

June 19, 1996

John Gregory Lambros
Reg. No. 00436-124
P.O. Box 1000
Leavenworth, Kansas 66048-1000
Web site: <http://members.aol/BrazilByct>

U.S. Assistant Attorney Douglas Ray Peterson
District of Minnesota
U.S. federal Courthouse
316 North Robert Street
St. Paul, Minnesota 55101-1460
U.S. Certified Mail No. P-076-327-027

RE: ADDENDUM TO JUNE 19, 1996 LETTER TO U.S. ASSISTANT ATTORNEY
DOUGLAS RAY PETERSON REGARDING SUBPOENA OF MARGARET MURPHY,
CRIMINAL FILE NO. CR-4-89-82.

Dear Douglas Ray Peterson:

COMPULSORY PROCESS

May I suggest that you review the definition and case cites
offered under COMPULSORY PROCESS, pages 1243 thru 1248 within
THE GEORGETOWN LAW JOURNAL, vol. 84, number 4, April 1996,
twenty-fifth annual review of criminal procedure.

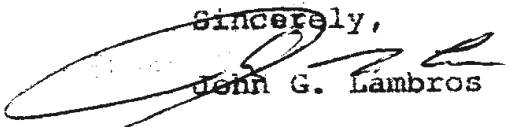
Of particular interest are the following case cited:

U.S. vs. SIMPSON, 992 F.2d 1224, 1230 (D.C. Cir.) (compulsory
process violated when court refused to aid defendant in securing
witness who allegedly would have provided exculpatory testimony),
cert. denied, 114 S. Ct. 286 (1993)

U.S. vs. KING, 762 F.2d 232, 235 (2nd Cir. 1985)(compulsory
process not violated when court denied motion for continuance
to permit defense witness to testify because defendant made neither
timely request for witness's production nor "eleventh hour"
request for witness's production on expedited basis), cert. denied,
475 U.S. 1018 (1986).

Please note that that Lambros made timely request for the appearance
of Margaret Murphy as Judge Murphy issued the subpoena on an
expedited bases "eleventh hour" request. Thus the court violated
compulsory process.

Sincerely,


John G. Lambros

C:
18 persons listed in attached letter
Web site release

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Reg. No. 00436-124
USP Leavenworth
P.O. Box 1000
Leavenworth, Kansas 66048-1000
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U.S. Assistant Attorney Douglas Ray Peterson
District of Minnesota
U.S. Federal Courthouse
316 North Robert Street
St. Paul, Minnesota 55101-1460
U.S. Certified Mail No. P-076-327-027

RE: SUBPOENA OF MARGARET MURPHY, U.S. DEPARTMENT OF STATE EMPLOYEE
FOR RE-SENTENCING HEARING OF JOHN GREGORY LAMBROS, CRIMINAL
FILE NO. CR-4-89-82.

Dear Douglas Ray Peterson:

Upon review of my documents, inmates have discovered that the Subpoena issued by Judge Murphy for the appearance of MARGARET MURPHY, United States Consul General for the American Embassy in Brasilia, Brazil which ORDERED her appearance and commanded Murphy to bring any and all records relating to John Gregory Lambros to Courtroom no. 3, on January 14, 1993, 9:00 a.m., at 234 U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minnesota 55401, so she could testify at my trial in the above-entitled case as to my forced implantation and torture in Brazil, was never enforced, even though she received the SUBPOENA on January 11, 1993. As you know, Margaret Murphy never testified at my trial or provided any records relating to John Gregory Lambros.

It is my understanding that it is normal procedure to stop a trial and request the U.S. Marshals to secure any individual that has been SUBPOENAED to testify in same. Title 28 U.S.C. §1826 provides:

(a) Whenever a witness in any proceeding before or ancillary to any court or grand jury of the United States refuses without just cause shown to comply with an order of the court to testify or provide other information, including any book, paper, documents, records, recordings or other material, the court, upon such refusal, or when such refusal is duly brought to its attention, may summarily order his confinement at a suitable place until such time as the witness is willing to give such testimony or provide such information. ...

