

THE TRUE FACTS  
(THE JURY NEVER KNEW)

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3  
4       1.   PF Lazor was a young, self-starting businessman, patents-holding inventor,  
5 highly successful entertainer/singer/songwriter producing his first record album, a  
6 teacher and author and university student who'd picked himself up out of poverty,  
7 energetically working jobs since the age of eight. He lived in Los Gatos, California  
8 in a house he'd bought, intent upon having the structure moved to another plot of  
9 real estate — a field in which he'd been licensed and employed. He'd never been at  
10 odds with the law, and was highly respected and admired by hundreds as an out-  
11 standing asset to his community.

12       2.   After living in the house for a year, Mr. Lazor began being threatened,  
13 stalked, and twice violently attacked by the nephew of the man who sold him the  
14 house, John Allred. Mr. Allred was envious that he'd lost out on inheriting the home  
15 and sought to obtain it by force, since his uncle still owned the lot it sat on. Local  
16 police shunned Mr. Lazor's repeated requests for intervention.

17       3.   On January 10, 1983, Mr. Allred snuck into Lazor's home to get at him in  
18 his back bedroom. While hysterically shouting threats in a violent rage, Allred  
19 repeatedly bashed on Lazor's bedroom door until it burst open in splinters, as he  
20 viciously swung a meat cleaver through the door at Mr. Lazor's head. In panic and  
21 shock, Lazor shot him with a legal gun, until Allred's charging aggression ceased. At  
22 some point in the commotion, Allred also had what appeared to be a real handgun in  
23 his hand. Lazor phoned for police and ambulance help immediately. They quickly  
24 arrived while Allred was still on his feet, wounded. He died 3-4 hours later.

25       4.   The following 35 ITEMS MEMORANDUM shows how and why Mr.  
26 Lazor was convicted of murder and has spent from his youthful age 20s, to nearly  
27 his 50's, in California's most violent, maximum-security prisons, where he remains  
28 at this moment. He needs your help.

\* \* \*           \*\*\*           \*\*\*

1 35 ITEMS OF EVIDENCE

2 DESTROYED, CONCEALED, ALTERED, PLANTED,  
3 MANUFACTURED, FABRICATED, CORRUPTED AND SPOILED

4 BY PROSECUTION OFFICIALS AND THEIR AIDES

5 The 35 violated items of evidence, beginning with at least  
6 20 essential "CORE" items (and 7 key items within that core), had an interlock-  
7 ing, synergistic dynamic, impacting on each other and on the whole case. It can  
8 only be seen when viewing their interactive effect all TOGETHER; and can't be  
9 understood by considering each one separately in an independent vacuum.

10 [Together, they comprise a wholesale-fabricated murder case].

11 THE LIST:

- 12
- 13 #1 MEATCLEAVER WEAPON: PRIMARY WEAPON OF THE ATTACKER (JOHN ALLRED):  
14 Deliberately destroyed. (Given by police to family of attacker).
- 15 #2 ATTACKER'S FINGERPRINTS ON PISTOL:  
16 Deliberately removed from gun, destroyed by prosecutor.
- 17 #3 BLOODY TOWEL NEXT TO GUN AND ATTACKER:  
18 Put there by state agents, used as "planted evidence" by prosecutor.
- 19 #4 BODY OF ATTACKER WITH CRITICAL BULLET WOUND EVIDENCE:  
20 Deliberately destroyed prematurely by cremation, by prosecution directive.
- 21 #5 JACKET OF ATTACKER WITH CRITICAL BULLET HOLE EVIDENCE:  
22 Deliberately altered, spoiled, then concealed. (May still be testable).
- 23 #6 OVERSHIRT OF ATTACKER WITH CRITICAL BULLET HOLE EVIDENCE:  
24 Deliberately altered, spoiled, then concealed. (May still be testable).
- 25 #7 UNDERSHIRT OF ATTACKER WITH CRITICAL BULLET HOLE EVIDENCE:  
26 Deliberately altered, spoiled, then concealed. (May still be testable).
- 27 #8 AUTOPSY PHOTOS INDICATING BULLET ENTERED ATTACKER'S FRONT, NOT BACK:  
Deliberately concealed 16 years, until 1999.
- #9 LOW-POWER BULLETS OF SUB-STANDARD POWDER AND GRAIN:  
Concealed; then deliberately falsified the evidence to the jury.
- #10 SHOEPRINTS ON BASHED-IN DOOR WERE 100% MATCH TO JOHN ALLRED'S SHOES:  
Concealed shoes and lied to jury about 100% match.

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STATE OF CALIFORNIA  
STD. 113 (REV. 8-72)

95 34769

CONTINUED:

- 1 #11 BLOOD-SOAKED FLOOR CARPETING WITH CRITICAL BLOOD TRAILS:  
Deliberately torn out and destroyed, without adequate photographs.
- 2
- 3 #12 "SMEARING/WIPING EFFECT" OF BLOOD ON GUN, TO SHOW GUN WAS "PLANTED":  
Manufactured evidence by prosecution team; and concealment of true source.
- 4 #13 TELEPHONE, CAKED WITH ATTACKER'S BLOODY FINGERPRINTS:  
Deliberately spoiled fingerprints, then concealed phone and prints.
- 5
- 6 #14 GARBAGE BASKET CONTAINING CRITICAL BULLET HOLE ANGLE AND OTHER EVIDENCE:  
Deliberately removed from crime scene to avoid photographs, then destroyed.
- 7 #15 BULLETS REMAINING UNFIRED IN GUN CLIP, AND POLICE CHAIN OF CUSTODY:  
Some bullets removed and destroyed during broken chain of police custody.
- 8
- 9 #16 BULLET HOLE AND ANGLE IN WALL OF CRIME SCENE:  
Destroyed critical angle, flesh & clothes particles by gouging out bullet.
- 10 #17 DOORKNOB WITH BENT SHAFT ON BASHED-OPEN DOOR SHOWING VIOLENT FORCE:  
Police meticulously removed and trashed. Was recovered; then concealed.
- 11
- 12 #18 DOORJAMB OF BASHED-IN DOOR AND WHOLE HOUSE STRUCTURE AS CRIME SCENE:  
Deliberately destroyed by conveying to attacker's family to reconstruct.
- 13 #19 FULL 90° OPENING OF BASHED-IN BEDROOM DOOR:  
Concealed proof; fabricated evidence by perjury; lied to jury.
- 14
- 15 #20 ALL CRIME SCENE EVIDENCE WAS TAMPERED WITH & "STAGED" BY RE-POSITIONING:  
Concealed and lied about altering and "staging," but proven by photos.
- 16 #21 CRITICAL CRIME SCENE ITEMS GIVEN AWAY TO ATTACKER'S MOTHER:  
Concealment, tampering, loss, spoilage and fraud by police give-away.
- 17
- 18 #22 ALL CRIME SCENE DIMENSIONS AND MEASUREMENTS PRESENTED FALSELY TO JURY:  
Every diagram materially altered and true critical measurements concealed.
- 19 #23 WRITINGS BY PF LAZOR HAVING NO RELATIONSHIP TO ANY CRIME NOR WRONG:  
Materially falsified by prosecutor to depict fabricated murder plot.
- 20
- 21 #24 DOCUMENTS BELONGING TO MR. LAZOR THAT TENDED TO PROVE HIS INNOCENCE:  
Seized, held & concealed by prosecutor only to bar defense from using.
- 22 #25 DATED CASH REGISTER RECEIPT PROVING PERJURY AND MURDER CASE FABRICATION:  
Repeated acts of concealment, after denying copies by "discovery."
- 23
- 24 #26 TAPE RECORDED POLICE INTERVIEW OF DONNA FERNANDEZ' EXCULPATORY ADMISSIONS:  
Police cassette tape was "lost" at the critical trial juncture.
- 25
- 26
- 27 #27 FACT: THAT SHOOTING ROOM WAS MR. LAZOR'S BEDROOM, NOT A "PANTRY":  
Concealed evidence, witnesses & the fact; fabricated "pantry" status.

