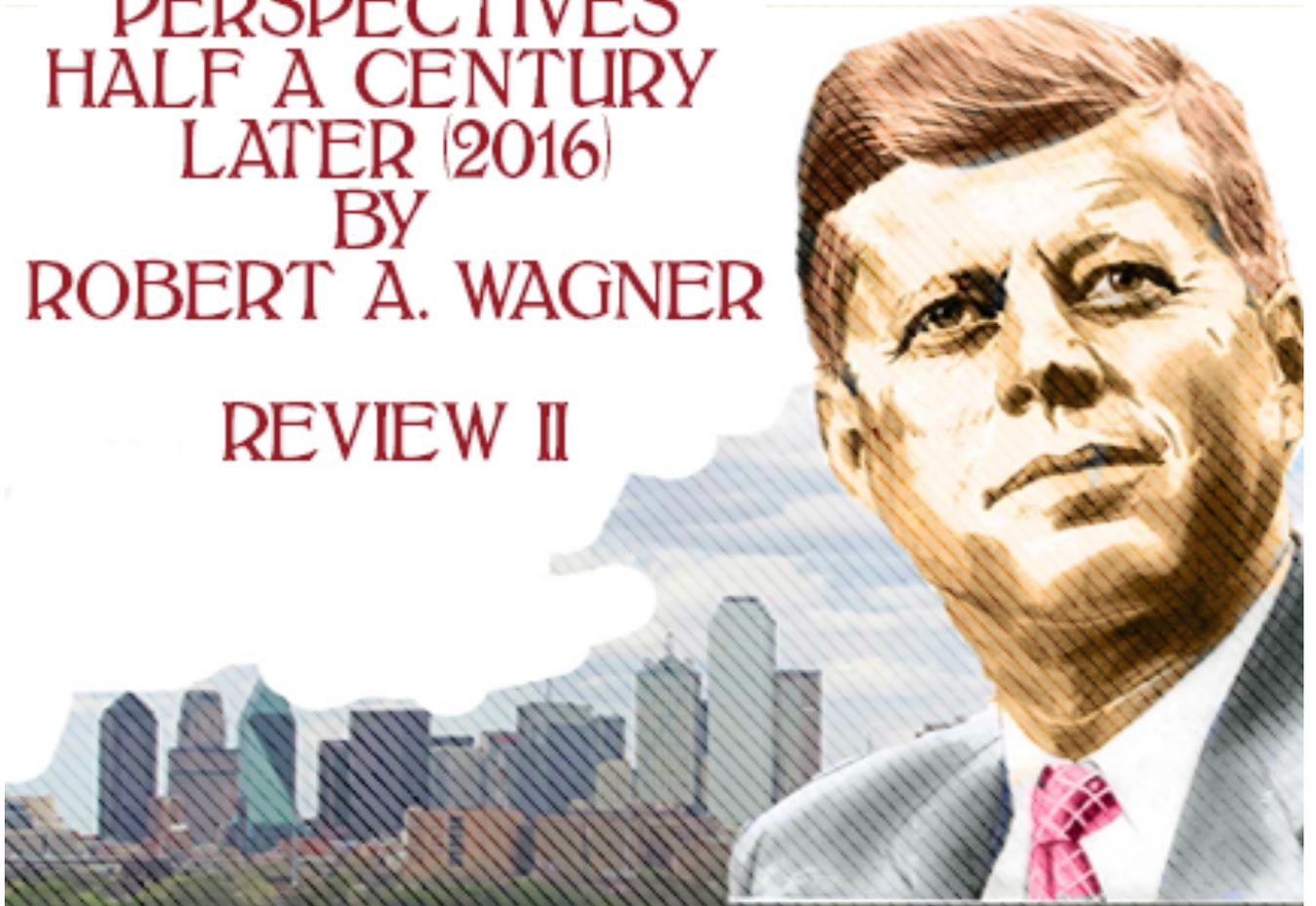


THE MANTIK VIEW

PERSPECTIVES
HALF A CENTURY
LATER (2016)
BY
ROBERT A. WAGNER

REVIEW II



IN THE COURTROOM WITH ROBERT WAGNER

by David W. Mantik, MD, PhD

[The Mantik View](#)

February 18, 2018

Revised August 27, 2018

NOTE: This is my second review of Wagner's 2016 book; the first was dated December 4, 2017.¹

My first review, and Wagner's response to it, can be found at my website:

<http://themantikview.com/>

- *Dr. Mantik states: “It is unique for me to write a second review, but too much remained unsaid after the first review. Wagner’s book clearly required more attention, especially since his profound mistakes are so often duplicated by the unenlightened mainstream media.”*

- *“German judges, very respectable people, who rolled the dice before sentencing, issued sentences 50% longer when the dice showed a high number, without being conscious of it.” -The Black Swan: The Impact of the Highly Improbable (2010), Nassim Nicholas Taleb*

- *“If logic and reason, the hard, cold products of the mind, can be relied upon to deliver justice or produce the truth, how is it that these brain-heavy judges rarely agree? Five-to-four decisions are the rule, not the exception. Nearly half of the court must be unjust and wrong nearly half of the time. Each decision, whether the majority or minority, exudes logic and reason like the obfuscating ink from a jellyfish, and in language as opaque. The minority could have as easily become the decision of the court. At once we realize that logic, no matter how pretty and neat, that reason, no matter how seemingly profound and deep, does not necessarily produce truth, much less justice. Logic and reason often become but tools used by those in power to deliver their load of injustice to the people. And ultimate truth, if, indeed, it exists, is rarely recognizable in the endless rows of long words that crowd page after page of most judicial regurgitations.” -How to Argue and Win Every Time (1995). -Gerry Spence*

- *“There is no such thing as justice—in or out of court.” - Clarence Darrow³*

- *“Initially, Admiral Burkley said that they had caught Oswald and that they needed the bullet to complete the case and we were told initially that’s what we should do, is to find the bullet.” -J. Thornton Boswell, Testimony before the HSCA Medical Panel (9/16/1977)⁴*

In my first review, twenty specific Wagner statements were taken to task. This second review raises more fundamental questions about Wagner's overall approach, discusses a host of specific JFK issues, cites Wagner's many logical fallacies, and (again) lists many corrupted evidence items. Wagner's response to my first review is addressed in the text below. The plan is to also post his response to this second review at my website.

I shall first describe fundamental flaws in Wagner's model (the legal system), and then explicitly address Henry Wade's personal travesties in the Texas justice system. Wade was the District Attorney who would have prosecuted Oswald. I then summarize my personal encounters with the legal system—they are consistent with Darrow's opening quote (above). We begin with a real case.

Incompetent prosecutors and judges in the courtroom.

The Innocent Man (2006) by John Grisham relates a case in which Pontotoc County District Attorney Bill Peterson was woefully ignorant of science and was eventually voted (by the Bennett Law Firm) one of 'The 10 Worst US Prosecutors of 2007.' I have written a detailed critique of this egregious miscarriage of justice.⁵ Grisham describes the hostile and foolish mission of the Ada (city), Oklahoma Police Department and Attorney Peterson to solve a murder case at all costs. Peterson and the police used forced 'dream' confessions, untrustworthy witnesses, and hair evidence to convict Ron Williamson and Dennis Fritz. The Innocence Project aided Williamson's attorney, Mark Barrett, in exposing the prosecution's far-fetched case. Frank H. Seay, a US District Court judge, ordered a retrial. After eleven years on death row, Williamson and Fritz were exonerated by DNA evidence and released on April 15, 1999. According to Wikipedia, Williamson was the 78th inmate released from death row since 1973.

Science in the courtroom

Based on DNA evidence, the work of the Innocence Project has led to freedom for 351 wrongfully convicted persons and the discovery of 150 real perpetrators. The Innocence Project was established after a landmark study, which found that incorrect identification by eyewitnesses was a factor in over 70% of wrongful convictions. The original Innocence Project was founded in 1992 by Barry Scheck and Peter Neufeld (of O. J. Simpson fame), as part of the Cardozo School of Law of Yeshiva University in New York City.

Reversals on appeal

How can we decide whether the courts serve justice and truth? Well, we can ask a simple question: What happens during appeals? Here is a startling statistic: The Supreme Court reversed about 70 percent of the cases it took during 2010-15. Among cases it reviewed from the 9th Circuit Court of Appeals, it reversed about 79 percent. The reversal rate for defendant appellants (typically the so-called guilty party) was 40 percent, compared to 20 percent for plaintiff appellants. So, given this shocking rate of reversal, we can immediately question the legitimacy of Wagner's model for discovering Truth.

Since Wagner is concerned about Texas courts, we shall ask this: How well is Texas doing now? According to a new study, appeals court judges in Texas have become increasingly hostile to jury verdicts in civil cases, especially when the jurors rule in favor of plaintiffs.⁶ The report, which examined a full year of decisions during 2010-11 by the state's 14 courts of appeals, found that these judges reversed more than one-third of all civil jury verdicts, and that they are more likely to overturn jury verdicts that favor plaintiffs than verdicts that favor defendants.

The Texas courts of appeals also reversed 50 percent of the jury verdicts that favor plaintiffs in consumer fraud and general tort cases, but the judges overturned only 11 percent of the jury verdicts that favored defendants. This study was titled ‘Reasons for Reversal in the Texas Courts of Appeal.’

Death sentences in Texas

In the past year, the Texas Supreme Court heard three appeals from inmates on death row, and in each case the prosecutors and the lower courts suffered stinging reversals.⁷

But what about Henry Wade, the man who would have prosecuted Oswald? We also know this answer, thanks to Mary Mapes:⁸ ‘When Henry Wade Executed an Innocent Man,’ in D Magazine (May 2016).⁹ The legendary Dallas DA ran a conviction machine that was results-oriented (i.e., not truth oriented).¹⁰ In 1954, he persuaded a jury to send Tommy Lee Walker to the electric chair just three months after his arrest. But a new look at the case uncovered one of the worst injustices in Dallas history.

Then there are the 19 convictions obtained by Wade that were later overturned. Oswald might well have been #20.¹¹ Here is a quotation from the Associated Press.¹²

DALLAS — As district attorney of Dallas for an unprecedented 36 years, Henry Wade was the embodiment of Texas justice. A strapping 6-footer with a square jaw and a half-chewed cigar clamped between his teeth, The Chief, as he was known, prosecuted Jack Ruby. He was the Wade in Roe V. Wade. And he compiled a conviction rate so impressive that defense attorneys ruefully called themselves the 7 Percent Club.¹³

But now, seven years after Wade’s death, The Chief’s legacy is taking a beating.

Nineteen convictions — three for murder and the rest involving rape or burglary — won by Wade and two successors who trained under him have been overturned after DNA evidence exonerated the defendants. About 250 more cases [in Texas] are under review [emphasis added].

No other county in America — and almost no state, for that matter — has freed more innocent people from prison in recent years than Dallas County, where Wade was DA from 1951 through 1986.

Current District Attorney Craig Watkins, who in 2006 became the first black elected chief prosecutor in any Texas county, said that more wrongly convicted people will go free.

‘There was a cowboy kind of mentality and the reality is that kind of approach is archaic, racist, elitist and arrogant,’ said Watkins, who is 40 and never worked for Wade or met him ...

The new DA and other Wade detractors say the cases won under Wade were riddled with shoddy investigations, evidence was ignored, and defense lawyers were kept in the dark. They note that the promotion system under Wade rewarded prosecutors for high conviction rates [emphasis added].

‘Now in hindsight, we’re finding lots of places where detectives in those cases, they kind of trimmed the corners to just get the case done,’ said Michelle Moore, a Dallas County public defender and president of the Innocence Project of Texas. ‘Whether that’s the fault of the detectives or the DA’s, I don’t know.’

John Stickels, a University of Texas at Arlington criminology professor and a director of the Innocence Project of Texas, blames a culture of ‘win at all costs.’

‘When someone was arrested, it was assumed they were guilty,’ he said. ‘I think prosecutors and investigators basically ignored all evidence to the contrary [emphasis added]¹⁴ and decided they were going to convict these guys.’¹⁵

And this same Henry Wade, in Wagner’s model for Truth, would have prosecuted Oswald.¹⁶

About majority decisions

Wagner routinely decides an issue via majority vote.¹⁷ But as a scientist I am dumbfounded—and horrified—at the fantasy of the American Physical Society voting on whether the 2012 Higgs particle was the real thing—or merely a masquerade. In this nightmare, whatever happens to objective data?

