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10/15/24

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Re: Reconsideration of Dr. James H. Fetzer's request to make a presentation titled  
"What's Wrong with Conspiracy Theories?" at the 1962 Scholars Lecture Series.

Mr. Dunn,

I was asked by Dr. Fetzer to send you my recommendation for reconsideration based upon the information I know about a lawsuit he has been in since 2018. I am glad and honored to do so. I have written the only book about his treatment in the Wisconsin court system and his discoveries concerning how the US Supreme Court dispenses with the guaranteed rights of the US Constitution. The title of my book is *Judicial Plundering of Dr. James H. Fetzer, Co-Editor & Co-Author of Nobody Died at Sandy Hook.*

My book is not about the merit or weight of any of the evidence put forth by Dr. Fetzer, the Defendant, or the Plaintiff, regarding Sandy Hook. But rather my book is an analysis of the unsound summary judgment methodology used to find Dr. Fetzer liable for defamation and the perversion of law used to take his book to remove it from public access and continually plunder Dr. Fetzer and his wife, who isn't involved in the lawsuit.

It is my informed opinion that this lawsuit displays the most extreme violation of judicial principles on every issue involved and at every level of review, which is a disgrace to the condition of modern law practice in America. Obviously, this condition would lead anyone to ask the question; why all this perversion of law regarding Dr. Fetzer and his book, *Nobody Died at Sandy Hook*. I am naturally led to suspect that it is to send a message to all Americans to never challenge the Mass Media Cartel narrative, no matter what it is or how false it might be.

I think Dr. Fetzer's topic, "What's Wrong with Conspiracy Theories," and the power of the mass media cartel over the court system in America would tie in very well with David Thorburn's "Story Machine: American TV in the Network Era and Beyond," as the cartel machinery is in place to adjudicate reality out of fiction regardless of the true facts of any event. What a fortunate possibility for this lecture series to host a living example of a victim of the vicious "Story Machine" in Dr. Fetzer! This potential gives new meaning to the term "network" when the judicial system adjudicates the mass media cartel's narrative into reality regardless of proof and without a jury to weigh and find the facts.

Please allow me only a moment more of your time to substantiate what I have said regarding the plundering of Dr. Fetzer with just one of many examples in my book. A summary judgment is a judicial procedure used to apply the law to an issue when both the parties agree to the facts. A summary judgment must have two functions: first, to bypass an unnecessary jury when the facts are agreed to by the parties; and second, to protect the right of trial by jury of the nonmovant who is at risk of losing that right. Why have a jury when the parties agree to the facts? The judge can safely apply the law to the facts agreed to by the parties. Therefore, the judge cannot weigh evidence submitted by the parties in support of their facts but rather only look for agreement to the facts. If the judge finds disagreement supported by evidence they must deny the motion for summary judgment. Next, the motion for summary judgment must protect the right of trial by jury of the nonmovant. Hence, the judge must accept all the evidence favorable to the nonmovant as true and indulge every reasonable inference that can be drawn from that evidence. And further, any question must be resolved in favor of the nonmovant. The reason for this is, again, to protect the right to a trial by jury of the one at risk of losing it. There is no guaranteed right to a summary judgment but there is a guaranteed right to a trial by jury.

Dr. Fetzer was the nonmovant or one at risk of losing his right to a trial by jury and all evidence favorable to the movant was taken as true and all questions resolved in the movant's favor, the wrong party! Had the motion for summary judgment been properly denied, both Dr. Fetzer and the Plaintiff could have proceeded to a trial by jury and neither party would have been injured. But instead, Dr. Fetzer was found liable for defamation when the two parties did not agree on anything and both submitted evidence supporting their allegation of facts.

To my astonishment, I discovered that this unsound summary judgment methodology used by the judge in Dr. Fetzer's case is the standard throughout Wisconsin and hence was affirmed by the Wisconsin appellate and supreme courts. And even more shocking, I discovered in this case that the 7<sup>th</sup> Amendment (right to trial by jury in common law matters) in the US Constitution does not apply to state courts according to the US Supreme Court in defiance of simple logic which I explain in my book that you will receive shortly, if you kindly give Dr. Fetzer your physical mailing address.

One final note, it is apparent that very powerful entities in our nation are eager to disarm the American people against the law of the land making them vulnerable to abject tyranny and they have spent millions of dollars to accomplish that goal. Would it be so unwarranted to consider that televised street theater could be used to obtain such a wicked goal without actually harming anyone, at least immediately?

Thank you very much for your time.

Sincerely,

Ronald F. Avery