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Lambros letter to U.S. Assistant Attorney Douglas Ray Peterson
RE: CRIMINAL FILE NO. CR-4-89-82

A reasonable investigation would show that you, Attorney Charles Faulkner and Judge Murphy manipulated the judicial process under an ABUSE OF DISCRETION STANDARD. The phrase, "abuse of Discretion", is generally regarded as a "definite and firm conviction that the court below committed a clear error of judgement in the conclusion it reached upon a weighing of the relevant factors." HOLMES vs. CITY OF MASSILLON, OHIO, 78 F.3d 1041, 1045 (6th Cir. 1996).

The above phrase "abuse of discretion" is also enforced as to your inactions in following Title 18 U.S.C. § 401:

A court of the United States shall have power to punish by fine or imprisonment, at its discretion, such CONTEMPT of its authority, and none other as,
(1) Misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice;
(2) Misbehavior of any of its officers in their official transactions;
(3) Disobedience or resistance to its lawful writ, process, order, rule, decree, or COMMAND.

One only has to review CHAMBERS vs. NASCO, INC., 501 US 32, 115 L Ed 2d 27, 111 S Ct 2123, for a clear understanding of the direct action and delegation, Congress has exercised in constitutional prerogatives to provide district courts with a comprehensive arsenal of Federal Rules and statutes to protect themselves from abuse, Id. 115 L Ed 2d 56. Within the arsenal is 18 U.S.C. §401, a court can punish contempt of its authority, including disobedience of its authority, including disobedience of its process, by fine or imprisonment.

The Supreme Court in CHAMBERS clearly shows that the non-actions by you, Attorney Charles Faulkner and Judge Murphy in not stopping my trial until Margaret Murphy could be found and brought to testify and imposing criminal contempt citation against her for disobedience, which is imprisonment for a definite period of time, is a clear exercise of inherent authority, in which the Supreme Court limits.

Justice White stated in CHAMBERS, 115 L Ed 2d 59:

...the Court ignores the commands of the Federal Rules of Civil Procedure, which support the conclusion that a court should rely on rules, and not inherent powers, whenever possible. Like the Federal Rules of Criminal Procedure

2.

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the Federal Rules of Civil Procedure are "as binding as any statute duly enacted by Congress, and federal courts have no more discretion to disregard the Rule[s]' mandate than they do to disregard constitutional or statutory provisions." BANK OF NOVA SCOTIA vs. UNITED STATES, 101 L Ed 2d 228, 108 S Ct 2369. See also Fed Rules Civ Proc 1 (Federal Rules GOVERN the procedure in the United States district courts in ALL suits of a civil nature.

CHAMBERS, Id at 59:

The rules themselves thus reject the contention that they may be discarded in a court's discretion.

CHAMBERS, Id at 60:

These definite standards give litigants notice of proscribed conduct and make possible meaningful review for misuse of discretion - review which focuses on the misapplication of legal standards. COOTER & GELL vs. HARTMARX CORP., 110 L Ed 2d 359, 110 S Ct 2447 (misuse of discretion standard does "not preclude the appellate court's correction of a district court's legal errors").

By not exposing the jury to the facts that I was tortured and forcibly implanted with brain control implants while being held at the U.S. contract holding facility at the Brazilian Federal Police Station in Brasilia, Brazil, within the "DEPATTERNING CELL/ROOM" that was constructed by the U.S. Army Corps of Engineers in the late 1960's, all of which U.S. Department of State employee Consul General for the American Embassy in Brasilia, Brazil, MARGARET MURPHY, would of testified to on the stand under oath, which is evidence, deprives John Gregory Lambros of his SIXTH AMENDMENT RIGHTS to confrontation, cross-examination, and assistance of counsel. LAWSON vs. BORG, 60 F3d 608 (9th Cir. 1995)

REQUEST TO HAVE MARGARET MURPHY DISCLOSE INFORMATION
AND TESTIFY AT LAMBROS' RESENTENCING.