But can we trust the majority to be right? In Indonesia the majority would vote for Islam, but in America, Christianity would win hands down. So, who is right? How does a majority vote help us here?

Of course, the most notorious case of science on trial occurred on April 12, 1633. For espousing ‘heresy,’ physicist Galileo Galilei was found guilty by a majority vote under the reign of Pope Urban VIII. The Catholic hierarchy finally cleared Galileo on October 30, 1992. (This date is not a joke.) The red-hot issue now though is whether his chief inquisitor, Father Vincenzo Maculano da Firenzuola, should be tried (in absentia) for ‘heresy.’ The Church has yet to address this issue.

Papal infallibility

Ironically enough, this was another majority decision! Infallibility was formally defined in 1870, but bishops Aloisio Riccio and Edward Fitzgerald dissented. Before 1870, belief in papal infallibility was not a requirement for Catholic faith. Here is a painting to commemorate papal infallibility, following the definition of 1870 (Voorschoten, 1870).



Right to left: Pope Pius IX, Christ, and Thomas Aquinas

Following the First Vatican Council (1869–1870) a few Catholic dissenters arose among some Germans, Austrians and Swiss. This resulted in the formation of communities in schism with Rome, so they became known as the Old Catholic Churches. The dogma of papal infallibility is rejected by Eastern Orthodoxy. The Church of England and its sister churches also reject papal infallibility—so unanimity is surely lacking. Even a few contemporary Catholics, such as Hans Küng (author of *Infallible? An Inquiry*) and historian Garry Wills (author of *Papal Sin*) deny papal infallibility. Küng has been sanctioned by the Church, but Wills has escaped (so far).

American history

During reconstruction, and for decades afterwards, southern juries excluded persons of color, yet these jury verdicts of murder (typically against black men) stood unchallenged—and un-appealed. This was also rule by majority, just as Wagner prefers.¹⁸

During the Vietnam War, LBJ's 'Wise Men' persistently voted (essentially unanimously) to continue the war. Meanwhile, even the protestors on the streets knew better.¹⁹ This illustrates the logical fallacy of deferring to so-called authorities, a trait often displayed by Wagner.

Can we trust the courtroom? Some personal experiences

Wagner overtly admits that his model for discovering Truth is the courtroom.²⁰ So, Wagner and I are immediately at loggerheads. My model is distinctly not the courtroom. Rather, it is science—which is very different indeed. In this review I examine where such a courtroom approach might take us, especially in Texas, but first some personal comments.

I have served several times as an expert witness—both in physics and in medicine. I have seen my mother win a modest sum in a malpractice case (against her radiation oncologist), in which expert witnesses testified on both sides. I have been a plaintiff in a civil lawsuit against a subcontractor—in which my general contractor sided with me—but I still lost the case. I have protested two traffic tickets. In the first one, I presented my phone bill, which proved that I had not used my cell phone. Such hard evidence did not matter to the judge; I still had to pay the fine. I eventually won the second case (with a generous refund from the state of California), but only after the Appellate Court recognized the lower court's frivolous decision. That appeal should never have been necessary, and I am still trying to get my well-deserved DMV refund. With the legal aid of Bill Simpich, I have assisted my son in a suit against his landlord, which ended in a draw.²¹ Based on personal experience, I can say—without a moment's thought—that justice is oddly rare in the halls of justice. Too often, basic common sense—and even truth—are deliberately excluded. Just ask any attorney what they learned about truth and justice from their philosophy courses while in law school. They will respond with blank gazes. Instead, they are primed to advocate for the views of individuals and diverse interest groups within the context of the legal system.

Junk science in the courtroom

In my acerbic, online critique of John McAdams, I have summarized the (dishonest) use of fingerprints in the courtroom, with special emphasis on its abuse in the Oswald matter.²² Very recently we have learned even more about junk science in the courtroom: forensic scientists have often overstated the strength of evidence from tire tracks, fingerprints, bullet marks, and bite marks.²³ This is the very same evidence that Wagner so desperately wants us to accept. It is indeed noteworthy that some of this information became known while he was writing his book, but some was even known well before that. Why did he fail to inform his readers of these remarkable new developments? And John McAdams committed the same fallacy in his book.

To illustrate the issue about bullet grooves (which Wagner heavily relies upon in the Oswald case), consider this. In 2000, Richard Green was shot and wounded in his neighborhood south of Boston. About a year later, police found a loaded pistol in the yard of a nearby house. A detective with the Boston Police Department fired the gun multiple times in a lab and compared the minute grooves and scratches with the casings at the crime scene. They matched, he said at a pretrial hearing, '... to the exclusion of every other firearm in the world.' So how could the detective be so certain that the shots hadn't been fired from another gun?

The short answer, if you ask any statistician, is that he couldn't. There was an unknown chance that a different gun could cause a similar pattern. But for decades, forensic examiners have claimed in court that close, but not identical, ballistic markings conclusively link evidence to a suspect—and judges and juries have (gullibly) trusted their so-called expertise. Examiners have made similar statements for other pattern-type evidence, e.g., fingerprints, shoeprints, tire tracks, and bite marks.²⁴

In 2009 a committee at the National Academy of Sciences (NAS) concluded that such claims were ill-founded. 'No forensic method has been rigorously shown to have the capacity to consistently, and with a high degree of certainty, demonstrate a connection between evidence and a specific individual or source.' In other words, judges and juries have sent (many) people to prison (and some to their deaths) based on bogus science.²⁵ And this is the kind of evidence that Wagner wants us to accept.

My conclusions, on the other hand, rarely rely on majority votes. Rather, actual data are preferred, such as optical density data. And if I say that an issue has been (essentially) decided, as I do in my first review of Wagner, then that conclusion is not based upon a majority vote, but rather on fundamental scientific data. (Wagner seems unaware of this distinction, or perhaps is unable or unwilling to grasp it.) A good example, of course, is the 6.5 mm (fake) object on JFK's frontal X-ray. It matters not a whit what so-called experts say—especially since they routinely evade the actual data. But I do care about genuine experts, such as Kodak physicists.²⁶ For example, the phrase 'optical density' does not even appear in Wagner's book. Despite this, Wagner quickly disposes of this OD data, which was taken directly from the extant X-rays at the Archives.²⁷ Furthermore, in Wagner's comments about my work, this distinction (i.e., majority vote vs. scientific data) persistently eludes him. Now, because neurologist Michael Chesser, MD, has validated so many of my OD data,²⁸ we should soon be able to separate believers in science from the post-modernists. So far, Wagner has been very careful not to comment on Chesser's observations.

What about Wagner's scenario for his own Marvelous Bullet?

He is jubilant about rejecting the Magic Bullet of the Warren Commission (WC), but then instead proposes an even more marvelous (and hitherto unknown) trajectory of his own.²⁹ (Ironically, by doing so he leaves the notion of a majority vote in the closet—his is, after all, a highly iconoclastic speculation.) He suggests that a bullet struck JFK's back, then somehow (no cause is stated) was deflected upward, exited the throat, flew over the windshield, struck the curb, after which some particle found its way to Tague's face, but then that bullet got lost. There are some problems with this:

The pathologists, via probing, found only a superficial wound in the back. James Jenkins watched this probe as it indented the pleura—but did not penetrate the pleura.³⁰

The pathologists found no pneumothorax, i.e., the lung was not deflated by external air due to penetrating trauma of the lung.

X-rays showed no pertinent damage to vertebrae or ribs.

The WC printed photographs³¹ that showed the remarkable penetrating power of Western bullets fired from the Mannlicher-Carcano. These bullets were fired through 72.5 cm (29 inches) of gelatin blocks. The bullets passed through 1.5 blocks (22 inches) in a straight line, before the trajectory curved. So, in view of this remarkable stability, especially without striking either lung or bone, how exactly was Wagner's Marvelous Bullet deflected to the throat? Did the thymus gland deflect it?

No copper was discovered on the curb. So, where did the copper jacket go? The only reasonable possibility is that the copper was left inside of JFK's chest or throat. Unfortunately for Wagner, the X-rays show no copper (or any other metal).

But perhaps, in view of Wagner's (likely limited) science background we should not be surprised by his indifference to these issues.

Then there is Josiah Thompson's alternate proposal (made in 1967 in *Six Seconds in Dallas*, and possibly no longer supported by him): the curb was struck by a fragment from the headshot. Wagner initially considers this option, but then ultimately rejects it (or maybe not—as Wagner seems ambivalent³²), but without ever offering a detailed analysis. There are good reasons to reject it:

This is the same bullet that (purportedly) deposited the 6.5 mm cross section on the back of JFK's head.

The nose and tail of this same bullet were found inside the limousine—meaning that these two (large) fragments did not fly far.³³

On the other hand, if a (separate) metal fragment struck the curb, it first had to fly through JFK's head, zoom over the windshield, and alight on the curb. But we know that smaller fragments (which this must have been) do not travel very far through tissue, so why would that 6.5 mm 'fragment' stop abruptly (at the back of JFK's head), while this smaller Tague 'fragment' flew through JFK's brain—and well beyond?

This same bullet (in this madcap scenario) must have produced the metal fragment trail across the top of the head. If that bullet entered at the cowlick site—as selected by the HSCA³⁴—then it likely exited through the forehead! (After all, that trail intersects JFK's forehead on the lateral X-ray.) But any rational WC loyalist would give up at this point—these loyalists see no forehead wound.

Since no copper was found on the curb, the entire copper jacket must have been left inside of JFK's head—or inside the limousine. But none was found in the limousine, and none is visible on the X-rays.

Wagner's basic premise.³⁵

As he argues for Oswald's guilt, he is indeed a clone of Vincent Bugliosi.³⁶ After 'proving' Oswald's guilt, Wagner (like Bugliosi) then uses this conclusion to insist on many other items:

- Oswald carried a package into the book depository.
- The wrapping paper fit the disassembled weapon.
- Handwriting analysis (more junk science) proved that Oswald ordered the weapon.
- Marina confirmed that Oswald owned a rifle (even though she never saw a scope).
- Oswald killed Tippit.
- Oswald shot at General Walker.
- The palm print (more junk science) belonged to Oswald.

By taking this approach, Wagner's house rests on very thin reeds indeed. Should only a few of his initial premises (of Oswald's guilt) be refuted, his house would promptly collapse. Moreover, we know that much of the Oswald evidence is corrupted (although this is mostly overlooked by Wagner). So, if the reader can first accept Oswald's guilt, then the remainder of Wagner's book may appear conceivable. On the other hand, many readers will promptly be derailed by this approach—of overt circular reasoning.

Wagner's Grand Pronouncements

The initial statements (at each number) are direct quotations from Wagner's book. For each, my response follows.

1. *It is clear, however, that this record can be properly arranged in such a way that reconciliation occurs, so certain truths can be stipulated to by reasonable minds.*

RESPONSE: This is the lawyers' approach. For this JFK case, on the other hand, I am only concerned with the truth, but never with reconciliation. Reconciliation is strongly recommended for social and political causes, e.g., racial injustice in South Africa. But it is grossly inappropriate for science.

2. *Oswald had visited the Cuban and Russian embassies in Mexico City.*

RESPONSE: It is quite unclear how Wagner decided so effortlessly that these Mexican appearances were the genuine article. Even J. Edgar Hoover knew that an imposter had played a role: 'We have up here the tape and the photograph of the man who was at the Soviet Embassy using Oswald's name. That picture and the tape [sent by the CIA] do not correspond to this man's voice, nor to his appearance. In other words, it appears that there is a second person who was at the Soviet embassy down there.'³⁷ According to Mark Lane (who had interviewed Marina), she was incredulous when FBI agents told her that Lee had been in Mexico from September 26 until October 3, 1963. She added that she had been in contact with Lee during that entire period.³⁸ Moreover, a recent record release (too recent for Wagner's book) states that the CIA had two informants inside the Cuban embassy. Each one told the CIA that neither had seen Oswald there during any of his supposed visits.³⁹ Even if some of these appearances were by an authentic Oswald, most likely not all were—and that alone reveals fingerprints of an intelligence operation. It implies that Oswald was being framed as a patsy.

