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Re: Brett Kavanaugh participation in FBI murder cover-up

Dear Ladies and Gentlemen:

Unites States Supreme Court Justice Brett Kavanaugh played a significant role in covering up the 1993 murder of Deputy White House Counsel Vincent W. Foster.

The proof of this accusation appears in the record in two Courts, the Special Division of the United States Court of Appeals for DC Circuit, and the United States Supreme Court. The proof also appears in taped interviews, and memoranda, of U.S. Attorney Miguel Rodriguez, who served as Kenneth Starr's prosecutor in the Foster death probe from March of 1994 until his resignation in December of 1995. Rodriguez refused to participate in the FBI's murder cover-up. Starr replaced Rodriguez with Kavanaugh.

In the Special Division of the U.S. Court of Appeals, in 1997, the three judge panel ordered Starr to include as an Appendix to Kavanaugh's 114-page *Report on the Death of Vincent Foster, Jr.*, twenty pages that I wrote on behalf of my client, Whitewater grand jury target Patrick Knowlton. That Appendix alleges five aspects of the murder cover-up, and attaches 25 federal investigative records as proof.

In the U.S. Supreme Court, volume two of Patrick Knowlton's *Petition for Writ of Mandamus Appendix* is a 540-page analysis the Independent Counsel's report. It compares Kavanaugh's version of the facts to 184 underlying investigative records, and demonstrates that Kavanaugh's report contains evidence of cover-up on virtually every page.

As a preliminary matter, I summarize the true facts of the case. On July 20, 1993, shortly after 1:00 p.m., Mr. Foster left the White House. He did not leave in his own car.¹ He travelled to Fort Marcy Park, where, between 2:15 and 4:15 p.m., he was shot in the neck with a small caliber revolver.² The bullet was a "reload," with a light powder charge, used to minimize "blowback" onto the shooter. The bullet remained in Foster's head.³ When the revolver was fired, Foster's hands were in a

¹ *Petition for Writ of Mandamus Appendix* ("Appendix") (<http://fbicover-up.com/ewExternalFiles/BOOK.pdf>) at 394, quoting FBI testimony of "no records" of cars in or out of White House.

² *See, e.g., id.* at 162, testimony of paramedic:

Q. Let me ask you this: If I told you that there was no gunshot wound in the neck, would that change your view as to whether it was a suicide or not?

A. No. What I saw is what I saw. I saw blood all over the right side of the neck, from here down, all over the shoulder, and I saw a small—what appeared to be a small gunshot wound here near the jawline. Fine, whether the coroner's report says that or not, fine. I know what I saw.

See also, or listen, taped telephone Miguel Rodriquez (<http://fbicover-up.com/miguel-rodriquez.html>):

Both EMT's—you remember when you have a, a emergency and you call the fire department they will send their normal crew and each crew may have an EMT with them, ah, with a specially trained fire department person. Both EMT's that responded to the Park both observed trauma to the neck. While Arthur remained clear on it despite the FBI's attempt to shake him, the other one was confused by the FBI and kept saying what he saw but they kept writing it a different way. I saw pictures that clearly indicate to me that there is trauma on the neck. I believe it's a puncture wound on the neck

³ *See Appendix Chapter VI, Evidence that the OIC Covered up the Absence of the Official Mouth Entrance Wound & Head Exit Wound, and the Existence of a Neck Wound*, at 155-235. "Fifteen of the twenty-one witnesses who observed Mr. Foster's body at the park saw blood consistent with there being a wound in the right side of the neck." *Id.* at 202.

defensive position, pushing the weapon away.⁴

When Fairfax County received the dead body call (from a caller whose identity is still unknown⁵), the body had not been prepared for its official discovery. The assailants placed U.S. Park Police Officer Keven Fornshill's Glock in Foster's hand,⁶ and Fornshill returned to the parking lot, where he met with the nine Fairfax County Fire and Rescue ("Paramedics"), who arrived at 6:10 p.m. Fornshill directed that the nine Paramedics split up into teams and "search" different areas of the park. Fornshill himself joined paramedics Todd Hall and George Gonzalez, feigned to lead that search into a secluded area 700 feet into the park, directed Hall and Gonzalez to the left, went to the right, whereupon Fornshill "discovered" the body.⁷

The corpse was still not ready for its official discovery: Hall saw someone running away from the crime scene,⁸ the small caliber entrance wound was visible on the neck, and Foster's eyeglasses with gunpowder on them were far away from the body. And neither Foster's car,⁹ nor his car keys, were in the Park.