I am requesting U.S. Assistant Attorney Douglas Ray Peterson, Attorney Colia Ceisel and the Court to issue a SUBPOENA for MARGARET MURPHY to disclose all information under her control as to the arrest,

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investigation, visits, holding facilities, hearings, laws of Brazil and any and all records relating to John Gregory Lambros. Also I demanding the reasons why Murphy disobeyed Judge Murphy's January 11, 1993 SUBPOENA and any and all records, conversations, telephone calls, faxes and records regarding the reasons Murphy refused to testify at the criminal trial of John Gregory Lambros on January 14, 1993.

Under BRADY vs. MARYLAND, 373 U.S. 83 (1963), the Supreme Court held that the Government is REQUIRED to disclose evidence favorable to an accused UPON REQUEST where the evidence is material to guilt or punishment, id. at 87. Under BRADY, exculpatory evidence cannot be kept out of hands of defense just because PROSECUTOR does not have it, where INVESTIGATING AGENCY DOES, U.S. vs. ZUNO-ARCE, 44 F3d 1420 (9th Cir. 1995). The U.S. Department of State was the investigating agency as to the torture and forced implantion I received in Brasilia, Brazil and MARGARET MURPHY was the person in charge and visited me as to same.

BRADY requirements that government disclose exculpatory evidence also applies at sentencing, U.S. vs. SEVERSON, 3 F3d 1005 (7th Cir. 1993).

MARGARET MURPHY will also be able to testify as to why the U.S. Department of State and U.S. Department of Justice have approved contract holding facilities in Rio de Janeiro and Brasilia, Brazil, where Lambros was held, that violate the EIGHTH AMENDMENT to the U.S. Constitution in exposing U.S. Citizens to vermin, contaminated drinking water and no toilets, etc., that results in a condition of confinement more bestial than human. Also Murphy will gladly state the reasons why I was forceably taken from Rio de Janeiro, Brazil to the documented torture interigation center at the Brazilian Federal Police Station in Brasilia, Brazil without a BAIL HEARING or PAROLE REVOCATION HEARING.

MATERIAL WITNESS WARRANT FOR THE ARREST OF
MARGARET MURPHY

I am requesting U.S. Assistant Attorney Douglas Ray Peterson, Attorney Colia Ceisel and the Court to issue a MATERIAL WITNESS WARRANT FOR THE ARREST OF MARGARET MURPHY. The above sworn information and transcripts in the criminal trial of John G. Lambros is proof and showing that MARGARET MURPHY actually disobeyed a subpoena, which is not a prerequisite to issuance of a material witness warrant.

A material witness warrant must be based on probable cause which

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is met in the securing of MARGARET MURPHY in testifying at the RE-SENTENCING of John G. Lambros. U.S. vs. COLDWELL, 496 F. Supp. 305 (1979) (material witness warrant must be based on probable cause, which is met by two criteria: that testimony of a person is material and that it may become impracticable to secure his/her presence by subpoenas). You may also like to review U.S. vs. FEINGOLD, 416 F. Supp. 627 (1976).

Once MARGARET MURPHY has been taken into custody, she, of course, will be entitled to present additional information to U.S. Assistant Attorney Douglas Ray Peterson, Attorney Colia Ceisel, John Gregory Lambros and the Court during RE-SENTENCING of John G. Lambros.

It is unfortunate that a U.S. Department of State, Counsel General exhibits such obvious unwillingness to cooperate with the U.S. Government and Brazil into the torture and forced implantation of John G. Lambros.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. Title 28 §1746.

EXECUTED ON JUNE 19, 1996.

