149:
Googlemaps P153: Tehrantimes.com

I am so very grateful to all the photographers and publishers.
In a few cases I could not trace the source.

If anyone feels under-credited, please contact me. – MM

INDEX

- ABC News 53
accessory 86, 111
Adams, John 62
Affidavit of Maret
 Tsarnaeva 35, 65, 83, 102
Alben, Timothy 28
Alicia 60
Allah 28
amicus curiae 35, 38, 66
amnesties 131
“ants” 32
apology by Jahar 56
Ashton, Jeffrey 48
Assange, Julian 109
assault 110, 119
ATM 40, 42
Auerhahn, Jeffrey 106
backpack 38, 63-66
back view of Jahar 83
Bader-Ginsburg, Justice
 Ruth 81
Barsten, Lyndon 124
Baruja, Dr Cesar 33, 38
Bastiat, Frederic 108
Bauman, Jeff 63, 74
Bentley, Governor Robert
 62
Beth Israel Deaconess Hos-
 pital 27, 69, 71, 73, 118
Bigheadphone 90, 114
Billy 66, 69
Blackstone, Sir William 74,
 85-88, 108, 128
Blitzer, Wolf 71, 73
Board of Bar Overseers 106
boat 53-56
 Boston Globe 40, 94-95
Bowler, Magistrate
 Marianne 20
Brady rule 105-108
Brown, Officer Todd 20
Bruck, David 59
Bryant, Martin 130
bullets in boat 112, 118
Campbell, Krystle 65, 92
carjacking 39, 107
Charlene 37, 84, 142
Chechens 47, 69, 84, 109
Cinelli, Curtis 124-126
civil rights law 93, 96
Clarke, Judy 26, 33, 35, 37,
 39, 108
CNN 25, 60, 71, 112, 117
Collier, Officer Sean 89, 97-
 116, his car 107
color of backpack 38, 63, 82
common law 116
confession 53, 74
Conrad, Miriam 35
conspiracy 65
Cooper, Anderson 112, 128,
 133-140
Coram Nobis, writ of 165
cover-up 111
Craft International 66
crime scenes 116-120
crimes against justice 85,
 128
crimes of media 109-114

cross-examination 63
 cruiser car destroyed 119
 curved surface 77
 custody, death in 90
 Danny. See Meng, Dun.
 Davidsson, Elias 146, 176,
 161
 Davis, Ed 27
 death certificate 90
 death penalty 58, 82, 102
 Department of Justice 123,
 178
 DesLauriers, Richard 44, 45,
 46
 destruction of evidence 47
 detonate 77
 Deveau, Ed 73
 diarist, the 70-72, 112
 disbarring 52
 Donohue, Officer Dic 34,
 39, 107, 112
 Dukakis, Michael 50
 Duffly, Judge Fernande 23
 emotional manipulation 72
 evasive driving 50
 evidence, destruction of 119
 exculpatory evidence 51,
 105-108
 expectations 126
 F*** 41
 factoids 46, 61, 74
 FBI 43-46, 47-52, 63-66, 81-
 84, 121-126
 fear 129
 federal powers 98-99
 Fehr, Julie 49
 Feinberg, Ken 22

female witness 33, 34
 Ferrara, Vincent the animal
 105-106, 107
 Fetzner, Prof James 27, 38
 fiberglass 77
 Fick, William 276, 37
 finder of fact 38
 fingerprints 77
 Forum Restaurant 43, 64
 fraud 113, 118
 free speech 109
 frisking 28, 107, 114, 116
 frolic of his own 122
 FSB 35
 Gagne, Joel 124-126
 Garland, Merrick 123
 Genck, David 40
 Gertner, Judge Nancy 124
 Graham, Jack 35, 38
 grand jury 40, 66
 Griffin, Drew 25
 guilty knowledge 108, 114
 Gumshoe News 7
 gun 29, 71, 76
 Habib, Daniel 82
 Harer, Detective Brian 140
 harassment 49, 125
 Harman, Nathan 30-31, 77
 Healey, Maura 127
 Helman, Scott 94-95
 Henneberry, David 53-55
 Henniger, Sgt Clarence 30,
 77
 Holder, Eric 73
 holster 17, 29
 homicide 117
 Honda Civic 67, 76

Horowitz, Michael 123
 hospital, See Beth Israel.
 Hull, Dr Mindy 89
 immunity 120
 impeachment 101-104
 impostors 121-123
 impunity 120
 incitement 111
 indictment 40
 informant 45, 91
 inquest 89-92
Inspire magazine 145, 146,
 176
 instructions to jury 59, 102
 interrogators 20, 94, 118
 Isgur, Matt 32, 107
 "It was him" 59
 Jacobs, Jane 129
 Jane 37, 84
 Janey, Mayor Kim 97
 jihad 95, 109
 John Doe 27, 69, 89, 91
 Karavay, Alex 44, 105, 111
 Kadyrbayev, Dias 45, 47, 86,
 114
 keys 70, 76, 107, 113
 Kitzenberg, Andrew 69
 knit cap 32, 34
 kowtowing to tyranny 38
 ladder for boat 77
 Laurel St shootout 27, 117
 leadership 131
 Lépine, Josée 7
 levying war 112
 Lisi, Vincent 28
 little meetings 130
 Lu, Lingzi 65, 92
 Lynch, Loretta 81, 123
 lynch mob 57
 Mack, Sheriff Richard 97,
 100
 Mafia threat 102
 Massachusetts state
 Constitution 6, 62
 Massasoit, Chief 97
 Matanov, K Cabbie 49-50,
 51
 maxims 42, 66, 80, 89, 108,
 120, 126
 Maxwell, George 8
 Maxwell, Mary 79
 McCoy, Robert 81
 McFarlane 48, 124-126
 McLachlan, Dee 63
 McLellan, Sgt John 27, 33,
 68, 69, 79, 91
 McPhee, Michele 49, 53, 55
 media 53, 109-114
 Meng, Dun 30, 39-42, 58
 milk at Wholefoods 64, 76
 misprision 111, 119
 MIT 29, 58, 71, 116
 Moakley courthouse 61
 Mobil station 40, 42, 116
 Monkey-business Theory,
 the 63
 Moran, Terry 46
 mortuary photo 89
 Moscowitz, Eric 40
 motive for murder 77
 murder. See homicide.