⁴ *Id.*, *Impossibility of Gunshot Residue Patterns on Hands by Self-inflicted Wound*, 252-259. Drawings at 253, 255, 257. At 256:

When the shot was fired, the web between his right thumb and index finger, and both of his index fingers, were in the gunshot residue trajectory of the cylinder-blast from the cylinder-barrel gap—and that puts the right thumb too far away from the trigger to have pulled it. It would have been impossible for Mr. Foster's right thumb to reach the trigger at the same time as his right thumb-index finger web was in the trajectory of the GSR from the cylinder-blast.

⁵ *Id.* 62-75.

⁶ *Id.* 264-278, *Guns at the Park*.

⁷ *Id.* 75-118, *Authorities Arrive at the Scene*.

⁸ December 1994 Miguel Rodriguez Memorandum re "November 29, 1994 Meeting Concerning Foster Death Matter And Supplemental Investigation Prior to Grand Jury" (<http://fbicover-up.com/ewExternalFiles/MiguelRodriguezMemo.pdf>), at 17:

Hall saw and heard a person in orange moving swiftly away behind bushes on the maintenance path/road immediately below the berm and corpse.

⁹ *See Appendix 292-371, Evidence Contradicting the Official Claim that Mr. Foster Drove to the Park*. *See, e.g.*, witness accounts of men in and around Arkansas Honda, *Id.* 333.

At 6:22 p.m., Park Police Officer Franz Ferstl joined Fornshill and four paramedics at the crime scene. Ferstl laid down crime scene tape and took seven Polaroid photographs. At 6:25 p.m., Park Police Sergeant Robert Edwards arrived at the park, proceeded to the body site, ordered Fornshill to return to his post at the CIA vehicle entrance just over a mile away, and, after taking possession of Ferstl's Polaroids, ordered him to return to the parking lot.¹⁰

Edwards was alone with the body for over 15 minutes.¹¹ During that time, he replaced the Glock that had been placed in Foster's hand with an untraceable .38 caliber revolver, and, to camouflage the existence of the neck entrance wound and the blood that had emanated from it, moved Mr. Foster's head to the right side, causing blood to flow out of the mouth onto and over the neck wound and collar.¹² He then re-photographed the corpse, and withheld Ferstl's photos.¹³

Fornshill, who had been at the crime scene for the first 10 minutes, claimed not to have seen the gun. The Park Police never interviewed Fornshill. The Park Police never interviewed Edwards.

All told, over the next two hours, nine Paramedics, and up to 13 Park Police, would view the body at the Park. Park Police Special Forces Branch, which handles special requests from the White House, were among them, arriving before the White House claims to have been notified.¹⁴

Also listen 26-minute taped telephone interview with Kavanaugh discussing official position of Foster's car at park, at <http://fbicover-up.com/justice-brett-kavanaugh.html>, including admission, "Well it all comes down to that brown car issue, right? Ah, all the police and medical personnel that were in the park also described it as brown."

¹⁰ *Appendix at 92. "When the timetable is compared to witness accounts of the state of the body, it proves that the body was tampered with, and by whom." Id. at 79.*

¹¹ *Appendix 92-98.*

¹² *Appendix 99, 211-235.*

¹³ *Appendix 130-154, Evidence that the OIC Concealed the Disappearance of Photographs.*

¹⁴ Miquel Rodriquez resignation letter (<http://fbicover-up.com/ewExternalFiles/Miquel%20resignation%20ltr.pdf>):

[P]rior to discovery of Foster's identity, persons with USPP Special Forces Branch experience and association were present at Ft. Marcy Park (the USPP Special Forces Branch handled special requests from the White House).

See also Appendix 122-130, Evidence of Knowledge of the Death before Official Time of Notification.

A Paramedic report coded the death a homicide,¹⁵ and the Medical Examiner's report was altered.¹⁶

By the time police arrived to witness the autopsy, Dr. Beyer and his assistant had removed the soft palate, and the brain. Beyer refused to identify his assistant to the Park Police. The X-rays vanished. The lab could find no trace of the gunpowder on the slides of the official mouth entrance wound that Beyer had reported could be seen with the naked eye. Beyer remained unaware of the caliber of the weapon, or even whether it had been recovered from the victim's hand.¹⁷

Kavanagh's report on the death conceals all of these facts.

If we had known that Rodriquez had spent many hours trying to get the press to reveal the cover-up,¹⁸ we would not have personally approached so many

¹⁵ *Id.* at 180.

¹⁶ *See* Report of Investigation of Medical Examiner, under "Cause of Death," word "neck" removed. Reproduced *Appendix* at 160.

¹⁷ *Id.* 182-202, *The Autopsy*.