Sincerely,

John Gregory Lambros

ENCLOSURE:

1. Page 99, U.S. Department of State Releases, UNITED STATES DISTRICT COURT OF MINNESOTA, U.S. vs. LAMBROS, 3-89-82(5) SUBPOENA to Margaret Murphy, Counsel General, American Embassy Brasilia. Date stamped on January 11, 1993 by American Embassy Consular Section.

c:

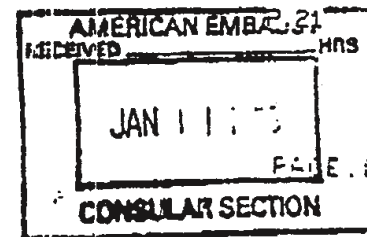
1. Clerk of the Court, District of Minnesota, U.S. Federal Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101-1460. U.S. Certified Mail No. P-076-327-511
2. Attorney Colia F. Ceisel, Suite 500, Minnesota Building, 46 East 4th Street, St. Paul, Minnesota 55101
3. Margaret Murphy, c/o U.S. DEPARTMENT OF STATE, 22nd D. Street, N.W., Washington, D.C. 20520

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4. U.S. Senator Jesse Helms and the Foreign Relations Committee, United States Senate, Dirksen Building, Room 403, Washington, D.C. 20510. U.S. Certified Mail No. P-076-327-515. For the ongoing inquiry as to the torture and forced implantation of John G. Lambros
5. Medical Information Bureau (MIB), TRW Credit Information Services, Equifax Information Services Center, Trans Union.
6. His Eminence Arch Bishop Iakovos, 10 East 79th Street, New York, NY 11021
7. Greek Churches in Minnesota and other states.
8. Attorneys
9. Human Rights Groups
10. Warren Christopher, Secretary of State, U.S. Department of Justice, 22nd D. Street, N.W., Washington, D.C. 20520.
11. Attorney Stephen Jones, P.O. Box 472, Enid, Oklahoma 73702
ATTN: COURT EXHIBIT in the prosecution of TIMOTHY McVEIGH.
12. Jane's Information Group, 17310 Redhill Avenue, Suite 370, Irvine, CA 92714.
13. Arthur E. Green, Director, WASHINGTON FOREIGN PRESS CENTER, 898 NATIONAL PRESS BUILDING, 529 - 14th Street, N.W., Washington, D.C. 20045, E-Mail: green@usia.gov
14. President of Brazil Fernando Henrique Cardoso, c/o Ambassador of Brazil USA, 3006 Massachusetts Avenue, N.W., Washington, D.C. 20008
15. Robert Naeslund, GRUPPEN, Box 136, 114-79, Stockholm, Sweden.
16. BRIAN WRONG, (implant victim to be used in court documents) c/o Editor Maitefa Angaza, THE CITY SUN NEWSPAPER, P.O. Box 020560, Brooklyn, New York 11202
17. U.S. Attorney for the District of Colorado, U.S. Federal Courthouse, 1929 Stout Street, Denver, Colorado 80294.
ATTN: TO BE USED AS AN EXHIBIT IN THE PROSECUTION AND TRIAL OF TIMOTHY McVeigh.
18. POSTING ON MY WEB SITE: <http://members.aol/BrazilByct>



JAN 11 '93 12:00 FROM US ATTORNEY'S OFFICE

AP 89 (Rev. 11/91) Subpoena in a Criminal Case

United States District Court

STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

JOHN GREGORY LAMBROS

SUBPOENA IN A
CRIMINAL CASE

CASE NUMBER Cr. No. 3-89-82(5)

TO: Margaret Murphy
Consul General
American Embassy Brasilia

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE	COURTROOM
234 U.S. Courthouse 110 South Fourth Street Minneapolis, MN 55401	No. 3
	DATE AND TIME
	January 14, 1993 9:00 a.m.

☒ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Any and all records relating to John Lambros.

00099

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

(By) Deputy Clerk

January 11, 1993