FACTUAL STATUS AND EVENTS  
FALSIFIED, CONCEALED, AND SUPPLANTED WITH FABRICATIONS

CONTINUED:

- 1 #28 FACT: SHOOTING SCENE WAS MR. LAZOR'S HOME AND ONLY RESIDENCE:  
 Concealed evidence of fact; fabricated story that attacker lived there.
- 2
- 3 #29 FACT-EVENT: ALLRED STALKED LAZOR AND VIOLENTLY ATTACKED HIM ON 12-20-82:  
 Evidence, witnesses and the fact: deliberately concealed and covered up.
- 4 #30 FACT: ALMOST NO PRIOR CONTACT BETWEEN LAZOR AND ALLRED, BESIDES STALKING:  
 Concealed; fabricated contrary false-fact scenarios to court and jury.
- 5
- 6 #31 BRAIN-MEMORY DAMAGE OF KEY POLICE WITNESS OATES, BETWEEN SHOOTING & TRIAL:  
 Fact/status concealed; Prosecutor manufactured & planted "false" memories.
- 7 #32 STATUS: OF DRUGS IN ATTACKER'S BLOOD DURING HIS VIOLENT ATTACK:  
 Facts concealed; fabricated lie of "drug free" to jury, judge and defense.
- 8
- 9 #33 FACT-EVENT: PROSECUTION WITNESS BRET ELLIS KICKED IN FRONT DOOR OF HOUSE:  
 Concealed evidence in order to pin act on Mr. Lazor as proof of murder.
- 10 #34 ADMISSION BY POLICE DETECTIVE THAT INVESTIGATION WAS DONE TO FRAME LAZOR:  
 Falsified official transcripts by concealing this unwitting admission.
- 11
- 12 #35 LAZOR'S WHOLE TESTIMONY WAS TAINTED BY COERCION DISALLOWING ANY DEFENSE:  
 The coercion and its taint were concealed from the court and jury.

13 JURY INSTRUCTION DEBACLE  
 14 AS A CONSEQUENCE OF THE ABOVE EVIDENCE VIOLATIONS  
 15 AND RESULTANT CASE STATUS:

- 16 (36) TWENTY-FOUR (24) JURY INSTRUCTIONS NECESSARY TO DETERMINE A SELF-DEFENSE  
 17 ACQUITTAL BASED ON THE EVIDENCE BEFORE IT WAS VIOLATED (ABOVE), WERE NOT  
 18 GIVEN TO THE JURY AT ALL, MAKING ACQUITTAL IMPOSSIBLE; BECAUSE THEY WERE  
 19 RENDERED IMPERTINENT BY THE EVIDENCE VIOLATIONS THE JURY DIDN'T KNOW ABOUT:

20 The jury is not allowed to acquit except according to the written instruc-  
 21 tions they agreed to abide by; and they knew nothing about instructions  
 22 not given to them, due to the violated evidence making them impermissible.

23 RELEVANCE AND MATERIALITY OF THE 35 ITEMS:

24 The exculpatory importance, the degree of materiality, the pertinence to  
 25 determining innocence versus guilt, and the affect on influencing a wrongful,  
 26 unreliable verdict, is as follows:

27 COLLECTIVELY, the 35 items fit like jigsaw puzzle pieces (his own words)  
 into the prosecutor's murder theme that after months of close contact causing  
 fomenting hatred, Lazor plotted Allred's murder by hiding in Mr. Allred's home.  
 As Allred innocently arrived unarmed, Lazor shot him knocking him down & out.

1 He then proceeded to shoot him repeatedly in the back and back of the head  
2 while on the floor, rendered disabled, unconscious. Then Lazor took a BB  
3 pistol he'd kept hidden for this purpose, wiped his own fingerprints off of it  
4 with a towel, placed the gun next to Allred's body, dropped the towel there,  
5 and called the police claiming it was a self-defense shooting. A "CONTRIVED  
6 SELF-DEFENSE" murder. (See EXHIBIT B: 35 ITEMS are "puzzle pieces" of the  
7 prosecutor's big picture of a "contrived self-defense" murder, RT 68-69).

8  
9 ITEM #1: MEATCLEAVER WEAPON OF ATTACKER:  
Deliberately thrown away by police.

10 THE FACTS:

11 (1) This was the attacker's weapon which he swung through Mr. Lazor's  
12 bedroom doorway as he broke the door open with successive bashings with his  
13 feet and body. This was the cause for the need to shoot John Allred in defense.

14 (2) While under control of the police, the meatcleaver was moved from the  
15 floor where the attacker left it, into a footlocker closebv. (See EXHIBIT C,  
16 a police photo of the meatcleaver at the crime scene).

17 (3) Police admit they did not collect the meatcleaver into evidence, but  
18 left it at the scene to be thrown out; and inferred they gave it to the mother  
19 of the attacker. (EXHIBIT D).