3. *It [Bugliosi's book] is a well-done and impressive work, and I think for the most part, it's right on the mark...*

RESPONSE: It is merely a lawyer's brief, with science mostly omitted. Many critical reviews besides mine⁴⁰ concur with this conclusion. Bugliosi's knowledge base (outside of politics and the law) was unmasked in my critical review⁴¹ of his Divinity of Doubt. His mistakes there are legion.

4. *Pure chance placed Oswald at the Texas School Book Depository (TSBD) in perfect position to kill the president ... Mrs. Paine made a phone call on Oswald's behalf.*

RESPONSE: Marina said the reason she was advised by the Secret Service to stay away from Ruth Paine was that 'she was sympathizing with the CIA.' Ruth Paine was asked more questions by the WC than anyone else. She failed to advise Oswald that he could have had a better job than the TSBD. Allen Dulles was a close friend of Michael Paine's mother, Ruth Forbes Paine. Michael Paine worked for Bell Helicopter, where his stepfather had designed the first commercial helicopter. The Minox camera (a spy camera not available to the public) found in the Paine garage belonged to either Lee Oswald or to Michael Paine, so one of them must have had ties to American spies. On October 23, 1964, Hoover wrote the WC: 'Making ... such documents [about the Paines] available to the public could cause serious repercussions to the Commission. Another potential scapegoat (see below), Thomas Arthur Vallee (most patsies have three names), also had a job that placed him directly above a presidential motorcade. What is the probability that two potential scapegoats were both positioned randomly above such a route?'⁴²

5. *Oswald hid the rifle because he knew it was easily traceable to him.*

RESPONSE: See my first review—most likely he knew nothing about the weapon. Imputing motive here demonstrates the logical fallacy of the argument from motives.

6. *If innocent, why would he immediately flee the depository to his room, collect a pistol, 'go to the movies,' and then at the theater draw the pistol on arresting officers?*

RESPONSE: Possibly because he quickly realized that he had been set up? By this time, Oswald was likely merely trying to survive the day. He got his weapon from his room, but started walking five blocks south, probably to ascertain that he was not walking into a trap.

7. *WC members took the position on the fifth floor and could easily hear shell casings drop to the floor directly above them. This fact alone confirms that shots were fired from the sixth-floor window and that no planting ... occurred.*

RESPONSE: Here we see another logical fallacy. Without a visual sighting, Wagner cannot possibly know whether the shells were dropped by conspirators or by Oswald. And hearing such shells surely can tell us nothing about planting of evidence.

8. *There is little question that Oswald killed Tippit.*

RESPONSE: So, in a few short sentences, Wagner dispenses with Joe McBride's entire 674-page tome, *Into the Nightmare* (2013), which focuses on the Tippit murder. As expected, this book is not listed in Wagner's 'Selected Bibliography.' (If only McBride had known he could have saved himself years of hard labor.) On the other hand, WC counsel David Belin wrote: 'The Rosetta Stone to the solution of President Kennedy's murder is the murder of Officer J. D. Tippit.'⁴³ If so, perhaps McBride was right, after all, to focus so intently on this case. After 674 pages, McBride does not accept Oswald as Tippit's murderer. On the other hand, after a few sentences, Wagner finds Oswald guilty.

9. *...Strong circumstantial evidence supports HSCA medical panel report findings that the Kennedy assassination research community has largely ignored.⁴⁴*

RESPONSE: On the contrary—I have focused squarely on their findings; so also has my colleague, Gary Aguilar, MD. The panel's conclusions, of course, were critically based on a single autopsy photograph, in which the panel placed the wound at the 'red spot,' the same one that none of the pathologists saw! Furthermore, the camera/lens combination (which was located by the HSCA) did not match the photographs.⁴⁵ Even worse, the panel was not told about this lack of provenance! The HSCA also claimed that all the Bethesda witnesses confirmed an intact back of the head. Only via the Assassination Records Review Board (in the 1990s) did we learn that this was a complete fabrication. On the contrary, these witnesses, via their words and their diagrams, reported a large posterior hole in the skull. Of course, based on my observations at the Archives (of JFK's back), we also now know that at least one autopsy photograph must be a copy. But if one is a copy, the door is opened wide to more copies, especially that astounding photograph of the intact back of JFK's head.

10. *... There is absolutely no corresponding explanation of what happened to that bullet upon its entering President Kennedy's throat if it was fired from the front.*

RESPONSE: This is clearly false, as Wagner should have known from my work. Long ago, I proposed a glass shard from the windshield as the cause of the throat wound, and I offered several lines of evidence for this, including the perforations of JFK's right cheek. The recently reported (additional) bullet in the limousine (i.e., described in the Dr. John Young document) may represent the windshield bullet. Furthermore, other bullet holes were seen in the presidential limousine (my roommate's father is one source for these reports).

11. ...the bullet fragments later recovered from the presidential limousine were indisputably tied to Oswald's rifle ...

RESPONSE: This conclusion was based on the junk science of bullet grooves (discussed above). And now there is Dr. John Young's bullet, found in the back of the limousine, whose grooves are unknown. (This Young document became public after Wagner's book was published.) I have already cited Floyd Boring, who could not even initially recall finding these very same bullet fragments!

12. The theory that a bullet was planted at Parkland Hospital is thus a highly interesting bit of intrigue but falls apart rather quickly ...

RESPONSE: Of course, that bullet could have entered the scene well after Parkland, so this is another logical fallacy. See the brilliant analysis by John Hunt⁴⁶ (of two bullets at the FBI that night), and also note the distinguished detective work of Thompson and Aguilar on the (sharp-tipped) bullet that Darrell Tomlinson found at Parkland.⁴⁷ Wagner does not even cite Hunt's work, and he simply refuses to accept the research results of Thompson and Aguilar. As expected, Hunt's and Tomlinson's names appear nowhere in Wagner's book.

13. There is no reasonable doubt that Oswald [alone] fired a rifle from the depository's sixth-floor window.

RESPONSE: If so, then why do American polls still strongly suspect a conspiracy? If Oswald acted alone, why then are his tax returns still being withheld for 'national security reasons'? And, why did Gerald R. Ford, my fellow Michigan alumnus and fellow resident of Rancho Mirage,⁴⁸ tell the former French president (Valery Giscard D'Estaing) in 1976 that 'It wasn't a lone assassin. It was a plot. We knew for sure that it was a plot. But we didn't find who was behind it.'⁴⁹ Even Dallas Police Chief Jesse Curry became a vocal doubter of the single-gunman theory: 'We don't have any proof that Oswald fired the rifle, and never did. Nobody's yet been able to put him in that building with a gun in his hand.'⁵⁰

'We've never, we've never been able to prove that, but just in my mind and by the direction of his blood and brain from the president from one of the shots, it would just seem that it would have to [have] been fired from the front rather than behind,'⁵¹

14. There is simply no reasonable evidence of Dealey Plaza assassins other than Oswald.⁵²

RESPONSE: So why did Admiral George Burkley, MD, refuse to admit that there had been only one shooter?⁵³ Furthermore, Wagner initially admitted that he had overlooked my e-book, JFK's Head Wounds, which contains a rather long discussion of frontal head shots. And what about that second arrest (of an Oswald doppelgänger) at the Texas Theatre? (See more discussion below.) During the Assassination Records Review Board (ARRB), Noel Twyman discovered a receipt for a 7.65 Mauser shell recovered from Dealey Plaza. And, of course, the first reported weapon in the depository was a 7.65 Mauser.⁵⁴ Or was Oswald so skilled that he fired two weapons that day? Then, in 1975, a maintenance worker found a spent (and rather old) 30.06 shell casing on the roof of the Dallas County Records Building, facing Dealey Plaza. It appeared to have been used as a sabot slug, which can be used to fit smaller bullets into larger shells (e.g., a 6.5 mm bullet inside a 30.06 shell). Of course, we now also have Dr. Chesser's recent observations of tiny metal fragments just inside the forehead bone (on the extant JFK X-rays)—surely Oswald did not fire that bullet. In corroboration of this forehead wound, Tom Robinson saw a tiny wound at precisely this site, as did Quentin Schwinn in a possible missing autopsy photograph.⁵⁵ Immediately after the assassination, Robert Knudsen and Joe O'Donnell also saw such a hole in photographs. In

view of these many extant clues, we would expect Wagner to be more circumspect about claiming ‘no reasonable evidence’ of assassins other than Oswald.

15. ...most [doctors] have differing recollections and opinions on the critically important question of Kennedy’s head wounds.

RESPONSE: This is surely false. Gary Aguilar, MD, and Robert Groden have convincingly shown the remarkable agreement among Parkland witnesses about the large posterior hole. And many Bethesda witnesses concur with these Parkland witnesses. My e-book lists up to eight Bethesda physicians who recalled a large posterior defect. And the recent documentary ‘The Parkland Doctors’ (which Wagner viewed at the same time I did), provides overwhelming evidence that these doctors are still bewildered by that autopsy photograph (of the intact back of JFK’s head). For Wagner to claim that doctors had differing recollections about the wounds is disinformation, at the very least.

16. ...there can be no definitive account such that common ground can be found for all reasonable people.

RESPONSE: Hmm, isn’t this the opposite of #1?

17. Oswald had attempted to kill Major General Edwin Walker.

RESPONSE: This is the logical fallacy of the a priori argument. In fact, the Walker ballistics evidence is very much in doubt. Walker himself claimed repeatedly that CE-573, the bullet fragment supposedly retrieved from the scene of the shooting, was not the fragment he had held in his hand and examined.⁵⁶ Furthermore, how could Oswald miss such an easy shot, but then be so precise with much more difficult shots on November 22?⁵⁷ Was he trying to miss on purpose, so as to create his own legend? Or had he practiced in the interim (between these two events)? Most likely, he had not. Between May 8, 1959, and November 22, 1963, despite diligent efforts by the FBI, no evidence was ever unearthed to show that Oswald fired a weapon during those 1,600+ days (which is even longer than US involvement in WW II).⁵⁸ Moreover, Marine Colonel Allison Folsom,⁵⁹ testifying before the WC, characterized Oswald (while he was in the Marines and using a Marine-issued M-1) as ‘a rather poor shot.’

18. Oswald meticulously planned his act as much as he could in the few days available ... Oswald also planned his escape.

RESPONSE: Here Wagner displays his ESP (as he often does). Since I have no ESP, it is difficult to critique this. Perhaps someone who has such ESP talents can do so.

19. As of early November 1963, Oswald did not intend to kill the president.

RESPONSE: How does Wagner know something that no one else knows? Did he conduct a séance—or is this just more supernatural ESP? Or does Wagner mean to suggest that Oswald killed JFK by accident? In any case, did Oswald misguidedly divulge to a fair number of individuals, well in advance, that he was planning this escapade?⁶⁰ This eccentric throng includes John Martino, Silvia Odio, Joseph Milteer, Richard Case Nagell, Rose Cherami (prostitute), Adele Edisen (PhD in physiology from the University of Chicago⁶¹), and others.

20. ...Oswald hid in a theater until he was apprehended ...

RESPONSE: Wagner fails to tell us about the second person (an Oswald doppelgänger), who was also captured by the police, and led out the rear door of the Texas Theatre—in handcuffs!⁶² This is the logical fallacy of availability, i.e., the use of easily available information, while ignoring other critical evidence. Furthermore, Oswald migrated from person to person while in the theatre, as if trying to reach his contact. Many would say that,

rather than hiding, he made himself painfully obvious. James Douglass reports the following details, based on his personal interviews. Butch Burroughs saw Oswald's arrest, but then saw a second arrest of an Oswald lookalike 'three or four minutes later.' The latter was taken out the rear door, while Oswald was taken out the front door. Bernard Haire stood outside the rear door, and saw the double come out. In 1987, he was finally shocked to learn that Oswald had gone out the front door; before that, he had always thought that he had seen Oswald at the rear door. According to the Dallas Police Department's official report (on J.D. Tippit), 'Suspect was later arrested in the balcony of the Texas Theater at 231 W. Jefferson.'⁶³ Furthermore, police detective L.D. Stringfellow also reported to Captain W. P. Gannaway: 'Lee Harvey Oswald was arrested in the balcony of the Texas Theater.'⁶⁴ Of course, the official version is that Oswald was arrested in the orchestra, not in the balcony.

21. A fatal flaw overlooked by assassination researchers who promote the patsy theory is that framing a patsy requires that the patsy have no plausible or solid alibi.

