

Mr. Mark Lynch  
122 Maryland Ave., NE  
Washington, D.C. 20002

5/23/85

Dear Mark,

Jim Lesar phoned a little while ago with my first knowledge that no appeals court judge had voted to reconsider and with the information that Smith set a status call for this coming Wednesday. He also told me that you are willing to proceed with vigor and he indicated some of what this can mean. Fine and thanks. He said that you and DJ have spoken, that they are dropping him but are going after me. If they want their pound of flesh and you are willing to be Portia, lay on "MacPortia!"

Smith must be anxious for blood, I guess.

Jim said that you tried to tell them that it will cost them more to try to collect than they can collect and that, in effect, you were told that is the way it is.

I don't know the law but I surmise that in the end they'll have to come here and to State court, the sum being less than \$10,000.

They'll have to because I will agree to nothing less. I'm so old fashioned I still believe there must be a trial before punishment.

My morning therapy schedule is unchanged, I'm usually home by 10:30, but I can be paged at the mall to which I go, Fredericktowne Mall. They are nice that way. All but two days I'm there by 7, often earlier, and on those two days it is about 8 because I have blood tests before going there.

If anything turns up so fast you cannot confer, I accept your judgement and decision in advance and don't worry about it.

This coming Friday, the 29th, I'll not be home until lunch time because after the therapy I have a dental appointment.

As I told you some time ago, if I do nothing else I'll serve history and that I believe I have done, with a very clear and quite explicit record. Who knows how history will interpret, if it does? I can see a historian finding that in law and justice at the time of our greatest wealth and power we became a legal and judicial banana republic.

I am surprised and disappointed that not one of the remaining traditionalist judges of a once great court refused to accept being lied to where it is basic to both parts of the case when the unrefuted fact of this basic lying was stated as explicitly as possible. I knew they all know they are lied to by the government all the time and that with this fudged over they accept that. What I did not know is that without exception they would do this with their bare faces hanging out. Truth is that as time passed I grew somewhat optimistic. (How did this take all that time?)

Anybody in Washington who deplores what happens in the USSR or Chile or South Africa or Central America ought now be ashamed because it has happened here, differing only in degree, and there is no deploring.

Thanks, good luck and best wishes,