20 THE PREJUDICE:

21 (4) The jury never knew there was a meatcleaver in this case. They never  
22 heard that Mr. Lazor was attacked with the violent, life-threatening attack of  
23 a meatcleaver. He was not allowed to tell them. The defense attorney (Mr.  
24 Schroeder) said it would "rock the boat" with the prosecution and "make the  
25 police and prosecutor look bad to the jury" and he could not allow that. So he  
26 frequently talked over top of Mr. Lazor to silence what he tried to say, and  
27 refused to make any motions or any mention of anything having to do with the  
concealed meatcleaver attack.

1 (5) By removing all focus from the meatcleaver by concealing its  
2 existence, the jury was persuaded there was no need for self-defense, that  
3 the self-defense claim was "contrived," that Mr. Lazor's credibility about  
4 everything else was also unreliable, and that he committed malicious murder.

5 (6) By concealing the meatcleaver attack, the jurors' whole focus  
6 was drawn to the "BB gun" as the only weapon being claimed that Mr. Allred  
7 had, while the prosecutor had removed Allred's fingerprints from that gun.

8 (More about this in ITEMS 2, 3, 11, 12, 20, 25, below).

9 (7) By Mr. Schroeder going along with the prosecutor's requests to  
10 conceal the meatcleaver and all evidence and testimony involving it, it cre-  
11 ated a VACUUM EFFECT, that allowed Mr. Schroeder to more easily coerce his  
12 client into accepting and "going along" with his concocted scenarios to pre-  
13 sent to the jury. Otherwise there would be NO DEFENSIVE ASPECT to the trial.  
14 But Schroeder's concocted scenarios all fit in the prosecutor's fabricated  
15 murder case, based on Mr. Schroeder's policy to never "rock the boat" against  
16 the prosecution, to present only what the prosecution first approved. (More  
17 about this in ITEM 35; and the impact likewise affected 32 of these ITEMS).

18  
19 ITEM #2: JOHN ALLRED'S FINGERPRINTS ON THE PELLET/BB PISTOL:  
Fingerprints deliberately destroyed before fingerprint testing.

20 THE FACTS:

21 (1) During the shooting episode, the attacker clutched a pistol in his  
22 hand. It looked like a real gun enough to be noted in police reports as  
23 "semi-automatic." (EXHIBIT E, police report page excerpts). It was caked  
24 with Allred's fingerprints impressed in his tacky blood to such detail that  
25 they were visible to the naked eye. (See EXHIBIT F, witness declaration).

26 (2) Twelve years after conviction and imprisonment, the Los Gatos Police  
27 (LGPD) admitted that the prosecution AUTOCLAVED the gun before fingerprint-  
28 testing it, knowing it would destroy the fingerprints. (EXHIBIT G, letter).

1 (3) The attacker had dragged the gun across the floor carpeting, which  
2 made a "smearing" effect of his blood on the gun. The autoclaving washed out  
3 and destroyed the minute carpet fibers collected on the dragged, bloody gun.

4 (4) With trial half over on 8-16-83, the prosecution released a report  
5 admitting to "autoclaving" the gun, which "may have [ ] altered" "the appear-  
6 ances of blood residues" on it. Mr. Schroeder said this was a means to pre-  
7 serve the evidence and enhance getting better fingerprint lifts, which also  
8 seemed to be inferred to the jury. In fact, it did just the opposite, de-  
9 stroying the excellent evidence. But at the time few had heard of "autoclav-  
10 ing" and most dictionaries didn't have the term listed. (See EXHIBIT H). But  
11 Schroeder wouldn't let Lazor testify that he saw the fingerprints and some-  
12 one had to have removed them. This was a "decoy" away from the meatcleaver.

13 THE PREJUDICE:

14 (5) The jury didn't know anything about the the removal of Mr. Allred's  
15 fingerprints or carpet fibers from the gun. The prosecutor emphasized to the  
16 jury that had there been any such favorable evidence for the defense, Mr.  
17 Schroeder would have raised it. (EXHIBIT I). Jurors had no idea that all  
18 prosecution agents KNEW THEY COULD RELY on Mr. Schroeder keeping all defense-  
19 favorable information "covered up" including Mr. Lazor's abrogated testimony.

20 (6) While knowing that he had removed the fingerprints, the prosecutor  
21 repeatedly emphasized to the jury that the absence of fingerprints proved  
22 Lazor "wiped" his own fingerprints off, planted the gun and murdered with  
23 heinous malice. (See EXHIBIT J).

24 (7) While knowing that he had destroyed the carpet fibers on the bloody  
25 gun, which proved the true source of the blood "streaking," the prosecutor  
26 repeatedly emphasized to the jury that the "streaking" was "wiping" from Mr.  
27 Lazor wiping his fingerprints off a planted gun, proving murder (EXHIBIT J).

28 (8) While knowing that his own act of autoclaving created some of the

1 blood "smearing" appearance, he hid that and told the jury that it was "wip-  
2 ing" of fingerprints off the planted gun by Mr. Lazor. (EXHIBIT J).

3 (9) While knowing that he had autoclaved away the proof that microscopic  
4 examination of the gun would show there were no towel fibers on it, the pro-  
5 secutor repeatedly emphasized that Mr. Lazor used a towel lying by the gun  
6 to wipe off his fingerprints; while he also knew the towel was brought to  
7 the scene by medics after police took Lazor away. (See ITEM #3, about towel).

8 (10) The state's whole murder case was based on the destroyed finger-  
9 prints, after having concealed all meatcleaver-related facts. The prosecu-  
10 tor's confidence in Mr. Schroeder not exposing any of the violated evidence  
11 was so complete that he went so far as to tell the jury that if Mr. Allred  
12 really had had the gun, then Mr. Lazor should be acquitted -- as this was  
13 the whole heart of this case. (See EXHIBIT A, RT 1591, 1688).

14

15 ITEM 3: BLOODY TOWEL LYING NEXT TO THE GUN:

State-planted, prosecutor-manufactured evidence.

16 THE FACTS:

17 (1) A towel used by state paramedics for the attacker's wounds, after  
18 Mr. Lazor was taken away by police, was left at the crime scene, ultimately  
19 next to the BB pistol. Up to this point was likely done in good faith.

20 (2) The prosecutor knew from police and medics that there was no towel  
21 at the crime scene until the medics brought them after Lazor was gone. (See  
22 EXHIBIT K, watered-down, reluctant, quasi-admissions by police testimony).

23 (3) The prosecution's autoclaving of the gun (ITEM #2) spoiled all  
24 opportunity for the defense to prove by testing, that there were no towel  
25 fibers on the bloody gun; which would prove Mr. Lazor did not wipe finger-  
26 prints off it and undermine the "planted gun"/contrived self-defense theme-  
27 which comprised the prosecution's entire case. (EXHIBIT A).