RESPONSE: Surely Wagner knows about the Chicago (patsy) plot against JFK.⁶⁵ But a search of Wagner's book fails to find 'Chicago.' If other patsy plots existed against JFK, why is it so difficult to believe in yet one more?⁶⁶ Furthermore, given the lies often told by many witnesses while under government duress (e.g., Kenny O'Donnell, Malcolm Perry, Sam Kinney⁶⁷), and the FBI's pastime of materially altering witness statements, why would Oswald even need an alibi?

22. I have nothing to add to the question of Oswald's motivation.

RESPONSE: Did Wagner fail to read Oswald's speech (July 1963) at the Jesuit House of Studies at Spring Hill College near Mobile, Alabama? In this rather private setting, where he presumably shared his real opinions, Oswald has little good to say about communism or communists, whom he describes as 'a pitiful bunch.'⁶⁸

23. The Walker incident obviously revealed a murderous mindset (further on display with the Tippit slaying) ...

RESPONSE: This is more ESP; see prior comments about Walker and Tippit, which come close to exonerating Oswald of both murders. This is the logical fallacy of the a priori argument.

24. ...there is no evidence of this third bullet.

RESPONSE: My (University of Michigan) medical school roommate recently visited us. He reminded me that his father had worked at the Ford plant, where JFK's limousine had been delivered shortly after the event. His father reported that several bullet holes were found in the limousine. Furthermore, we now have the newly discovered report of navy Dr. John Young: another bullet was found in the back of the limousine.⁶⁹ In Wagner's response to my first review, he admits that this could be the missing bullet. And what about the recollections of Sheriff Roger Craig: 'One .45 mm slug was found on the south side of Elm Street, outside on the grass. It was lying amongst ... part of the hair, and blood, and bone matter.'⁷⁰ As expected, 'Craig' does not appear in Wagner's book.

25. If the entire case against Oswald boils down to proving each and every facet of the case beyond a reasonable doubt, I have to acquit.

RESPONSE: So be it.

26. No evidence of any bullets not fired from Oswald's rifle was located in the body of Kennedy or Connally, or in the limousine.

RESPONSE: Well, what about Dr. Chesser's recent observation of a hole in JFK's forehead (on the X-ray at the Archives)? And what about Dr. Young's bullet? What about the Belmont (FBI) memo (also missing from Wagner's book) of a bullet found behind the ear?⁷¹ What about Tom Robinson's report (to the ARRB) of about 10 bullet fragments removed from JFK's head?⁷² What about Dennis David's typed memo about four bullet fragments? What about that transparent plastic bag of bone and bullet fragments that James Jenkins saw lying next to JFK's head during the autopsy? You will not learn any of this from Wagner. Neither Dennis David nor James Jenkins appears in the book,⁷³ and Robinson's account (of bullet fragments) is also missing. Wagner tried to use an argument from silence (i.e., absent evidence) but instead fell victim to the logical fallacy of the argument from silence (the fallacy that if sources are silent then that offers good proof of absent evidence).

27. The question of an assassination conspiracy can be conclusively settled by determining whether three shots or more than three shots were fired, assuming that Oswald himself fired three shots.

RESPONSE: What? —the first step is to assume that Oswald fired three shots? Some might suspect circular reasoning here.

28. Wagner quotes Clint Hill: 'I jumped from the follow-up car and ran toward the Presidential automobile. I heard a second firecracker type noise but it had a different sound ...I saw the President slump more toward his left.'

RESPONSE: Although Wagner seems oblivious to this paradox, it is a real zinger for him. Hill speaks loudly and clearly: he hears (and sees) JFK hit by a bullet well after Z-313.⁷⁴ Unfortunately for Wagner, by this time Oswald has long since shot his wad (of three bullets). Yet Wagner (and Hill, too) overlooks this major paradox. My e-book includes an extensive review of the arguments for a shot well after Z-313. This includes documents, sketches and data tables—contained in the WC files! Many eyewitnesses also corroborate such a scenario. Wagner ignores all these ancient data sources.

29. Wagner quotes David Powers: '... there was a third shot which took off the top of the President's head.'

RESPONSE: Like virtually all the Dealey Plaza witnesses, Powers saw no head snap! Tip O'Neill added his own striking comments, which strongly suggest conspiracy.⁷⁵ For what actually occurred, listen to James Altgens,⁷⁶ who saw JFK struck while he was sitting erect! This is clearly not JFK's orientation at Z-313. This issue is extensively discussed in my e-book. Furthermore, many witnesses saw JFK struck well after Z-313. (See footnote 75 in my e-book.)

30. The president was struck in the head at frame 312.

RESPONSE: No shot at Z-312—from the front or from the back—is consistent with the bullet trail on the X-rays. I have explored this issue, with detailed images in my Nalli critique. So far Wagner seems not to have grasped the spatial concepts in this argument.⁷⁷

31. Josiah Thompson refers to Milton Helpern, a prominent New York City pathologist, who said that if he were permitted to see the X-rays, he 'would look for traces of metal indicating the presence of another head wound.' Wagner adds this: There is simply no evidence of a bullet entry wound to the front portion of the president's head.

RESPONSE: Of course, there was another head wound—an entry at the hairline, above JFK's right orbit. This is discussed in detail in my e-book (which Wagner initially had not read). More importantly though, Mike Chesser, MD, has recently discovered precisely what Helpern had suggested: many tiny metal fragments just inside JFK's forehead bone. Wagner

was in the audience at Oswald's Mock Trial in Houston in November 2017, when Chesser presented his findings. What Wagner thought about this amazing discovery (made directly on the extant X-rays at the Archives) remains a mystery.

32. Wagner quotes the HSCA: 'It is the firm conclusion of the panel members ... there is no bullet perforation of entrance any place on the skull other than the single one in the cowlick area.'

RESPONSE: This conclusion, of course, was based on autopsy photographs that had no legal provenance. Even worse, the panel members did not know this.⁷⁸ Of course, we now also know that the HSCA lied about what the Bethesda witnesses saw, i.e., in fact they reported a large posterior hole in the skull, like the Parkland wound.⁷⁹ Wagner never tells his readers about the abysmal provenance of the autopsy photographs. This is the logical fallacy of deliberate ignorance. Furthermore, Chesser has noted a hole in the forehead bone, consistent with the tiny metal fragments that he saw.

33. Thus, by all appearances, Agent Frazier had possession of the pristine bullet before there was an opportunity for the FBI to fire Oswald's rifle to recover a bullet to illicitly substitute for the alleged pointed-tip bullet.

RESPONSE: This is merely a straw man argument—and it is unintentionally hilarious. Wagner has committed another logical fallacy—he merely assumes that the cover-up had no planning (because he is overly focused on Oswald). On the contrary, perhaps this bullet substitution was an original back-up plan, i.e., the bullet had already been prepared, so that no last-minute antics were required.

34. There is no reasonable conclusion other than that Kennedy's back wound—and the throat wound were the result of the same bullet.

RESPONSE: First, many professional observers recalled that the back wound was far too low to exit the throat. Second, this is true poverty of imagination and illustrates the logical fallacy of the either-or argument (the false dilemma). As I have already suggested, the throat wound may have been caused by a glass shard from the windshield. The evidence of a penetrating hole in the windshield derives not only from four reliable Parkland witnesses (and one Secret Service witness), but also from the Ford Motor Company supervisor, George Whittaker, who received the windshield.⁸⁰ Of course, neither 'Whittaker' nor 'Whittaker' appears in Wagner's book. The back wound, of course, was likely caused by shrapnel from the street. Several WC witnesses reported that something had struck the street.⁸¹ Furthermore, clothing on JFK's back—but not his front—tested positive (via low energy X-rays) for metal.

35. If the X-rays were faked, how could they have been faked?

RESPONSE: Wagner obviously failed to review my online JFK Lancer lecture (2009).⁸² These are indeed JFK's X-rays, but they have been critically altered at precisely known sites. This omission by Wagner (again) demonstrates the logical fallacy of deliberate ignorance.

36. As Dr. McDonnell explained to the HSCA, this almost inconceivable feat could not have occurred; the president's head X-rays are authentic.

RESPONSE: That is mostly true; the JFK X-rays are, after all, only altered at specific sites—but it is far from an inconceivable process, as I have shown. Unfortunately, McDonnell (who worked in downtown Los Angeles, only miles from me) died shortly before I entered the case, or we would have had a most interesting discussion about optical densitometry, which he never mentioned (and likely never considered). He was, after all, not a medical physicist.

The argument invoked here by Wagner is the logical fallacy of the argument from incredulity (rejecting an argument merely because it initially appears incredible).

37. There is no reasonable basis to claim that Zapruder was demonstrating the location of an entry wound.

RESPONSE: Elsewhere Wagner seems to side with the HSCA, which concluded that the posterior bullet exited through the top of the skull. But here, paradoxically, Wagner seems to imply that a bullet exited through JFK's temple. He can't have it both ways. More importantly though, many, many witnesses reported an entry wound in the right temple. (See Headshot #3 in my e-book.) As expected, Wagner ignores these witnesses.

38. The doctors [up to nine altogether] said they saw cerebellum tissue, which the autopsy photographs and X-rays indicate would have been impossible.

RESPONSE: Wagner should view Figure 34A in my e-book. Even John Ebersole, the official autopsy radiologist (who does not appear in Wagner's book), disagrees here with Wagner. Ebersole told me⁸³ that he saw the posterior hole in the skull; he would also have agreed about seeing cerebellum, but Wagner ignores him. Wagner does not even disclose that Ebersole saw the posterior defect. This is the logical fallacy of the a priori argument (beginning with a false premise to reach a wrong conclusion).

39. We know that the president's body was not altered prior to the autopsy.

RESPONSE: In that case, it is incumbent on Wagner to explain the astounding evidence for three different casket entries.⁸⁴ Of course, he fails to do this. This is the logical fallacy of the a priori argument again (assuming a false premise to reach a conclusion). Wagner would have had a very interesting discussion about wound alteration with Robert Knudsen. According to Popular Photography (August 1977), Knudsen photographed the autopsy. He was deposed by the HSCA in 1978, and the ARRB later interviewed his family. His son Bob reported that his father told him that 'hair had been drawn in' on one photograph to conceal a missing portion of the top-back of JFK's head. Knudsen's wife added that her husband saw wounds [in photographs] that did not represent what he had seen. Knudsen's name does not appear in Wagner's book.

40. The autopsy doctors never wavered in confirming the authenticity of that photograph.

RESPONSE: Well, not exactly. None of them recognized the 'red spot' near the cowlick area.⁸⁵ And they all placed the posterior entry wound far inferior to the red spot (where the photograph showed no wound) so how exactly does that authenticate the photograph? Furthermore, Humes (for the ARRB) oriented the mystery F8 photograph so that the large skull defect was located posteriorly. Consistent with that, even if the photograph (of the back of the head) shows intact scalp, that does not mean that the bone was intact. In fact, it is far more likely that both scalp and bone were absent. Wagner persistently evades this issue as well.⁸⁶

41. Boswell testified [a better word would be 'speculated,' since he made this claim to the ARRB on February 26, 1996—about 32 years after the event] that the scalp was pulled forward to demonstrate the entry wound.

RESPONSE: What entry wound is he citing? Surely not the 'red spot.' But there is no other wound in the photograph! And why would anyone manipulate the scalp so that it obscured the critical missing tissue? Furthermore, it is absurd to believe that Boswell could have done that so seamlessly as to leave absolutely no trace of the large defect. Finally, we know that Boswell later elevated the back wound to please his interrogators—so how do we know that this odd statement (about pulling the scalp) is not just another sycophantic obeisance—

made 32 years later? When asked if there was any scalp remaining in the right rear of the head behind the ear, Jan Gail Rudnicki (Boswell's assistant) said, 'That was gone.'⁸⁷ He had previously told Mark Flanagan (05/02/1978) of the HSCA that the 'back-right quadrant of the head was missing.'⁸⁸

42. Indeed, reliance on whatever Humes and Boswell said or represented through the years—after the night of the autopsy ... is nothing short of perilous. [This statement appears in Wagner's response to my first review.]

RESPONSE: This is a stunning reversal for Wagner (who otherwise accepts their statements). It is totally inconsistent with Boswell's speculation about pulling the scalp over the wound! It also negates Bowell's subsequent elevation of the back wound. In Wagner's reply to my initial review, he also admits that Humes and Boswell succumbed to political pressure. So why should we believe that Boswell was not again under political pressure—when he speculated about pulling the scalp over the large defect?

