

Jim Lesar
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Dear Jim,

I've read the filing of Donahue's lawyer and its attachments other than the printed decisions. I've marked the pages up and marked the pages themselves with paperclips for more rapid access. That he can argue as he does leads me to believe that you were wrong not to discuss this with me before you put anything on paper, particularly because I referred Hickey's daughter to you. In any event, I believe that most of what is argued is irrelevant because the truth as it relates to what Donahue wrote and says was and is provable and because he does not advance a theory, which all those decisions involve, but ~~that~~ states it as a fact that Hickey fired that weapon and that shot killed the President. *without proof that the weapon was fired at all, as it was not.*

After we spoke I remembered that I also referred Donahue to the Altgens picture I published. That allows only about three seconds for Hickey to have done what Donahue just made up, and that is impossible, a complete physical impossibility.

I have no clear recollection of his book but from what he said on that radio program he knows he is lying now. He knows he cannot say what he says about the remanants left by his imagined bullet he does not even identify. Those 40 dust-like particles in the head cannot have come from military or police ammo which are designed to prevent that and under the Geneva convention are prohibited. I think you should take a few minutes and phone the Secret Service/information officer and tell him frankly that you ~~represent~~ represent Hickey in this suit, that Donahue alleges he fired the fatal shot and that all the SS agents in that car have been very dishonest and knowing that have kept silent about it. What you want to learn from him is was that weapon fired? Do they keep records of bullets expended where people are, or of those issued and returned? Can they in other words say with certainty that a shot was or was not fired? And what kind of ammo was used in those weapons in those days or if he can tell you, what was that day?

While Lil has no recollection of the details of our conversation she does recall that I told Donahue that what he says was physically impossible and that the existing evidence proved it impossible.

What Donahue did not say in this transcript is that there were two other men, not SS, in the car, both close to JFK. He also fudges on where the rifle was that Hickey used when he reached for it. It was as I understand, and this may not be so, on the floor. That meant under the feet of those sitting on the seat and jammed by the jump seats. He says they were sitting on it. Given the length of that weapon it would have been quite a feat to get it up in three seconds, leave along stand up with it.

Greer was not the driver of that car, as Donahue says *twice.*

Even if as he says in the transcript two of them were sitting on the rifle, to get it from under them in three second was also impossible.

He does not say what picture he is showing that he says shows Hickey turning to the right, to the TSED, but if that is the Altgens picture, what Donahue says is not so. Those agents look in all different directions. Hickey is the one who was looking backward. He had not reached for anything and that was at about frame 255. Or about three seconds from the fatal shot. and he knew this because I called it to his attention.

As I read the transcript I was looking for any place where Donahue referred to what he said as no more than a theory. He did not use that word and he used no word suggesting it. He refers to his invention as fact and that is outside the decisions cited in the filing. Or, they seem to me not to be relevant. But of course I've no idea what you filed or said and did not say.

If you use any pictures, you may want to compare the Altgens picture on Hickey's position with the Willis fifth. I used the Shaneyfelt exhibit of it in WW II and I have an actual-size copy of that from the archives somewhere in the basement. It is wrapped, not in any file cabinet. But is it pretty clear in WW II. The plat gives an idea of the brevity of time as Shaneyfelt marked the position of the car for each shot.

If in what you filed you argued trajectories as this filing seems to say, I'm astounded! Or was that Zaid's idea? If you did I think you introduced all sorts of irrelevancies and diminished and distracted from the simple case you should have alleged.

I do hope that you can after all these years give yourself to understand that other than as an excuse to yourself there are some things that are not justified by saying there was no time for them.

On NBC-TV 'Nightside' at about 3:25 a.m., in events of the coming week, they did mention COPA.

He refers to the alleged bullet being designed to fragment. For him this is intended deception. The question is not of fragmentation but of the kind of fragmentation.

Donahue is the kind of man who believes that because he can count to ten, forward and backward, with his eyes closed, he is Einstein.

I emphasize that from the time his Sun article appeared and I wrote the Sun a about it he knew there was at least a question about his concoction and that alone gave him reason to do what he did not do to confirm it. Like learn if the weapon was fired and what ammo was in it and to check all the pictures. He says three shots were fired. With three shells in the TSED, the one he imagines was a fourth and that had to be checked. It does indicate that his was not fired.

Best,

Harold