28 THE PREJUDICE:



1       (4) While knowing the towel was brought by the medics, the prosecutor  
2       bombarbed the jury with arguments that Mr. Lazor used the towel to wipe his  
3       fingerprints off a planted gun, to cover up his murder and "contrive" self-  
4       defense. (See EXHIBIT J). While doing so he also knew the police had tested  
5       Lazor's hands for gunpowder residue, and found high saturation of gunpowder  
6       but no blood on Mr. Lazor's hands, proving he could not have handled the  
7       blood-soaked towel. (See EXHIBIT L, hand test proving hands weren't washed).

8       (5) The prosecutor and Mr. Schroeder used the leverage of the towel  
9       as a threat of certain first degree murder conviction, to coerce Mr. Lazor  
10      to admitting guilt. Though he wouldn't do so completely, the coercion from  
11      this, more than 31 other items similarly used, weakened Mr. Lazor's resolve  
12      to the point of "going along" with Schroeder's demands, which turned out to  
13      be going along with the prosecution's fabricated murder case with no genuine  
14      defense against it. It amounted to tacit admission of guilt to murder by  
15      coerced, false admissions to scores of the little "puzzle pieces" that  
16      circumstantially comprised the big picture of murder. (See EXHIBIT B).

17  
18      ITEM #4: ATTACKER'S BODY AND ALL BULLET ENTRY/EXIT EVIDENCE IT CONTAINED:  
19              Deliberately destroyed prematurely, irretrievably by cremation.

19              THE FACTS:

20      (1) The prosecution directed cremation of the attacker's corpse while  
21      knowing that Mr. Lazor had claimed that he shot the attacker from his front  
22      in self-defense, knowing the state diametrically disputed that with claims  
23      that the bullets were shot into and from Mr. Allred's back. And while knowing  
24      that one gunshot wound was too small to have come from Mr. Lazor's gun, and  
25      that adequate photographs were never taken of the wounds. (See EXHIBIT M,  
26      coroner admits no photo taken of wound too small for Lazor's gun).

27      (2) The cremation was done in undue haste, prematurely, without ever  
28      giving the defense any opportunity to examine the body, without giving notice

1 to the defense that the corpse was going to be destroyed irretrievably by  
2 cremation, nor when corpse disposal was scheduled; without any regard for  
3 the body being the central evidence of a hotly disputed murder case.

4 THE PREJUDICE:

5 (3) Without notifying the defense for an opportunity to examine the  
6 body before cremation, the prosecution knowingly destroyed the only conclu-  
7 sive proof that no gunshot ever entered Mr. Allred's back and that the chest  
8 shot entered his front, not his back, in accordance with what Mr. Lazor al-  
9 ways asserted. But he was not allowed to present this to the jury or court.

10 (4) The prosecutor and Mr. Schroeder (aiding him), both knew and con-  
11 cealed the following facts from the jury:

12 a/ That the coroner and his staff were under official investigation  
13 for falsifying autopsy reports, doctoring and mishandling cadavers, de-  
14 stroying and covering up evidence and related misconduct during the  
15 Allred autopsy. (Mr. Schroeder hid this from Lazor until after trial).

16 b/ That the Allred autopsy report was withheld under mysterious  
17 circumstances until 8 weeks after its initial completion, despite re-  
18 peated timely requests for it, which even Mr. Schroeder agreed smelled  
19 of fraud and evidence "cover-up" unlike any case seen in his career.

20 c/ That state examiners of the corpse had already made conclusions  
21 about Mr. Lazor's guilt as "the assailant" of Mr. Allred, rather than the  
22 other way around, before a body examination was done. (EXHIBIT N).

23 d/ That photographs of the body with critical bullet hole depic-  
24 tions, in possession of the prosecution, were withheld from the defense  
25 throughout this entire case; and that at least two of those photos show  
26 the bullet hole in the posterior of the chest is bigger than the same  
27 wound at the anterior of the chest, indicating that the bullet ENTERED  
28 THE ATTACKER'S FRONT AND EXITED HIS BACK -- exactly as Mr. Lazor always

1 asserted but was forbidden to present to the jury.<sup>1/</sup> (See ITEM #8, below).

2 e/ The jury never had any idea that Mr. Lazor disputed the autopsy  
3 report, and that he asserted he shot the attacker only in his front, not  
4 his back. The more fervently Lazor contested it, the more tenaciously  
5 Mr. Schroeder insisted that state autopsy reports could never be chal-  
6 lenged and would impermissibly "rock the boat" with the prosecution.

7 (5) While knowing all of the above and that he had destroyed any chance  
8 of retrieving the true bullet direction evidence by cremation, the prosecutor  
9 bombarded the jury dozens of times with claims that Mr. Lazor shot Mr. Alfred  
10 "in the back," and "from the back," and "in the back of the head", based on  
11 this destroyed, concealed evidence. (See EXHIBIT O, Various RT excerpts).

12 (6) Instead of moving to dismiss the charges or attempt some remedy to  
13 cure the unfairness from the destroyed evidence, Mr. Schreoder aided the  
14 prosecutor, emphasizing to the jury that Mr. Lazor mercilessly shot the man  
15 in the back; though the coroner even disputed this and it is physically im-  
16 possible without leaving a bullet hole in the floor. (See EXHIBIT P).

17  
18 ITEM #5: JACKET OF ATTACKER WITH BULLET DIRECTION EVIDENCE (EXIT HOLE):  
19 Deliberately destroyed, spoiled, concealed bullet hole evidence.

20 THE FACTS:

21 (1) The attacker wore a jacket, overshirt and undershirt when shot, and  
22 one bullet went straight on through his chest. Whether it entered his front  
23 (as opposed to his back), determines the same answer concerning the other  
24 gunshots. Once the corpse was cremated, the prosecutor knew this clothing was  
25 the only remaining means that could conclusively prove that the shot entered

26 

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fn 1. Mr. Lazor didn't learn about this fact nor ever get to see any autopsy  
27 photos until 1999, 16 years after the conviction, when he fortuitiously got  
28 to see 2 poor xerox copies from the parole board, of the anterior wound be-  
ing smaller than the posterior wound.

¶ If adequate photographs were ever taken to conclusively show all bullet  
entries versus exits, they were concealed and remain so to this day.

1 Mr. Allred's front, not his back; and that all shots were fired at his front.

2 (2) Knowing that examination of the clothes fibers would conclusively  
3 prove the direction of bullet entry, the prosecution "autoclaved" the clothes  
4 before testing or giving the defense an opportunity to test the fibers, know-  
5 ing the hot steam of autoclaving would spoil this critical evidence. (See  
6 EXHIBIT Q, prosecution admits they deliberately autoclaved clothes).