43. ...for many the HSCA's expert panel was wrong.

RESPONSE: No, they were merely misled. That is quite another matter. Wagner has just committed another logical fallacy (the false dilemma). The photographs, whose provenance was never established, had been altered to cover the posterior hole—as shown by stereo viewing at the Archives. Robert Groden (the photographic consultant for the HSCA) and I have both observed this in the photographs of the back of JFK's head—at the Archives. Given Groden's magnificent collection of photographs it is stunning that his name is also absent from Wagner's book.

44. ...the three pathologists ... were unaware of ... a gunshot wound in Kennedy's throat.

RESPONSE: That is surely false. My good (now deceased) friend, Robert Livingston spoke to Humes on the telephone well before the autopsy—and specifically emphasized this fact. (Livingston testified to this—under oath—for the JAMA lawsuit brought by Dr. Charles Crenshaw.) In a telephone call with me, John Ebersole (the autopsy radiologist) stated that they knew about the throat wound during the autopsy—based on a telephone call with Dallas. In addition, a rather long list of evidence contradicts this disgraceful misstatement. (See footnote 101 in my e-book.) This can only be feigned ignorance by Wagner. Furthermore, Boswell himself admitted that they knew about a bullet-related wound to the throat (i.e., not just the tracheostomy).⁸⁹ But it is even worse than that for Wagner. Richard Lipsey recalled that, during the autopsy, the pathologists speculated that a fragment had exited from the throat. This makes absolutely no sense unless they were aware of a throat wound. Furthermore, in a WC Executive Session,⁹⁰ J. Lee Rankin (General Counsel for the WC) stated: 'We have an explanation there in the autopsy [report] that probably a fragment came out the front of the neck ...' What more needs to be said?

45. Pathologists ...were the only medically trained witnesses to examine the president's body ...

RESPONSE: This is clearly false. Wagner, as usual, has forgotten the official radiologist, John Ebersole, who told me, despite being the only physician responsible for reading the X-rays, that he saw a large hole at the back of JFK's head. This can only be more deliberate ignorance by Wagner.

46. Down in the morgue, the president's casket was opened, and the autopsy began around eight P.M.

RESPONSE: This is an astounding statement, which overlooks much contrary evidence that the casket first arrived at about 6:35 P.M. Does Wagner not believe Custer and Reed that

they were en route to the radiology suite on the fourth floor (to develop X-rays) when they saw Jackie Kennedy enter the lobby around 7 P.M.? (I interviewed Custer in person and on the telephone multiple times.) Does Wagner not believe Pierre Finck, who recalled that he arrived after X-rays had already been taken—or that Humes had called Finck at 8 P.M. and told him that they already had skull X-rays (and had viewed them)?⁹¹ And if Wagner accepts only one casket entry, which one is it? And then, how does he explain away the other two? Finally, he must account for Humes's admission to the ARRB that the body arrived at about 6:45 P.M.

47. In total, O'Neill and Sibert's 302 report lists twenty-six people in the autopsy room at some point during the night.

RESPONSE: And none of them saw the 6.5 mm object on the X-rays? In his response to my first review, Wagner admits that Larry Sturdivan and I have been correct—that the 6.5 mm object was not a bullet fragment. However, he still argues that it was on the X-ray that night (as an artifact), but that none of these 26 witnesses saw it. This is sheer nonsense. Even my 5 and 7-year old children promptly identified it. I have already noted that John Ebersole, the official radiologist, abruptly curtailed our conversation as soon I asked him about this forgery.

48. After he found the fragment, Harper took it to his uncle, who happened to be a medical doctor ...

RESPONSE: Dr. Harper was not merely a doctor—he was a pathologist. Furthermore, he—and two other professional pathologists—confirmed that this Harper bone derived from the occiput, exactly where the large posterior hole existed. Of course, Wagner is reluctant to tell us what these pathologists concluded. I have spoken to one of them (Noteboom), who confirmed his initial findings. My e-book is focused mostly on this critical Harper fragment. For Wagner to minimize Dr. Harper's role (and then also to omit the other two pathologists), in such a central issue, can only have been deliberate. None of these three pathologists (Harper, Cairns, and Noteboom) is cited in Wagner's book.

49. They made paper cutouts and fit four pieces together ... such that one of the three fragments ... was shown to have adjoined the Harper fragment.

RESPONSE: Only three pieces (officially) arrived late in the autopsy. The Harper fragment was not present, but the large triangular piece (sometimes called 'delta') was present. However, it is pure inspired nonsense that these pieces fit together. Read my e-book (with images) about what an incredible misfit this proved to be.⁹²

50. Like so many aspects of this case, that four-inch error is more than a minor matter.

RESPONSE: Of course, it was not a mere error—it was a deliberate obfuscation. Even my 5 and 7-year-old children would not have missed this. It is simply not conceivable that three trained pathologists would—simultaneously—make such a shameful error on an issue that is manifestly obvious on immediate inspection. At this point, Wagner has left the universe I know.

51. The autopsy doctors simply never entertained the notion that an exit wound had been obscured by a tracheostomy.

RESPONSE: So, why did Boswell tell the HSCA that they did know about the throat wound at the autopsy?⁹³ And was my friend Robert Livingston lying when he recalled (under oath during the JAMA lawsuit) that he had told Humes about the throat wound? Was Ebersole senile when he told me about phone calls with Dallas during the autopsy? And was J. Lee Rankin fantasizing during the WC Executive Session when he noted a throat wound in the

autopsy report? Furthermore, we now know that Malcolm Perry lied to the WC—he had seen an entrance wound, as recently reported by his colleague, Donald W. Miller, Jr., MD, of the University of Washington.⁹⁴ In fact, Perry had previously told Robert Artwohl, MD, the same story.⁹⁵ We also know that nurse Audrey Bell, a close colleague of Dr. Perry, reported her conversations with him to the ARRB.⁹⁶ He had complained on Saturday morning, November 23, that he had had phone calls all night to persuade him to change his statement about the throat entry wound. Perry even initially recalled that he had spoken to Bethesda on Friday, November 22!⁹⁷ Also see my first Wagner review for threats made to Perry.

52. ...the burning of the notes was nothing nefarious.

RESPONSE: This is more mind reading by Wagner—how would he know what Humes was thinking? On the other hand, Douglas Horne has shown that three different versions of the autopsy report once existed, likely done on different dates. This is not nefarious? And, if not, why was this information deliberately kept hidden?⁹⁸

53. The FBI Director, Hoover, was interested in solving the crime.

RESPONSE: Nothing, but nothing, could be more preposterous than this statement. Many agents afterward confessed that Hoover had only one goal—which was to indict Oswald. Furthermore, Nicholas Katzenbach issued a prompt statement (within hours of the murder) to Bill Moyers: ‘The public must be satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that evidence was such that he would have been convicted at trial.’ Did Hoover fail to notice this?

54. ...the facts indicate that the Humes autopsy report was not fabricated after the fact.

RESPONSE: So, why the three different (and secret) versions—with at least one written well after that weekend? Of course, Wagner does not tell us any of this.

55. The brain was not properly examined and sectioned.

RESPONSE: That is not what John Stringer said about the brain autopsy he attended; he recalled sections!⁹⁹ And what about that report of a section of JFK’s brain at the Armed Forces Institute of Pathology?¹⁰⁰

56. ... most of the seven members of the commission had full-time jobs.

RESPONSE: This is all too reminiscent of the government’s investigation of the Challenger disaster. Perhaps solely due to the fearless and private efforts of physicist Richard Feynman, the culprit O-ring was exposed—on national television, no less. Feynman’s account of his detective adventures while in government land goes far to explain what happens when lawyers lead the charge. Feynman’s behavior was many standard deviations outside the usual government pattern—and that explains why the WC and the HSCA both failed so disastrously. It should always have been science, not consensus, but with layers of lawyers perpetually hovering about, the only target they could see was consensus.¹⁰¹ To really nail this to the church door though, think about this: Feynman—often proclaimed as the successor to Einstein—literally had to rewrite his own addendum (for the Challenger report) zillions of times before government officials found it acceptable.¹⁰² (And we know that Feynman can write just fine.) That is all you really need to know about government investigations. Naturally, the 9/11 Commission displayed the same mind-numbing mischief many times over. One thing is certain: the next government investigation (independent of political party) will surely repeat this process, which is happening even as I write. It will always be consensus—and so Wagner will always get his wish.

57. ... how could any conspirator assume that the crime could be made to look like it was the responsibility of just one shooter ... ?

RESPONSE: Here we have another logical fallacy: how does Wagner know what the goals of the conspirators were? What if they wanted the world to know that it was a conspiracy (as some have claimed)—in order to serve as a lesson to future American leaders? Their goals may well have been very different from those imagined for them—by the WC, or by researchers, or even by the media. This is simply more mind reading by Wagner. Imputing motives in this case demonstrates the logical fallacy of the argument from motives.

58. ... the medical evidence is not subject to error ...

RESPONSE: This is a truly bizarre statement, especially since Wagner admits that Boswell 'corrected' his placement of the back wound (he elevated it—years afterwards, as if his memory had improved). If Wagner here refers to the photographs and X-rays (he doesn't say), then that would be false—because both were subject to alteration in that era, which is another matter entirely. But Wagner evades the evidence for alteration, in which case his job becomes rather trivial. Here we see (again) the logical fallacy of the a priori argument, along with echoes of the false dilemma fallacy.

59. *No, a government-wide conspiracy was not responsible for President Kennedy's assassination.*

RESPONSE: 'Hoover knew that Nagell knew the CIA was planning to kill Kennedy in Washington around the end of the month. Nagell said he had secretly taped a meeting he attended in late August 1963 with three other low-level participants in the plot to kill Kennedy. He identified the three voices on the tape beside his own as those of Oswald, Angel, and 'Arcacha'—very likely Sergio Arcacha Smith.'¹⁰³ 'We have no evidence as to who in the military-industrial complex may have given the order to assassinate President Kennedy. That the order was carried out by the Central Intelligence Agency is obvious. The CIA's fingerprints are all over the crime and the events leading up to it.'¹⁰⁴ 'We know the CIA was involved, and the Mafia. We all know that.' -Richard Goodwin, former Deputy Assistant Secretary of State for Inter-American Affairs.¹⁰⁵

60. *We should remember that even after half a century, there is still no hard evidence of a conspiracy.*¹⁰⁶

RESPONSE: Well, if we take that tack, then there is still no hard evidence of Oswald's guilt either. More to the point though, here is how Gregory Henkelmann, MD (a physics major and practicing radiation oncologist for 30 years) reviewed my e-book: 'Dr. Mantik's optical density analysis is the single most important piece of scientific evidence in the JFK assassination. Unlike other evidence, optical density data are as 'theory free' as possible, as this data deals only with physical measurements. To reject alteration of the JFK skull X-rays is to reject basic physics and radiology' [emphasis added]. Since Wagner had not read my e-book he also missed this crisp summation. Moreover, if optical density (obtained directly from the extant JFK X-rays at the Archives) is not 'hard evidence' then what is?¹⁰⁷

Conclusions

Although Wagner relies heavily on many of the following evidence items, they should never be admitted into the courtroom.¹⁰⁸ Their provenance is highly questionable—or else they manifest outright corruption:

- Autopsy photographs
- Autopsy X-rays
- Oswald items (including the weapon and the Magic Bullet)

- Palm prints on the Mannlicher-Carcano¹⁰⁹
- The Zapruder film¹¹⁰

For many critics of the lone gunman theory (it is, after all, only a theory), the question of Oswald's guilt is not primary. Most of us suspect instead that US intelligence was involved (with or without Oswald), so that is why we care about this case. That also explains why Wagner's book is anathema to many knowledgeable researchers, i.e., they loathe his (probably naive) role as the currently fashionable Exculpator-in-Chief for the wayward American intelligence services of the 1960s.¹¹¹