Mt Auburn St 26, 86, 107,
 114, 116
 Muslims 43, 93-96
 naked man 25, 58, 69, 90,
 107, 113, 114, 184
National Geographic 43-46
 Nields, Dr Henry 90
 New York City, trip to 42,
 49
 Nichols, Brian 39
 Not Guilty plea 59
 obstruction of justice 110,
 119
 “officer down” 34
 Oklahoma City bomb 123
 Olga 37, 80, 84
 One Fund, the 22
 open mic session 27, 33
 Ortiz, Carmen 59, 107
 O’Toole, Judge G 60, 84
 outlawry, law of 86
 Paine, Tom 109
 pardon 57, 61
 Patrick, Governor Deval 44,
 45, 73, 118-119
 Patriots Day 39
 Peltier, Leonard 123
 pencil 54, 77, 107
 perjury 87
 Phillippos, Robel 47, 50, 86,
 115
 photo-shopping 64
 pipe bomb 107
 pleaded not guilty 59
 Plymouth jail 49
 Podstava 28, 107, 114
 point of law 38

poles, memorial 92
 Port Arthur massacre 130
 pressure cooker 46, 76
 pressure from high level 37
 profiling the FBI 122-126
 Pugliese, Sgt Jeffrey 68, 147-
 151
 Racial Justice Initiatives,
 159-160
 Ramirez, Gabe 25, 58, 69,
 117
 Ray, James Earl 124
 restitution 22
 re-trial 81
 Reynolds Officer Joseph 67,
 68, 91, 147-151
 Richard, Denise 64
 Richard Martin 44, 64
 RICO suits 45, 80, 128, 181
 Roberts, Paul Craig 38, 102
 Robocall 70, 112
 Rollins, Suffolk Co District
 Attorney Rachel 126
 Ross, Brian 46
 run over 76, 90
 Russell, Jenna 94-95
 Russia, trips to 83, 102
 Ryan, Middlesex Co District
 Attorney Marian 97
 Sacco, David 30, 58
 Salem, Emad 123
 Sallett, Jeffrey 45
 SAMs 52, 84
 Saugus Mall 46
 Scalia, Justice Antonin 100
 Schoenfeld, Dr David 118
 Scottsboro boys 57-64, 107

self-defense 120
 self-deployed 96, 118
 sentencing 59
 Shell station 42
 shelter in place 110
 Silva, Stephen 29
 singing 84
 single-file photo 64
 slavery 119, 131
 Soraes Thompson, Antonia
 159-160
 solidarity 128-129
 Solzhenitsyn, Aleksandr 80
 Spinetto, Nick 58
 St Onge, Officer 70, 117
 statute of limitations 111
 Stewart, Lynne 52
 sting operation 123
 strategy 81
 Stripey 67, 69
 structure, lack of 129
 suborning perjury 79, 87
 SUV 42, 67, 68, 71
 Tapper, Jake 25, 133-140
 Tazhayakov, Azamat 115
 “tears in our eyes everytime
 we looked at it” 45
 Teffaha, Serene 129
 terrorism 134-138, 163, 176
 Teyer, Elena 92, 93
 Thompson, Judge Rogeriee
 23
 Thompson, Officer Syler
 140
 threats 36, 38, 106
 Todashev, Ibragim 47, 48,
 49, 51, 91, 92, 124-126
 Torruella, Judge Juan 23
 tort 110
 Tran, Officer Kenny 140
 treason 86, 112, 119
 Tsarnaev, Anzor 36, 37
 Tsarnaev, Dzhamaev 80,
 127, 141-143
 Tsarnaev, Jahar 9, 47, 53-56,
 63-66
 Tsarnaev, Tamerlan 25-28,
 67, 84, 89-91
 Tsarnaeva, Maret 35-38. 65-
 66, 82, 92, 114. See also
 Affidavit.
 Tsarni, Ruslan 27, 67, 89
 UMass Dartmouth 47
 US Constitution 60, 80, 93,
 97-100, 101, 104, 112, 160
 verdict 60, 65
 vicarious liability 121-122
 Wallace, Chris 72
 Wearne, Philip 51
 Weinreb, William 30-31
 Whiskey’s Steakhouse 64
White Hat video 43-46, 110,
 119
 Whitehurst, Dr F 51
 Wolf, Judge Mark 106
 Wolfe, Dr Richard 118
 Yeakey, Terrance 12

Index of Criminal Law

Assault	109
Conspiracy to defraud	118
False statements, fraud	113
Destroying evidence	119
Incitement	111
Homicide	117
Misprision	111
Obstruction of justice	106
Police brutality	96
Slavery	119
Treason	112

Index of the Maxims

<i>Apices juris non sunt jura.</i>	66
<i>Contra spoliatores, omnia praesumuntur.</i>	108
<i>Falso in uno, falso in omnia.</i>	42
<i>Impunitas semper deteriora invitat.</i>	120
<i>Lex semper dabit remedium.</i>	80
<i>Necessitas non habet legem.</i>	120
<i>Nemo iudex in causa sua.</i>	89