7 (3) The prosecution withheld the clothing from the coroner, which is a  
8 departure from standard procedure, and kept the coroner from seeing how the  
9 bullet entered the FRONT of the clothing, not the back. (EXHIBIT R, statement  
10 by coroner). Mr. Schroeder helped the prosecution cover up the whole matter,  
11 to keep the jury from any understanding about any of it.<sup>2/</sup>

12 THE PREJUDICE:

13 (4) By proving the ONLY "through" shot entered the front and not back,  
14 the two other shots in question could also be logically established to have  
15 been shot from the attacker's front. (See EXHIBIT S, BODY SHOT CHARTS). But  
16 without this proof, the prosecutor argued without controversy that the chest  
17 shot entered the back, which established that all 3 shots were shot from the  
18 back. He even argued that it was "the only one possible way" those shots  
19 could have occurred — by Lazor shooting Allred from the back, in the back  
20 and back of the head. The defense did not controvert it. Mr. Schroeder joined  
21 in the prosecutor's bombarding argument against Mr. Lazor while hiding all  
22 contrary evidence and forbidding Lazor to testify contrarily. (EXHIBIT T,  
23 prosecutor arguments, and EXHIBIT P, Mr. Schroeder agreeing with prosecutor).

24  
25 fn 2. For over 16 years the prosecutor, police and Santa Clara County judges  
26 have actively barred all access to these clothes, which they certify still  
27 exist. The facts surrounding this ITEM, and the other violated evidence, war-  
28 rant concern that officials may try to destroy or "lose" this evidence to  
29 forever cover up this last vestige of proof of the gunshot direction.

1 (5) Because there was no defense against, but rather Schroeder agreeing  
2 with, the false "shot in the back" prosecutor fabrication, the jury never had  
3 any idea that this critical bullet hole evidence was altered, spoiled, con-  
4 cealed and withheld from the defense, nor did they ever know that Mr. Lazor  
5 vehemently disagreed and could have proven that all shots were from Allred's  
6 front, before the evidence was violated. Consequently, the appeals courts  
7 re-emphasized that the claim of self-defense was ludicrous when "the victim"  
8 was shot 3-5 times in the back. (EXHIBIT U, appeal decision excerpts).

9  
10 ITEM #6: OVERSHIRT OF ATTACKER WITH BULLET EVIDENCE (ENTRY & EXIT HOLES):  
Deliberately altered, spoiled, destroyed & concealed bullet data.

11 THE FACTS - AND - THE PREJUDICE:

12 (1-5) Same as ITEM #5, incorporated here by reference.

13 (6) The police deliberately threw away blood-soaked shirts with Mr.  
14 Allred's name printed in the collar, along with bloody sheets and the door-  
15 knob, intended for waste disposal pickup and destruction. (See ITEM #17).  
16 Mr. Lazor's friends fortuitously retrieved them, only to have Mr. Schroeder  
17 direct their destruction. Examination of the jacket and shirts the prosecu-  
18 tion had during pretrial phases may prove to be substitutes and that the  
19 shirts Mr. Lazor temporarily retrieved were the ones Allred wore when shot,  
20 -- as an alternative reason for the aggressive campaign of concealment.

21  
22 ITEM #7: UNDERSHIRT OF ATTACKER WITH BULLET ENTRY/EXIT DIRECTION EVIDENCE:  
Deliberately altered, spoiled, destroyed and concealed.

23 THE FACTS - AND - THE PREJUDICE:

24 (1-6) Same as ITEMS #5 & #6, incorporated here by reference.

25  
26 ITEM #8: AUTOPSY PHOTOS INDICATING BULLET ENTRY IN BODY'S FRONT, NOT BACK:  
Deliberately concealed for 16 years, until 1999.

27 THE FACTS:  
28

1 (1) The prosecution refused to ever let Mr. Lazor see any autopsy photos  
2 taken of the attacker, though they were "evidence." Mr. Schroeder refused to  
3 ever let Lazor see, or to turn over to him any autopsy photos which were  
4 supposed to be part of the defense case file belonging to Lazor. For over 16  
5 years Mr. Lazor's requests for access have been denied, and still are.

6 (2) In 1999, inadvertently through the parole board, two autopsy photos  
7 (poor xerox copies) were accessed. The photos show the hole in the FRONT of  
8 the body is smaller than the hole in the BACK of the body made from the same  
9 bullet passing through. The sizes indicate that the bullet ENTERED THE FRONT  
10 of the attacker and EXITED HIS BACK. Even this possibility was never pre-  
11 sented to the jury as the prosecutor and defense attorney agreed to the jury  
12 that he was shot in the back. (See EXHIBITS P and T). Mr. Lazor was forbidden  
13 to testify that this was false and he knew it was false.

14 (3) All other autopsy photos and better prints of the two copies are  
15 still concealed and access refused. (See EXHIBIT V: 2 autopsy photo copies).

16 THE PREJUDICE:

17 (4) Without access to the photos before and at trial, there was no basis  
18 by evidence, after the body and clothes were destroyed (ITEMS #4-#7), to ref-  
19 ute the prosecutor's fabrications that 3 shots entered from the back. And  
20 with Mr. Schroeder joining in that argument (EXHIBIT P), there was nothing  
21 contrary presented, so the jury could ONLY accept that Mr. Lazor shot Mr.  
22 Allred from and in the back.

23 (5) Had the jury known that the "through" shot entered the attacker's  
24 front, not his back, and that autopsy photos supported that, it would have  
25 established that the other 2 shots were shot from the attacker's front,  
26 which nullifies the state's whole case of murder. (EXHIBIT O). Mr. Schroeder  
27 forbade any testifying of this in conjunction with the concealed photos,  
28 leaving no evidence to back up that testimony that Lazor sought to present.

1 ITEM #9: SPECIAL LOW-POWER BULLETS OF LOW POWDER AND GRAIN HIT ATTACKER:  
2 Concealed; then deliberately falsified the evidence to the jury.

3 THE FACTS:

4 (1) All bullets fired at the attacker were "used" shells re-loaded with  
5 sub-standard powder and lighter grain, for target range use. It markedly re-  
6 duced the knockdown/knockout power, requiring more shots to stop the attack.