ADDENDUM: Eighty persons and/or items missing from Wagner's book¹¹²

<i>James Jesus Angleton</i>	<i>Mary Moorman</i>
<i>John Armstrong</i>	<i>David Sanchez Morales</i>
<i>Guy Bannister</i>	<i>Jefferson Morley</i>
<i>Belmont memo</i>	<i>Marie Muchmore</i>
<i>Russ Baker (M. L. was located)</i>	<i>Richard Case Nagell</i>
<i>Richard Bissell</i>	<i>Fred Newcomb</i>
<i>Malcolm Blunt</i>	<i>Bill Newman (John was located)</i>
<i>Abraham Bolden</i>	<i>Orville Nix</i>
<i>Floyd Boring</i>	<i>Yuri Nosenko</i>
<i>Walt Brown, PhD</i>	<i>Paul O'Connor</i>
<i>Michael Chesser, MD</i>	<i>Joe O'Donnell (Kenny was located)</i>
<i>Chicago (plot)</i>	<i>Bardwell Odum</i>
<i>John Costella, PhD</i>	<i>Optical Density (OD)</i>
<i>Roger Craig</i>	<i>Michael Paine (Ruth was located)</i>
<i>Millicent Cranor</i>	<i>Vincent Palamara</i>
<i>Charles Crenshaw, MD</i>	<i>Lisa Pease</i>
<i>Dennis David</i>	<i>Gary Powers (Dave was located)</i>
<i>James DiEugenio</i>	<i>Fletcher Prouty</i>
<i>James Douglass</i>	<i>Johnny Roselli</i>
<i>John Ebersole, MD</i>	<i>Dick Russell (Richard Russell, Jr., is also absent)</i>
<i>Fabian Escalante</i>	<i>Quentin Schwinn</i>
<i>Sam Giancana</i>	<i>Peter Dale Scott</i>
<i>Robert Groden</i>	<i>Theodore Shockley</i>
<i>Larry Hancock</i>	<i>Bill Simpich</i>
<i>Drs. Harper, Cairns, and Noteboom</i>	<i>Wayne Smith</i>
<i>William King Harvey (i.e., not the medical scientist)</i>	<i>Larry Sneed</i>
<i>Richard Helms</i>	<i>Pat Speer</i>
<i>Gerry Patrick Hemming</i>	<i>John Stringer</i>
<i>E. Howard Hunt</i>	<i>Larry Sturdivan</i>
<i>John Hunt</i>	<i>David Talbot</i>
<i>James Jenkins (Dr. M.T. Jenkins was located)</i>	<i>Tampa (plot)</i>
<i>George Joannides</i>	<i>Don Thomas</i>
<i>Robert Knudsen</i>	<i>Darrell Tomlinson</i>
<i>Edward Lansdale</i>	<i>Noel Twyman</i>
<i>Meyer Lansky</i>	<i>Thomas Arthur Vallee</i>
<i>William Law</i>	<i>Jack White</i>
<i>Robert Livingston, MD</i>	<i>George Whittaker</i>
<i>JM/WAVE</i>	<i>O.P. Wright</i>
<i>Joe McBride</i>	<i>David Wrone</i>
<i>Joan Mellen</i>	
<i>Minox camera</i>	

NOTES

1. Also see Martin Hay's brilliant and caustic review at the 'Kennedys and King' website: <https://kennedysandking.com/john-f-kennedy-reviews/robert-a-wagner-the-assassination-of-jfk-perspectives-half-a-century-later>. It is unique for me to write a second review, but too much remained unsaid after the first review. Wagner's book clearly required more attention, especially since his profound mistakes are so often duplicated by the unenlightened mainstream media.
2. With deepest appreciation to Bernard Wilds, who maintains the website from the UK.
3. Associated Press, 'Law is 'Horrible,' says Darrow, 79,' *New York Times*, April 19, 1936.
4. 7HSCA263; this is volume 7, page 263 of the report of the House Select Committee on Assassinations.
5. Now in my personal files.
6. <https://www.dallasnews.com/business/business/2012/04/30/texas-appellate-courts-often-reverse-civil-jury-verdicts-study-finds>.
7. 'Death Sentences in Texas Cases Try Supreme Court's Patience,' by Adam Liptak and Ralph Blumenthal in *The Dallas Morning News*, December 5, 2004:
<http://www.nytimes.com/2004/12/05/us/death-sentences-in-texas-cases-try-supreme-courts-patience.html>.
8. Mapes broke the Abu Ghraib prison story (which won a Peabody Award) and the story of Strom Thurmond's unacknowledged biracial daughter. In 2005, she was fired from CBS (Dan Rather was later fired, too) for her role in essentially proving the misadventures of the junior George Bush while he was (occasionally) in the *National Guard*.
9. <https://www.dmagazine.com/publications/d-magazine/2016/may/henry-wade-executed-innocent-man/>. 'There is no way to know the exact wrongful conviction error rate. But several studies put the lower estimate in the 2%-5% range. In Texas, that could mean hundreds of wrongful convictions each year' (<https://www.innocencetexas.org/the-problem/>). We can only imagine the rate under Henry Wade.
10. Wade had obviously forgotten (or more likely had never learned) the *Canons of Professional Ethics*, Canon 5 (1908): 'The primary duty of the lawyer engaged in public prosecution is not to convict, but to see that justice is done.'
11. Or maybe not! 'Preliminary reports indicated more than one person was involved in the shooting.' ~ Dallas District Attorney Henry Wade (6 PM, November 22, 1963).
12. http://www.nbcnews.com/id/25917791/ns/us_news-crime_and_courts/t/after-dallas-das-death-convictions-undone/.
13. In Arthur Conan Doyle's 'The Sign of the Four,' Sherlock Holmes describes his cocaine injection as 'a seven-per-cent solution.' So, are these (frequently losing) defense attorneys hinting at cocaine use here? Or: defense lawyers in combat against Wade achieved one of the lowest acquittal rates in the country—was this about 7%?
14. Government commissions on the JFK case often used this same tactic—of ignoring contrary evidence. Wagner makes a great spectacle of claiming to correct this error, but inevitably he falls victim as well.
15. From the movie, *The Thin Blue Line* (1988, Errol Morris): 'Prosecutors in Dallas have said for years—any prosecutor can convict a guilty man. It takes a great prosecutor to convict an innocent man.' Henry Wade was District Attorney when Randall Dale Adams, the subject of this documentary film, was (wrongfully) convicted in the murder of Robert Wood, a Dallas police officer. Adams, who received no compensation (as often happens in these cases), died of a brain tumor on October 30, 2010, nine years after the death of Wade. Due to the taxpayer-supported efforts of Wade, Adams had spent twelve (unnecessary) years in prison. Despite this (and other atrocities), the Henry Wade Juvenile Justice Center was named in Wade's honor; wronged victims were not consulted about this. Mother Nature ruled differently, however; in 2000, she gave Parkinson's disease to Wade. Incidentally, one of Wade's convictions was Jack Ruby; as expected though, the appeals court also threw this one out, but Ruby died before a new trial could be held.
16. Including his three years as assistant district attorney, he asked for death sentences 30 times, and got them in 29.
17. 'The father of liberalism: Against the tyranny of the majority. John Stuart Mill's warning still resonates today,' *The Economist*, August 4, 2018 (<https://www.economist.com/schools-brief/2018/08/04/against->

- [*the-tyranny-of-the-majority*](#)). Mill favored wide exposure to ideas (contrary to today's extremes on the right and on the left), supported the vote for women, and espoused free trade, but worried that individual freedom could become more restricted under mass democracy than under the ancient despotic regimes. Mill famously referred to this as 'the tyranny of the majority.'
18. For a more recent example, read *Just Mercy: A Story of Justice and Redemption* (2014) by Bryan Stevenson. In 1983, a 23-year-old Harvard Law School student encounters a black man (who is innocent) on death row in Georgia.
 19. I have written a long critique of 'In Retrospect' (1995) by Robert McNamara. In this astonishing confessional, he essentially admits that JFK would not have gone to war in Vietnam.
 20. For the Warren Commission (WC), J. Lee Rankin (the general counsel) chose twelve lawyers to lead the investigation—but no MDs, no PhDs, no engineers, and no scientists were considered worthy.
 21. Despite persistent appeals to his landlord, orally and in print, about the nightlong ruckuses of his overhead neighbors (often just before long and critical trips for medical school interviews), the revelry persisted. Ultimately, sleeping became impossible—especially after physical threats from these neighbors—so my son moved out before his lease had expired. As a result, his landlord sued him. That is called justice in America.
 22. <https://kennedysandking.com/john-f-kennedy-reviews/mcadams-john-jfk-assassination-logic-how-to-think-about-claims-of-conspiracy-1>. Regarding fingerprints, for *Frontline* in 1993, Vincent Scalese (the HSCA fingerprint expert) offered the perfect example of misleading testimony, when he used the word, 'definitely': '... we're able for the first time to actually say that these are definitely [sic] the fingerprints of Lee Harvey Oswald and that they are on the rifle. There is no doubt about it.' To make matters even worse, John McAdams's oxymoronically titled book endorses this view even though, given the state of the literature in 2011, he should have known better: *JFK Assassination Logic: How to Think about Claims of Conspiracy*, p. 161, note 27.
 23. 'Reversing the legacy of junk science in the courtroom,' by Kelly Servick, March 7, 2016: <http://www.sciencemag.org/news/2016/03/reversing-legacy-junk-science-courtroom>.
 24. Just this week (August 23, 2018) I observed a supposed expert on a forensic television program touting his ability to identify a criminal based on his shoeprints. In fact, he had no idea of the total universe of possible footprints. Worse yet, he was oblivious to this critical fact.
 25. 'When somebody tells you, 'I think this is a match or not a match,' they ought to tell you an estimate of the statistical uncertainty about it.' ~ Constantine Gatsonis, Brown University statistician. We have seen this scenario before; for the HSCA, Robert Blakey once declared that neutron activation analysis was the 'linchpin' of the ballistic evidence against Oswald. Unfortunately for Blakey, that evidence is no even longer permitted in the courtroom.
 26. Wagner seems to cite Randy Robertson, MD, as an expert on optical density (OD). Robertson has, however, never published anything (for the lay public—or for the peer reviewed literature) about optical density, so Wagner has thereby committed a logical fallacy (citing an opinion as authoritative). The expert opinion he should seek is from physicists at Kodak. I have discussed my (fruitful) encounters with them in *Assassination Science* (1998), edited by James Fetzer. Another authority he could consult (but has not cited) is Michael Chesser, MD, who spoke at the 2015 JFK Lancer Conference, well before the 2016 publication of Wagner's book. He has corroborated my OD data on the extant JFK X-rays (while at the Archives), but Robertson has never taken even one OD measurement—despite many opportunities to do so. Furthermore, one would not expect a diagnostic radiologist to be an expert in optical density analysis; such expertise would more likely characterize a medical physicist. As obvious proof of this, none of the very many diagnostic radiologists for the government ever raised the possibility of optical density measurements (or even considered it)—and no medical physicist was ever consulted. Robertson clearly wants no part of optical density data either.
 27. Wagner, chapter 9.
 28. <http://assassinationoffjk.net/category/by-dr-michael-chesser/>.
 29. Wagner, chapter 5.
 30. John Stringer, the autopsy photographer, watched as Humes jabbed his finger into the back wound, but could not advance it very far (ARRB Testimony of July 16, 1996, pp. 191-192). James Sibert (FBI) also

