

Perhaps legally improved over the suit he withdrew, this new one on John's, from a hasty single reading just completed seems to me to pose the same kind of hazards to our work and basically the same legal and doctrinal liabilities.

While I can not claim expertise in the law, there seems to me to be a serious flaw in the naming of the defendants, in the naming of persons rather than Departments and in the not naming of any others than the GSA and ~~the Navy~~ not Navy but the Secretary of the Navy/ Archives is not sued as an agency; Rhoads is an individual, as with Navy. It is my understanding this is enough to get the case thrown out of court. This is carried over into the body of the complaint (bottom P 1, top 2), where certain items are said to be "held by" the individuals rather than the agencies. In the case of Navy, there is reason not to believe the unsupported allegation that the Secretary of the Navy hold certain things. I have been told by the Navy and I am inclined to believe they unloaded everything. Maybe they did, maybe they didn't, but John here cites no proof, later qualifies it, and should have named an unknown respondent to whom Navy could have or did transfer that which he seeks.

P. 4, a) This reason for specifying why he wants to make the test about the dents is spurious. First of all, he is not required to say why and he does not say he is not so required. He can, voluntarily, but should so stipulate. But if he is saying why, he should have valid, meaningful, not spurious or frivolous reasons. "To determine whether this weapon will blast out the small dents in the ammunition is, if genuine, not a good reason. He knows it will happen, and it is caused by the ammo, not the weapon. The weapon is entirely passive in such a test, the charge in the ammo being what does it. Here he is incompetently lifting what Dick and I did, but in a wrong context. Either answer, I believe, is without meaning, for how the dents got in the casings only is amply established by what Dick and I did and Dick reported to John.

Permitting him to fire the weapon cannot "determine whether the weapon can be fired as fast as required by the Warren Commission findings" (the time later referred to with less than complete fidelity as only 5.6 seconds). It could determine how rapidly, under entirely different circumstances, he or another could on that occasion fire it, not how rapidly Oswald or another could or did on 11/22/63 or how rapidly it could prior to overhaul thereafter. This is a cheap skate trick, not serious, legitimate research, and is subject to attack as such in response. It serves not legitimate, scientific purpose.

"...ejects the clip onto the floor" is another unoriginality, Dick having reported what we did with this and Sylvia having made the charge. It is also meaningless, for even the use of the clip could have altered the conditions that existed 11/22/63. Moreover, the clip can hang one time and not the next. I have two clips. One hangs, one doesn't. The one that doesn't could in an instance, whereas the one that does might not in an instance.

"Mr. Oswald's rifle..." John concedes Oswald was an assassin, with knowledge of the evidence, with which John is not afflicted, refutes. He also concedes Oswald's ownership, here and elsewhere, which is not established.

The reason for asking to examine CE141 is spurious and another example of why there should not be the unrequired where there is a reason other than the original. There is no requirement that the unused bullet be of the same batch as the others.

P. 7 repeats that Oswald was an assassin and adds that the window was a "sniper's nest", again without reason or proof-or need.

Says he was denied spectro, but not by the defendants in this action, none of whom ever had it, therefore couldn't.

(h) is entirely irrelevant because either answer is without meaning and he acknowledges an answer, that the spectro of the Walker bullet is different. The government can tee off on him on this kind of stuff in response. Hurting us all.

8. References to the clip are unfactual. It is said to have been in place when the rifle was found-why else was the rifle found?- and is shown in pictures.

Clogbersville Express. And still entirely meaningless, just scrimshaw. Besides, the purpose he alleges is impossible. With so much of this true of so many, the hazard to us is great and the chances of getting thrown out on motion good. Which is bad.

9-10p 1-still meaningless and an impossible determination. At best the possibility can be indicated, and that he has already accomplished, as he specifies.

10 Par 6 is lifted from PM III, is not in his complaint or his N.O. testimony. He read PMII at least at Lib Cong, if others did not inform him. He tried to get right to use from me and didn't respond to my letters in reply.

11. Significant that he didn't make request for permission to examine CES43 until after I got the receipt for it. His request is more than two months after the request for each and every other item, is then, the day before he got the rejection on the rest, for this alone. I presume his source. Gary please note.

12 reference to "curiosity seekers" at autopsy dubious and wrong and subject to strong refutation, the opposite being the case and the need.

Histological, under (b), is stupid, for it doesn't say where in neck, or that there is no record of any from front, and worse (tip 14) are described as "an integral part of this Bethesda autopsy 63- 272" whereas it is not any kind of part, not having been completed until after what he has already described as 63-272" was filed. It would not take many such cases, with a skilled lawyer doing the work, to show John doesn't know what he talks about and has other than serious, scholarly purposes. With but a single histological slide said to exist and without him alleging otherwise, how can he ask for what he has not even claimed exists, what his source says doesn't exist, and how can he make claims in the plural, "to determine whether these are holes of entry or exit".

And the gross omission here is that the protocol makes no reference to what he seeks in the radiological report (13, bottom).

To me, John and those thinking they help him remain <sup>sows'</sup> ~~hows'~~ ears, not silken purses. And ~~maxix~~ sows' ears come from slaughterhouses.

Note that among the things John has abandoned is any quest for the spectro. The government can argue this against him, for that could contain the answers he claims to seek, as specified in his abandoned suit.

My formerly low opinion of his understanding, work and suit ~~maxix~~ is not elevated by his failure to learn from the previous error, by the still-permeating dishonesty, or by the names of three lawyers signed to the complaint. All this cheapskate stuff can do us no good and can do us much harm, especially when so uninhibited an ego, for so little reason, dominates.

Bud, Gary, Raw, Dick, HR