7 (2) The jury never knew; they were repeatedly assured that all bullets  
8 were "STANDARD" .45 caliber, about the most powerful in the world. (EXHIBIT  
9 W, prosecutor's false arguments to jury). Moments before making these false  
10 arguments and eliciting perjury from Criminalist Gadd, both the prosecutor  
11 and Gadd read reports confirming that the bullets were all sub-standard.  
12 (See EXHIBIT X, prosecutor reviewing this information).

13 THE PREJUDICE:

14 (3) In continuous violation of the trial judge's order, but without ob-  
15 jection from Mr. Schroeder, the prosecutor bombarded the jury with comments  
16 mixed with elicited false testimony that the "standard" bullets used by Mr.  
17 Lazor "would have AND DID" knock Mr. Allred immediately down "and out" with  
18 the first gunshot, thereby showing that all other shots were unnecessary for  
19 self-defense, therefore proving malice, the necessary element constituting  
20 murder. (EXHIBIT Y).

21 (4) Deliberately concealing the sub-standard bullets from the jury, and  
22 lying to them about it, concealed the following crucial factors:

23 a/ The true reason why the attacker was able to continue charging at  
24 Mr. Lazor when hit with 1 or 2 shots, and Lazor's consequent true motivation  
25 for additional gunshots (i.e. necessity to save himself by stopping attack).

26 b/ It damaged Mr. Lazor's credibility concerning everything, because  
27 of no defense presented against the well-known power of "STANDARD" .45s.

28 c/ Using ineffective, sub-standard shot suggests no intent nor plan  
29 to kill, as opposed to using "killer-bullets" -- but the jury never knew.

1           d/ Falsifying this information to the jury resulted in Juror Silva  
2 bringing into the deliberation room and sharing with other jurors, outside  
3 data about the knockdown & knockout power of a .45 USING STANDARD bullets,  
4 to confirm the prosecutor's falsified arguments on this matter.

5           (5) Mr. Schroeder's own police investigator confirmed the sub-standard  
6 facts from the bullet re-loader, but he refused to let the jury learn about it,  
7 as it would have proven the prosecutor and his criminalist outright lied to  
8 the jury, which would "rock the boat" with state officials. (See EXHIBIT X).

9  
10 ITEM #10: SHOEPRINTS ON LAZOR'S DOOR 100% MATCHED JOHN ALLRED'S SHOES:  
11           Concealed the shoes, concealed the fact, and lied to the jury.

12           THE FACTS:

13           (1) The police dusted several shoeprints from the outside of Lazor's  
14 bashed-in bedroom door, belonging to the same shoe. (EXHIBIT Z, shoeprints).  
15 They were a 100% positive match to the shoes John Allred was wearing when he  
16 attacked and was shot.

17           (2) The 100% match was known to prosecution officials, but they con-  
18 cealed the shoes from the judge, jury and defense (still 16 years later) and  
19 falsely told the jury (who saw the prints) that they could not match the  
20 shoes and prints. Mr. Schroeder refused to even try to access the shoes and  
21 present independent match-test results, because the positive match that was  
already well-known, would "rock the boat" in adverseness to the state.

22           THE PREJUDICE:

23           (3) The jury viewing the dusted prints without knowing they were a  
24 positive match to the shoes Allred was wearing, was a useless gesture, as  
25 the prosecutor repeatedly reminded the jury they could not "speculate" on  
26 such unproven evidence. (See RT 1567, 1610-11, 1682, 1688-92).

27           (4) The 100% match, had it been known, combined with the doorknob and  
28 doorjamb (ITEMS #17 & #18) was enough to bar "murder" from even being charged.



1 ITEM #11: FLOOR CARPETING, SOAKED WITH BLOOD TRAILS AND DRAG MARKS:  
2 Deliberately torn out and destroyed at prosecutor's direction.

3 THE FACTS:

4 (1) The attacker was on floor carpeting when shot and until taken away  
5 by medics. Afterward, it contained copious trails, drag marks and splashes  
6 of blood. All police photos were oblique and obfuscated depictions of the  
7 blood, which rendered them completely useless for the defense.

8 (2) From the moment Mr. Lazor immediately phoned the police for help,  
9 they knew he claimed self-defense, and logically therefore that the carpet  
10 blood was material to showing the positions of Mr. Allred and the shooter,  
11 and the degree of, and positions of, animation after the shooting stopped.

12 (3) Knowing this, months before trial, the prosecutor secretly approved  
13 the family of the attacker to enter the house and tear up and destroy all  
14 carpeting, while assuring Mr. Lazor that the house was securely "sealed up  
15 as crime scene evidence" as it would remain until after trial. The jury was  
16 misled concerning this, never knowing it was destroyed nor its importance.

17 THE PREJUDICE:

18 (4) The blood in the carpeting was material to an acquittal by being  
19 able to prove the following evidence that sustained a self-defense claim:

20 a/ The blood splashes showed the attacker's position when shot.  
21 Correlating that with the state's finding of trajectories, pinpointed Mr.  
22 Lazor's position right where he always claimed -- which the prosecutor in-  
23 sisted was a lie. But the jury never knew of this evidence which proved it.

24 b/ The bloodstains undermined the prosecutor's whole case by show-  
25 ing that Mr. Lazor shot from inside his bedroom, and was not in the kitchen  
26 close to Mr. Allred, who could not have been on the floor being shot in the  
27 back and back of the head. (See EXHIBIT O).

28 c/ The blood trails disproved the prosecutor's bombarding argu-  
ments and proved that the attacker dragged the BB gun and telephone across

1 the carpet after he was wounded (which could be doubly-corroborated by test-  
2 ing of the gun and phone for carpet fibers, if not for their spoilage).

3 This, in turn, proves Mr. Lazor could not have "planted" the BB gun next to  
4 Mr. Allred. That was the prosecutor's whole case, (See EXHIBIT A, RT 1688).

5 d/ The blood trails and splashes, by expert analysis, if not com-  
6 mon logic, ~~were~~ able to show that the attacker was so mobile immediately  
7 after being shot, that Mr. Lazor not shooting him more with bullets still in  
8 his operable gun, negated malice, which is a required element of murder.

9 e/ Concealment of all of the above factors along with the carpet's  
10 blood evidence, served as a lever for the prosecutor to demolish Mr. Lazor's  
11 credibility concerning that (1) he had no malice nor intent to kill; (2) He  
12 couldn't have planted the BB gun as a throw-down gun; (3) Assurance that the  
13 attacker was very much alive and mobile; (4) The positions of both men when  
14 the shots took place; and (5) everything else in his favor, as ruined credi-  
15 bility in one area affects all areas. (See EXHIBIT AA, comments/ instructions).