- specifically recalled that pathologist Pierre Finck palpated the deep end of this wound and likewise could find no exit.
31. Warren Report (2004) p. 421. See Commission Exhibit 844 (https://www.history-matters.com/archive/jfk/wc/wcvols/wh17/pdf/WH17_CE_844.pdf).
 32. This is the logical fallacy of 'Equivocation.' Here is another curiosity from Wagner: 'I wish there was [sic] more to sink our teeth into to definitively answer this important question.' Nonetheless, Wagner concludes that, one way or another, only Oswald could have caused Tague's injury.
 33. Oddly enough, the man who found these critical fragments in the limousine (Secret Service Agent Floyd Boring) could not recall doing so! See Douglas Horne's personal interview with Boring (Inside the ARRB, Volume IV, p. 1097). Horne also recounts that Boring found a skull fragment in the follow-up car, but then the next day, Boring's memory had improved—he then recalled that he had instead found the fragment in the presidential limousine! Since Wagner relies heavily on these two limousine fragments, it is striking that Boring's name does not appear in his book. According to my Kindle, 'boring' occurs in the phrase '... that Oswald was surely no boring nine-to-fiver.' Likewise, Vincent Palamara, renowned Secret Service historian, is absent from Wagner's book. And, regarding Oswald's less than boring career, Paul Bleau shows that Oswald had either plausible, probable, or definite intelligence links to at least 64 individuals. Does that seem like more than average? See <https://kennedysandking.com/john-f-kennedy-articles/oswald-s-intelligence-connections-how-richard-schweiker-clashes-with-fake-history>. Senator Richard Schweiker (The Village Voice, 1975) had stated: 'We do know Oswald had intelligence connections. Everywhere you look with him, there are fingerprints of intelligence.'
 34. This was the House Select Committee on Assassinations (1976-1979).
 35. Wagner repeats his mantra so often that he might well be accused of the logical fallacy of confirmation bias.
 36. Bugliosi adores the a priori logical fallacy, i.e., beginning with a false premise to reach a wrong conclusion. Here is an example: 'Because we know that Oswald was the sole gunman, we know that that there were no frontal shots.' Wagner often follows his example. Bugliosi and Wagner both present ponderous, tendentious prosecutor's briefs. Where data is fundamentally irrefutable (e.g., OD data and Chesser's observations) they typically ignore or trivialize it. After all, in the face of such data, no honest approach would suffice. Bugliosi is the example par excellence: he evaded nearly all my critical observations, even though he promised his readers that he would never duck serious issues. Wagner does the same with the 6.5 mm object on the AP X-ray; he is simply unable to face the issue head on.
 37. <https://whowhatwhy.org/2017/11/13/jfk-files-new-light-oswald-mexico-city/>. Rex Bradford notes that this portion of the tape has been erased, although LBJ's conversations before and after this are still intact. Also see *JFK and the Unspeakable: Why He Died and Why It Matters* (2008) by James W. Douglass, chapter 2. Many students of the case regard this book as foundational for understanding the historical origins of the assassination—just as *The Federalist Papers* provide the backdrop for the founding of the US republic. Oddly enough, considering its central role, the book does not appear in Wagner's 'Selective Biography.' As I wrote this, Douglass's book had 730 reviews while Wagner's had 4 (counting mine). Douglass's book was endorsed by Robert F. Kennedy, Jr.; Wagner's was not.
 38. See footnote 686 in the book by James W. Douglass, who did not begin his twelve-year journey (of writing his book) as a believer in conspiracy. According to Wikipedia, he is a theologian and Catholic worker; he was formerly a professor of religion at the University of Hawaii.
 39. <https://kennedysandking.com/john-f-kennedy-articles/max-holland-says-enough>.
 40. <https://www.assassinationsscience.com/v5n1mantik.pdf>.
 41. <http://jamesfetzer.blogspot.com/2011/07/doubts-about-bugliosis-divinity-of.html> and <http://www.assassinationsscience.com/DoubtReview.pdf>.
 42. For more on (multiple) patsies in this case, see 'The Three Plots to Kill JFK,' by Paul Bleau: <https://kennedysandking.com/john-f-kennedy-articles/the-three-failed-plots-to-kill-jfk-the-historians-guide-on-how-to-research-his-assassination>. His detailed table of patsy comparisons is particularly impressive.
 43. November 22, 1963: *You Are the Jury* (1973), David W. Belin, p. 466.
 44. Preface, Wagner's book. He repeats this argument so often that it might be called the logical fallacy of 'The Big Lie Technique.'

45. https://historymatters.com/essays/jfkmed/How5Investigations/How5InvestigationsGotItWrong_1a.htm.
46. <http://www.jfklancer.com/hunt/mystery.html>.
47. <https://www.historymatters.com/essays/frameup/EvenMoreMagical/EvenMoreMagical.htm> and <https://www.youtube.com/watch?v=aJ1ecDXbkRs>. WC Exhibit 2011 (a memo) asserts that both Darrell Tomlinson and O. P. Wright told Agent Bardwell Odum that the bullet 'appears to be the same one' they found on the day of the assassination, but that neither could 'positively identify' it. On the other hand, Odum told Aguilar, 'I didn't show it to anybody at Parkland. I didn't have a bullet ... I don't think I ever saw it even.' Nonetheless, the WC relied on Exhibit 2011, so ... case closed.
48. <http://jfkfacts.org/president-ford-spoke-jfk-plot-says-former-french-president/>. I asked Ford to autograph his Oswald book for me, which he promptly did, reminding me (while he signed with his left hand) that he was the last surviving member of the WC. Perhaps I got lucky—he did not seem to recognize me.
49. <https://www.facebook.com/killjfk/posts/586489194733140>.
50. Dallas Morning News, November 6, 1969, Tom Johnson. Curry's interview is on YouTube: <https://www.youtube.com/watch?v=ImNhmLcrXi0>.
51. <https://www.dallasobserver.com/news/declassified-jfk-documents-show-show-feud-between-fbi-and-dallas-police-10015830>.
52. Even LBJ was quoted: 'I never believed that Oswald acted alone ...' He added that the government 'had been operating a damned Murder Inc. in the Caribbean': <https://www.theatlantic.com/magazine/archive/2013/08/lbj-oswald-wasnt-alone/309486/>. Despite Wagner's protests, my essay ('The Medical Evidence Decoded') in *Murder in Dealey Plaza* (2000, edited by James Fetzer) includes a long list of well-informed individuals who have believed in conspiracy. Does Wagner truly know more than each one of these individuals?
53. George Burkley's attorney, William F. Illig, told Richard A. Sprague (1977) '... that he has information in the Kennedy assassination indicating that others besides Oswald must have participated': https://www.history-matters.com/archive/jfk/hasca/numbered_files/box_23/180-10086-10295/html/180-10086-10295_0002a.htm.
54. *Reclaiming Parkland* (2013), James DiEugenio, p. 92.
55. This image (a reconstruction) appears in my e-book.
56. For his correspondence, see Justice Department Criminal Division File 62-117290-1473.
57. <http://22november1963.org.uk/lee-oswald-speech-in-alabama>.
58. As a more current example, Tiger Woods has now gone 1700+ days without a major tournament win.
59. Frazier, R.A.: *Testimony of Robert A. Frazier before the Warren Commission* (<http://mcadams.posc.mu.edu/russ/testimony/frazr1.htm>).
60. https://www.maryferrell.org/pages/Foreknowledge_of_the_Assassination.html.
61. Dr. Edisen's strange encounter occurred in April 1963, seven months before November. See *A Secret Order: Investigating the High Strangeness and Synchronicity in the JFK Assassination* (2013), H.P. Albarelli, chapter 3.
62. <https://ratical.org/ratville/JFK/Unspeakable/TwoLHOs.html#fn444>; especially see footnote 444.
63. Dallas Police Department Homicide Report on J.D. Tippit, November 22, 1963. See 'With Malice: Lee Harvey Oswald and the Murder of Officer J.D. Tippit' (2013), Dale K. Myers, p. 447.
64. Letter from Detective L.D. Stringfellow to Captain W.P. Gannaway, November 23, 1963, Dallas City Archives. See *Harvey and Lee* (2003), John Armstrong, p. 871.
65. <http://22november1963.org.uk/jfk-assassination-plot-chicago>.
66. The patsy was to be Thomas Arthur Vallee: <http://22november1963.org.uk/jfk-assassination-plot-chicago>. 'Vallee' does not appear in Wagner's book, but Vallee (like Oswald) had served at U-2 bases in Japan as well as in other covert operations in Asia. Both of their U-2 bases were prime recruitment stations for the CIA. Both men had recent intelligence connections with anti-Castro Cuban exiles. Both had relocated in the late summer and fall, and each potential scapegoat found a new job in a building overlooking an upcoming presidential motorcade route—near a dogleg turn. The registration for the New

- York license plate on Vallee's car (a 1962 Ford Falcon) at the time of his arrest was classified—restricted to U.S. intelligence agencies. In January 1995, the Secret Service promptly and deliberately destroyed all records of the Chicago plot to kill JFK—even though the ARRB had previously requested access. (See chapter 5 in the book by Jim Douglass.) This was not a random act of record destruction—as duly noted by the ARRB in their final report.
67. Gary Loucks, a former marine, first met Sam A. Kinney [Secret Service agent and driver of the follow-up limousine], in October of 1980 when he moved next door to him in Palm Springs, FL. Sam stated that he had 'no doubt that a shot came from the grassy knoll and it did happen just as many witnesses described.' He said, 'I saw it (the smoke) and heard it (the sound of the shot).' See <https://www.intellichub.com/jfk-ss-agents-deathbed-confession/>.
 68. <http://22november1963.org.uk/lee-oswald-speech-in-alabama>.
 69. <https://whowhatwhy.org/2017/10/06/navy-doctor-bullet-found-jfks-limousine-never-reported/>.
 70. *Inside the ARRB*, Douglas Horne (2009), Volume IV, p. 1107.
 71. <http://hollywood-elsewhere.com/2013/08/out-of-the-past-the-belmont-memo/>.
 72. https://www.aarclibrary.org/publib/jfk/arrb/master_med_set/pdf/md180.pdf.
 73. James Jenkins will publish his own book in October 2018: https://www.amazon.co.uk/Shoulder-History-James-Curtis-Jenkins/dp/1634242114/ref=sr_1_fkmr1_1?s=books&ie=UTF8&qid=1534799047&sr=1-1-fkmr1&keywords=Standing+at+the+cold+shoulder+of+History.
 74. <http://jamesfetzer.blogspot.com/2011/01/whos-telling-truth-clint-hill-or.html> and http://www.youtube.com/watch?v=IYpY8zI_wvA. In this video, Hill clearly describes such a late shot. Z-343 is when the FBI said that Clint Hill first placed his hand on the limousine—30 frames (nearly two seconds) after Z-313. According to the FBI, his foot did not reach the bumper until Z-368; both feet reached at Z-381.
 75. *From Man of the House*, Tip O'Neill (1987), p. 178: 'I was never one of those people who had doubts or suspicions about the Warren Commission's report on the president's death. But five years after Jack died, I was having dinner with Kenny O'Donnell and a few other people at Jimmy's Harborside Restaurant in Boston, and we got to talking about the assassination. I was surprised to hear O'Donnell say that he was sure he had heard two shots that came from behind the fence.'

'That's not what you told the Warren Commission,' I said. 'You're right,' he replied. 'I told the FBI what I had heard, but they said it couldn't have happened that way and that I must have been imagining things. So, I testified the way they wanted me to. I just didn't want to stir up any more pain and trouble for the family.'
 76. <https://www.youtube.com/watch?v=wNQeECIGSDc>. (Begin viewing Altgens at about 4:22 minutes.) Of course, neither witnesses in Dealey Plaza, nor early viewers of the Zapruder film, reported a head snap. Altgens was hardly alone in not seeing this dramatic event. Moreover, many, many witnesses reported that JFK was erect when hit. (See *Assassination Science*, p. 285, for my 1998 compilation.) The head snap only appears in later versions of the film.
 77. Before completing this second review, my critique of Nicholas Nalli appeared here: <https://kennedysandking.com/john-f-kennedy-articles/the-omissions-and-miscalculations-of-nicholas-nalli>. Figure 10 (composed by David Josephs) contains a composite image that emasculates the WC verdict of one shot to the skull. Perhaps Wagner will grasp the overt paradox when he views this. My Nalli review was a chief cause for the delay of this second review, although during that time interval I also saw way too many cancer patients.
 78. Even worse, the HSCA panel employed no experts on forged X-rays and only rather few experts on forged photographs. Unfortunately, in 1963 (the pre-digital era) there were no experts on X-ray forgery (and few experts on photographic forgery)—especially in human forensic cases. On the other hand, if Rembrandt paintings had been in doubt (or forensic documents, for that matter), the HSCA could have located many forgery experts. For example, of Rembrandt's supposed original 600 paintings, only 300 are now considered authentic. Even today as I write, my online search fails to identify forensic classes on detection of X-ray forgery, e.g., search on 'forgery of X-rays.' So, when my critics complain that I have no forensic experience in identifying forged X-rays, who exactly do they cite instead? Surely not diagnostic radiologists, who have no training (or experience) with such forgeries. In fact, some years ago, when a patient X-ray in a trauma case was questioned as a possible forgery, Cyril Wecht asked me

to visit Nebraska to view it. Surely, he would have asked someone well known in the field of X-ray forgery detection, but clearly no such experts exist. (That X-ray turned out to be authentic.)