¹⁸ *Listen* taped telephone Miguel Rodriquez (<http://fbicover-up.com/miguel-rodriguez.html>):

I have talked to a number of people that—you know, from Time Magazine, Newsweek, Nightline, the New York Times, Boston Globe, the Atlanta whatever, um, you know there have been well over a hundred, and this—this matter is so sealed tight um, and, the reporters are all genuinely interested but the ah, the ah, um—reporters are genuinely interested but the ah—when they start to get excited and they've got a story and they're ready to go, the editors—and they—I've gotten calls back, I've gotten calls back from all kinds of magazines worldwide, what the hell's wrong, why can't, you know, you were telling me that you, you didn't think this would go anywhere and sure enough I wrote the stories.

They [reporters] went to all the trouble of writing, and then it got killed. Again, I spent six hours with [Steve] Labaton, and I know the guy knows [and] I know the New York Times has it and just won't do anything about it. Reporters that I've spent a lot of time with called me back and said the editors won't allow it to go to press. The accepted media here has always had a certain take on all of this. And there's been story lines from the get-go.

journalists.¹⁹ While the news media publicizes that there have been five separate official investigations into the death, there was only one,²⁰ conducted by the FBI, for four years, under the auspices of Park Police and Independent Counsels. Throughout this time, the press published that the death was to be ruled a suicide. It was the longest sustained press leak in U.S. history.

A number of members of Congress have been fully apprised.²¹

¹⁹ See <http://fbicover-up.com/sidney-blumenthal.html> for responses of George Will, Fred Barnes, Tim Russert, James Stewart, Haynes Johnson, Ted Gest, James Whalen, Paul Gigot, Michael Barone, Jerry Seper, George Archibald, Eugene Meyer, Karen Ballard, William Kristol, Candy Crowley, Kwame Holman, Peter Kenyon, Carl Stern, Michael McCurry, Marlin Fitzwater, Charles Bierbauer, Cokie Roberts, Paul Harvey, Mike Wallace, Tom Sherwood, Michael Isikoff, Martha Malan, John Crudele, Steve Labaton, Bob Zelnick, Harold Hostetler, Sam Fullwood, Sanford Ungar, Brent Bozell, Karen DeYoung, Bill Plante, Matt Drudge, Frank Sesno. See, e.g., Helen Thomas, October 7, 1998, "This should be reported to the American people;" April 9, 1999, regarding "I gave you the Addendum to Starr's report and you said then that his story should be reported," answering, "It is very unfair of you to do this to me. Just forget it."

²⁰ See court-ordered 20-page Appendix to *Report on the Death of Vincent Foster, Jr.* (<http://fbicover-up.com/ewExternalFiles/Purdue%20University%20Vol.2.pdf>), note 8 at 6:

There have been no other official investigations. The 1994 Senate Banking committee was precluded by the limited scope of Resolution 229 from independently exploring of the issue of how or where Mr. Foster died ("whether improper conduct occurred regarding the Park Service Police investigation into the death ..."). Mr. Clinger did not investigate and Senator D'Amato's Committee did not explored these issues.

²¹ See, e.g., August 31, 2018 hand-delivered letter to Senate Judiciary Committee, attaching (1) Court-ordered Appendix, (2) U.S. Attorney Miguel Rodriquez resignation letter, (3) Rodriquez 30-page memorandum, (4) Rodriquez telephone transcripts, and (5) facsimile from Kavanaugh: "WE HAVE BIG PROBLEMS WITH MIGUEL'S LEAKS." <http://fbicover-up.com/ewExternalFiles/Brett.JudiciaryCommittee.4.pdf>.

See also Appendix at 510-516, correspondence from Dana Rahrabacher, Barney Frank, John D. Rockefeller, Kay Bailey Hutchinson, Paul Coverdale, Eleanor Holms Norton, Daniel Inouye.

The murder and ensuing cover-up is obvious. The proof is publicly available. "Unexplained deaths have been a source of fascination for thousands of years, across the globe," but not inside the Beltway, yet.

Hugh Turley's view of the matter:

I'm sure I've made some enemies by doing what I've done, because I'm dealing with people who are covering up a murder. People who cover up a murder are not very nice people. I don't think about it a lot, but I'm sure there is some risk involved. But given the choice of uncovering the murder, and helping Patrick, and taking that risk, I'd rather do that than just go along. I don't want to go along with murder. And I don't want to go along with lies. I don't want to go along with the press which is not truthful, and just pretend that it's okay. I know too much now to turn around and go back. I couldn't live a life that is false.

<https://youtu.be/eii7LBSziSM>

This letter is submitted on behalf of Patrick Knowlton, Hugh Turley, and the rest of the American people. Kindly acknowledge receipt.

Sincerely,

John H. Clarke

cc: Patrick Knowlton
Hugh Turley