16  
17 ITEM #12: SMEARING/WIPING EFFECT ON GUN, TO SHOW GUN WAS "PLANTED":

18 Manufactured evidence by prosecution; concealment of true source.

19 THE FACTS:

20 (1) The jury was bombarded with arguments that Mr. Lazor "wiped" his  
21 own fingerprints off the BB gun as proven by the "wiping/streaking" marks of  
22 Mr. Allred's blood on the gun, which proved Lazor planted the gun, which  
23 cinched a murder conviction. (See ITEM #3, TOWEL; and EXHIBIT J).

24 (2) While arguing this to the jury, the prosecutor knew that (a) his  
25 own act of autoclaving the gun with hot steam caused the blood to run, result-  
26 ing in the "streaking/smearing" effect. (EXHIBIT J-1). Tacit admission by Gadd).  
27 But all prosecution officials hid these facts from the defense and jury.

28 (b) The prosecutor also knew that smear/streak marks were caused by Allred  
dragging the gun across the floor carpeting, and that the autoclaving of the

1 gun destroyed carpet fibers in its blood, and that destroying the carpet de-  
2 stroyed proof of the gun dragging that caused some "streaking" that may have  
3 survived autoclaving. (See ITEMS #2 & #11). The jury had no clue of this.

4 THE PREJUDICE:

5 (3) With no defense to the contrary presented, while hiding the proof  
6 that the source of the "wiping/streaking" was falsified, the jury had no  
7 basis to disbelieve the only scenario: Lazor planted the gun, wiped it leav-  
8 ing streaks, Allred was unarmed, thus there was no self-defense, thus murder.  
9 Mr. Schroeder reinforced this "only scenario" belief by his praise for the  
10 prosecutor's "search for THE TRUTH," telling the jury it was "excellent."  
11 (EXHIBIT BB: RT of prosecutor's claim of "truth" and Schroeder praising it).

12  
13 ITEM #13: TELEPHONE, CAKED WITH ATTACKER'S BLOODY FINGERPRINTS:

14 Deliberately spoiled fingerprints; then concealed phone & prints.

15 THE FACTS:

16 (1) The wounded attacker dragged the phone across the carpet with the  
17 gun; the two underwent identical circumstances, including fingerprints in  
18 blood visible to the naked eye -- but the phone was not autoclaved. Instead,  
19 the prosecution deliberately let mold grow on it to spoil the fingerprints.

20 (2) Since some fingerprints may still have been good during the trial,  
21 Mr. Schroeder stipulated to keeping the phone out of trial (concealed) and  
22 in it's place let the prosecution use a photograph of the phone for limited  
23 purposes only against Mr. Lazor, barring any chance of the jury seeing the  
24 one factor in Lazor's favor: the fingerprints. They weren't visible in the  
25 obscure photo. The actual phone and fingerprints always remained concealed.

26 THE PREJUDICE:

27 (3) The phone fingerprints corroborated the gun fingerprints, as both  
28 were identically handled and dragged together by the attacker. What was on  
29 one was on the other as a twin-unit. The phone fingerprints further showed:

1           a/ There was no "malice"-required for a murder verdict. Allred's  
2 extensive phone handling proved the shooter knew he was far from dead and  
3 had ample opportunity to shoot him dead at this point, had there been malice.

4           b/ The phone fingerprints, clearly visible to the naked eye, corro-  
5 borated that the gun's fingerprint details were originally likewise lucid.

6           c/ Allred's extensive phone handling showed that he was never "dis-  
7 abled", knocked down & out on the floor where Mr. Lazor continued firing, as  
8 the prosecutor hammered to the jury repeatedly—claiming Lazor himself said  
9 so, after Mr. Schroeder's attempt to coerce Mr. Lazor into falsely admitting  
10 to this puzzle piece of guilt. (EXHIBIT CC: RT: "Disabled" claims to jury).  
11 But the jury never knew or even had a clue about any of this evidence.

12  
13 ITEM #14: GARBAGE BASKET CONTAINING BULLET ANGLE AND OTHER EVIDENCE:

14 Deliberately removed from crime scene for photos, then destroyed.

15 THE FACTS:

16           (1) A yellow plastic garbage basket was in the path of the bullet that  
17 passed through the attacker. It was against the wall in a "cubby cutout," out  
18 of the way of police and medics. There was no cause to move it, and police  
19 swore for 7 months they didn't move it or other items. (EXHIBIT DD: RTs).

20           (2) The basket overflowed with metal cans and items conducive to alter-  
21 ing the bullet trajectory (angle) as it passed through. When police arrived,  
22 the attacker was leaning over/into the basket as if to retrieve or place  
23 something among its contents, across the room from where he'd been.

24           (3) Police had to take special, calculating efforts to remove the bas-  
25 ket and most of its contents from the heart of the crime scene before photo-  
26 graphing it, so that it's not shown in any crime scene photo; and to there-  
27 after forever conceal its existence. (See EXHIBIT EE: Crime scene photo de-  
28  picting where basket was, and admission of it's existence, but not to jury).

29           (4) Police claimed they overlooked the bullet hole in the wall right

1 behind the removed basket & trash, though their reports confirm they combed  
2 every square inch of the scene "with a fine tooth come" of expertise the day  
3 of the shooting. Returning days later, they found the hole and bullet shells.  
4 Mr. Schroeder refused to investigate for planted/manufactured evidence, even  
5 after the police got caught having moved everything after swearing they had  
6 moved nothing. (See ITEM #20, and EXHIBIT DD).

7 THE PREJUDICE:

8 (5) The bullet that passed through the attacker had to go through the  
9 basket if Mr. Lazor fired that shot; if the basket had no hole, then this  
10 most vital of all shots (the "through" shot) was made by the police. That  
11 would require an immediate dismissal of all charges against Mr. Lazor. The  
12 extra bullet shells "found", and changed police reports as to amounts of live  
13 bullets left in the clip, supports this hole was "planted." (See ITEM #15).

14 (6) If this bullet hole was legitimate, the basket contained the only  
15 valid proof of the trajectory before altered by the basket's contents; the  
16 trajectory was critical to proving the positions of the shooter & Mr. Allred,  
17 which was crucial to determining if this was self-defense or murder.

18 (7) If the bullet hole was legitimate, flesh and clothing particles de-  
19 posited on the first object struck, the basket, could establish the bullet  
20 passed last through the jacket, which would prove Mr. Allred was shot from  
21 his front, not his back. That would have undermined the entire murder case.