79. <http://www.assassinationweb.com/ag6.htm>.
80. <https://www.youtube.com/watch?v=ShWMSkNwNug>. *Evalea Glanges*, MD (once the Chairperson of the Department of Surgery at John Peter Smith Hospital in Fort Worth, Texas) can be seen in the DVD, *The Men Who Killed Kennedy* (2003). In this live interview, she describes a through-and-through bullet hole in the windshield. In this same DVD, my friend, Bob Livingston, MD, also describes his telephone conversation (about the throat wound) with James Humes. The actual hole in the windshield can be seen in this same DVD: go to 'The Smoking Guns' episode, between times 14:02 and 14:04. This consists of 84 video frames. The hole is best seen with a high definition screen, via frame by frame advance. This cannot be appreciated via YouTube. Douglas Horne comments here: <https://www.lewrockwell.com/2012/06/douglas-p-horne/photographic-evidence-of-bullet-hole-in-jfk-limousine-windshield-hiding-in-plain-sight/>.
For those who still doubt, I have cited the recollections of the father of my University of Michigan Medical School roommate, i.e., JFK's limousine indeed did go to the Ford plant (where George Whittaker worked, and where he might well have seen it). For an introduction to the windshield issue, see 'The Kennedy Limousine: Dallas 1963,' by Douglas Weldon, JD, in Murder in Dealey Plaza (2000), p. 129ff. Finally, if glass shards did not cause the tiny holes in JFK's right cheek, then some other explanation must be forthcoming. What will it be?
81. Warren Report, p. 116 and 7H508. The latter is Volume 7, p. 508 of the accompanying WC volumes. Altogether about five witnesses recalled that something struck the street. One final comment about the windshield: my friend Robert Livingston, MD, while director of two NIH agencies (in Bethesda, MD) heard stories about multiple windshields being ordered—when only one replacement windshield was actually needed.
82. https://www.assassinationscience.com/JFK_Skull_X-rays.htm. For a correction, see <http://assassinationofffk.net/wp-content/uploads/2014/03/Correction-David-Mantik.pdf>. My presentation for the Mock Trial is here: <https://static2k-5f2f.kxcdn.com/images/pdf/david-mantik-houston-2017.pdf>. I discuss the three major clues to alteration of the JFK skull X-rays (typically overlooked by government investigators): The White Patch, the 6.5 mm object, and the T-shaped inscription.
83. Wagner admits to speaking to no witnesses.
84. There were three mutually exclusive casket entries—with different actors at different times. Furthermore, a Coast Guard corpsman made contemporaneous notes about a wild goose chase (several times around the hospital).
85. James Humes said, 'I don't know what that [red spot] is. It could be to me clotted blood. I don't, I just don't know what it is, but it certainly was not a wound of entrance' (7HSCA254).
86. Of course, according to J. Thornton Boswell, the occipital bone was not intact under this scalp. See Boswell's diagrams for the HSCA. John Hunt's high-resolution photographs (of Boswell's drawings on a skull) appear in my e-book (Figure 8B). So, the issue then reduces to a simple question: Which is more important for assessing damage from a bullet—the scalp or the bone? Supporters of the lone gunman, such as Wagner, persistently evade this question. In fact, of course, scalp was also missing—photographic alteration merely covered this defect, but it could not erase Boswell's recollection of missing bone—nor the absence of right occipital bone on the X-rays.
87. *High Treason II* (1989), Harrison Livingstone, p. 207.
88. HSCA rec # 180-10105-10397, agency file number # 014461, p.2.
89. *Inside the ARRB*, Douglas Horne, Volume III, Chapter 11.
90. *Whitewash IV: The Top Secret Warren Commission Transcript of the JFK Assassination* (reissued 2013), Harold Weisberg. Also see *Inside the ARRB*, Douglas Horne, Volume III, p. 865. This is also available at the Mary Farrell website (search on *Inside the ARRB: Appendices*).
91. See my e-book, *JFK's Head Wounds*.
92. *Ibid*.

93. <https://www.maryferrell.org/showDoc.html?docId=601#relPageId=1&tab=page>. Also see Horne's (confirmatory) comments in the next footnote. Boswell also confirmed their suspicion of a bullet exit via the throat wound in his ARRB testimony. Richard Lipsey, who was at the autopsy, recalled a three-shot scenario (discussed by the pathologists during the autopsy), with a bullet exiting through the throat. So, almost certainly, the pathologists were aware of the throat wound at the autopsy, although they were embarrassed to admit this.
94. <https://www.lewrockwell.com/2013/11/donald-w-miller-jr-md/jfk-thought-control-and-thought-crimes/>.
95. Gary Aguilar reports: 'On 2-14-92 an emergency room physician in Baltimore, Robert Artwohl, M.D., told an interesting tale in a 'Prodigy' on-line post: Dr. Artwohl said that he had had a private conversation with Dr. Perry in 1986 ... speaking with Dr. Perry that night, one physician to another in [sic] Dr. Perry stated he firmly believed the wound to be an entrance wound.' See <https://kennedysandking.com/obituaries/malcolm-perry-md-falls-into-the-kennedy-vortex>.
96. For a wonderful summary of the medical evidence, with sources, as compiled by Rex Bradford, see <https://www.history-matters.com/medcoverup.htm>.
97. https://history-matters.com/archive/jfk/wc/wcvols/wh3/html/WC_Vol3_0194b.htm
98. *Inside the Assassinations Review Board* (2009), Douglas Horne, Volume III, Chapter 11, 'Three Autopsy Reports—a Botched Coverup.'
99. <http://mcadams.posc.mu.edu/russ/testimony/stringer.htm>, p. 150. Finck, on the other hand, recalled no sections, which is consistent with two different brain examinations (on two different dates). In his report to General Blumberg, he specifically stated that no sections had been taken. In yet one more bizarre event, Finck complained privately that his autopsy notes had disappeared (forever) immediately afterwards. In a private conversation with Cyril Wecht, he clearly suggested that events that night were a bit surreal—the implication was that all was not quite standard operating procedure. He was, however, not forthcoming about precisely what he meant. Stringer also noted that the (extant) brain autopsy film was not the brand he had used; this is also consistent with two different brain examinations.
100. http://www.aarclibrary.org/publib/jfk/arrb/master_med_set/pdf/md260.pdf.
101. Recall those silicone breast implants and the Dow Corning bankruptcy—which was facilitated by our 'justice' system. Dow Corning ended up in bankruptcy for nine years, ending in June 2004. Eventually, several independent reviews (fortunately not managed by lawyers) showed that silicone breast implants do not cause breast cancers—or any identifiable systemic diseases. This scientific result led to a great loss of income for these lawyers.
102. https://motherboard.vice.com/en_us/article/nz7byb/the-challenger-disasters-minority-report. See *What Do You Care What Other People Think?* (1988) by Richard Feynman, who wrote from the perspective of science and engineering, while the Rogers Commission wanted a (much more favorable) political conclusion. William P. Rogers, the chairman, concluded that Feynman, for telling the truth, had become 'a real pain in the ass.'
103. Richard Case Nagell had been a US counterintelligence officer from 1955 to 1959. Oswald's path converged with Nagell's in Tokyo, where both worked in an operation code named 'Hidell.' In 1963, Nagell worked with Soviet intelligence in Mexico City. (See chapter 4 in the book by Jim Douglass.) On October 31, 1995, the ARRB mailed Nagell a letter from Washington, DC, seeking access to documents about the JFK conspiracy. The very next day (November 1, 1995) Nagell was found dead in the bathroom of his Los Angeles house. For more about Nagell (and his remarkable parallels with Oswald), see *The Man Who Knew Too Much* (1992), by Dick Russell (i.e., not Richard Russell, Jr., the WC member).
104. Douglass (2008), Chapter 4.
105. *Brothers* (2007) by David Talbot, p. 303.
106. Major Ralph P. Ganis has just published *The Skorzeny Papers: Evidence for the Plot to Kill JFK* (2018), in which he identifies Otto Skorzeny as the long-mysterious CIA operative QJ/WIN. The latter was identified by the top-secret CIA Inspector General's Report as the 'principle asset' in the CIA's assassination program ZR/RIFLE. Skorzeny was Hitler's Chief of Special Forces; in that role, he often consulted directly with Hitler. At Hitler's request, he led the famous rescue of Mussolini after 'Il Duce' was deposed. After the war, he offered his services to the US. President Eisenhower was so impressed that he kept Skorzeny's photograph on his White House desk. Ganis reports: 'William Harvey and

James Angleton [both counterintelligence experts] wove Otto Skorzeny into their tangled web ...' Allen Dulles and John J. McCloy (both WC members) helped Skorzeny establish his secret network. Ganis also shows that the OAS assassin, Jean Rene Souetre (most likely the leader of the nearly successful assassination of DeGaulle), worked as one of Skorzeny's trainers. (Since his earliest days in the Senate, JFK was publicly and passionately in favor of Algerian independence, which made him a natural enemy of the OAS.) In March-April 1963, Souetre met with E. Howard Hunt in Madrid, which was Skorzeny's home base. In April-May 1963, Souetre probably met with Gen. Edwin Walker in Dallas. According to a May 1963 memo from CIA Deputy Director for Plans (Richard Helms), Souetre approached the CIA as the OAS 'coordinator of external affairs.' It has been reported that Souetre met with William King Harvey at Plantation Key, Florida some months before JFK was killed. Credible sources suggest that Souetre trained that summer with Alpha 66, in which Antonio Veciana and David Phillips were both active. Finally, Souetre was apparently in Dallas during the main event and (per a dentist, Dr. Lawrence Alderson) was promptly deported by the FBI via private plane to Canada or Mexico. Ganis also demonstrates that the person who met with Thomas Eli Davis (who often used the alias 'Oswald') a few weeks before November 22 was Skorzeny's business partner. And the man who assisted Davis's escape from a North African prison was QJ/WIN (i.e., quite possibly Skorzeny himself). For a brief biography of Davis (and his gun-running connection to Jack Ruby) see <http://spartacus-educational.com/JFKdavis.htm>. For a judge's recent refusal to release CIA records on Souetre, see <https://www.courthousenews.com/cia-need-not-release-files-on-kennedy-assassinations/>.

107. For the history of optical density as a science, see Appendix 10 in my review of John McAdams: <https://kennedysandking.com/john-f-kennedy-reviews/mcadams-john-jfk-assassination-logic-how-to-think-about-claims-of-conspiracy-1>
108. 'Most JFK Medical Evidence Would Not Be Admissible at Trial,' by Douglas P. Horne: <http://assassinationoffjk.net/most-jfk-medical-evidence-would-not-be-admissible-at-trial-doug-horne/>.
109. When the FBI asked Dallas Police Lt. J. C. Day to sign a statement about finding this palm print (on the Mannlicher-Carcano), he refused to do so (26H289). Day would not even claim that this palm print dated to November 22, 1963. In fact, he labeled it an 'old dry print' that 'had been on the gun several weeks or months' (26H831 and Conspiracy (1980), Anthony Summers, p. 54). No matter, Wagner relies heavily on this print. So did Vincent Scalese.
110. Among the throng of suspicions about an altered Zapruder film, audio interviews from 1971 by Fred Newcomb (with four motorcycle men near JFK during the motorcade) report specific events no longer seen in the extant film: <http://jamesfetzner.blogspot.com/2015/09/jfk-escort-officers-speak-fred-newcomb.html>. Also see *Murder from Within: Lyndon Johnson's Plot Against President Kennedy* (originally 1974), by Fred Newcomb.
111. That the CIA was indeed ill-disciplined, reckless, and habitually ineffective is documented extensively in *Legacy of Ashes* (2008) by Timothy Weiner. Also see *Secrecy and Democracy* (1985) by Stansfield Turner, former CIA director (under Jimmy Carter). The case of Oswald's would-be acquirer, Yuri Nosenko, as well as Nosenko's amoral and enigmatic accuser, James Jesus Angleton, are highlighted by Turner. Despite Angleton's unrelenting and ruthless punishment of Nosenko (three years of solitary confinement), in the end Nosenko was formally acknowledged to be a genuine defector, and was released (with financial compensation) from the CIA. Despite Angleton's suspicions, Nosenko always claimed that the Soviets never tried to recruit Oswald.
112. This is based on my Kindle searches. Wagner's book contains a reading list and footnotes, but no index.