22 (8) The prosecution claimed there were no weapons at the scene related  
23 to Mr. Allred. Yet his reaching into the basket upon police arrival suggests  
24 stashing something the police also wanted concealed, by their disappearance  
25 of the basket and all contents. Had the jury known of the hidden/destroyed  
26 contents and basket, it would warrant acquittal of guilt by showing the  
27 opportunity to prove innocence was irreparably destroyed with these items.

28 (9) The attacker's mother would not have been allowed to testify had

1 these destroyed items been exposed in trial, because permission for her to  
2 testify was based on her ability to witness that no items at the crime scene  
3 belonging to her son contained weaponry. She couldn't have known what was in  
4 the destroyed basket; but the judge who permitted her testimony didn't know  
5 about it. Her emotional presence before the jury was inherently prejudicial  
6 to both judge and jury. (See RT 3, 5-6, 15, 1087-1090, 1617; and ITEM #21).

7  
8 ITEM #15: BULLETS UNFIRED IN GUN CLIP CHANGED; BROKEN CHAIN OF CUSTODY:

Bullets removed and destroyed while police chain of custody broken.

9 THE FACTS:

10 (1) All police reports originally concurred that "several" and "some"  
11 unfired bullets were left in the gun clip, and one in the gun chamber, after  
12 the shooting. (EXHIBIT FF, police report excerpts).

13 (2) The gun held seven bullets. The police originally claimed in offi-  
14 cial reports that three total spent shells were at the crime scene, after a  
15 "fine tooth comb" search -- which matched the other findings: 3 fired, 1 in  
16 the chamber, 3 in the clip = total of 7 the gun holds.

17 (3) After cremating the body, destroying all bullet wound evidence,  
18 the police returned to the shooting scene, claimed they found 2 more spent  
19 shells, which would equal 9 total. The gun held only 7. The difference was  
20 fixed in trial by reducing the amount in the clip from "several" to "one."  
21 Under oath, no police officer could account for who had the bullets/clip dur-  
22 ing the change in quantity. Testimony conflicted. (RT 306-07, 313, 316-326).

23 (4) Mr. Schroeder abruptly hushed up the matter and stipulated for the  
24 prosecution that Officer Oates "WOULD HAVE TESTIFIED THAT" he bridged the  
25 gap in the broken chain of handing on the evidence at the critical point and  
26 would remember that there was only "one" bullet in the clip originally. Offi-  
27 cer Oates had already sworn earlier that that was NOT SO, and that the clip  
28 had more than one bullet -- before suffering memory damage. (See ITEM #31).

1           THE PREJUDICE:

2           (5) Exposing to the court that there were 4 unfired bullets and only 3  
3 could have been fired by Mr. Lazor, would prove not only that police manufac-  
4 tured evidence, but that Lazor didn't fire all the gunshots claimed to have  
5 killed Mr. Allred. That alone would require permanent dismissal of all char-  
6 ges, obviously. If the jury rather than the trial court would have learned  
7 this, it equally would require acquittal by jury.

8           (6) Simple probing without even earnest investigation would have forced  
9 police to reveal who broke the chain of evidence, which would indicate which  
10 officer reduced the bullets in the clip from 3 to 1. Even without police con-  
11 fession, the unrefutable FACT of the change shows that changes were made that  
12 "framed" Mr. Lazor for more shots than he made, which warranted acquittal.

13 But Mr. Schroeder's "cover-up" of the framing and his stipulation which manu-  
14 factured the equivalent of false testimony concerning a most crucial piece  
15 of verdict-pivotal evidence in the case, misled the jury to believing it was  
16 a simple reporting error; and misled the trial and appeal judges likewise.

17           (7) Exposure of the full ramifications of this event, even without pol-  
18 ice confession, would have opened the door to, and provided a means for,  
19 exposing many of the other 35 ITEMS listed here and their full ramifications  
20 that showed that every aspect of the murder case was fabricated and framed.

21  
22 ITEM #15: BULLET HOLE AND ANGLE, AND PARTICULATE MATTER LODGED IN WALL:  
23 Destroyed critical angle, flesh and clothes particles.

24           THE FACTS:

25           (1) Days after the shooting, returning to the scene, police found one  
26 bullet lodged in the wall. If shot by Mr. Lazor and not later planted by pol-  
27 ice, (see ITEM #15), it was the only shot that went through Allred's body.  
28 With all else destroyed by the prosecution, this was the only existing evi-  
29 dence that, by the angle in the wall, could prove the position of Mr. Allred

1 when shot; that was critical to proving whether this was murder or real self-  
2 defense. (EXHIBITS O & P, vs. EXHIBIT S -- which the jury never knew about).

3 (2) Detective McCarty gouged the bullet out of the wall using a screw-  
4 driver as a prybar, which ruined the precise hole in the wood and the proof  
5 of the bullet's precise angle and the shooter's position, and reamed away  
6 particulate matter of flesh, blood and Mr. Allred's clothing fibers. (See  
7 EXHIBIT GG: Photo of McCarty with screwdriver in bullet hole at scene).

8 (3) After this destruction was accomplished, the police cut out several  
9 feet of wall section, and took it into evidence -- too late to salvage any-  
10 thing exculpatory to the defense: the angle, fibers, flesh & blood particles.

11 THE PREJUDICE:

12 (4) After the gouging, the wall section with the hole was useful ONLY  
13 for the prosecution AGAINST Mr. Lazor; it's value FOR him had been destroyed.

14 (5) (a) The manner of flesh & clothing fiber deposits in the wood and  
15 on the bullet could determine whether it entered Allred's front rather than  
16 his back, which would undermine the state's whole case. (EXHIBITS O & T).

17 (b) And absence of any fibers or flesh before any tampering, would  
18 would quite positively prove it never struck the attacker; that it thus had  
19 to have been planted by police. (Corroborated by ITEMS #15 & #14). The tam-  
20 pering spoiled the capability to prove all of these alternatives. And to the  
21 lesser degree that the damaged bullet hole angle still showed that Mr. Lazor  
22 was in his bedroom when he fired, still capable of somewhat defeating a pri-  
23 mary indicator of murder (EXHIBIT O), Mr. Schroeder concealed this fact.

24  
25 ITEM #17: DOORKNOB WITH BENT SHAFT ON RASHED-IN DOOR SHOWING VIOLENT FORCE:  
26 Stage 1: Deliberately removed and thrown out by police for trash pick-up;  
27 Stage 2: Recovered, then concealed by defense attorney to aid prosecution.

28 THE FACTS:

Stage 1: The deliberate attempted destruction by police:



1 (1) The attacker bashed the bedroom door an estimated 12-15 times, be-  
2 fore it gave way, shattering the door frame (doorjamb). The jurors never saw  
3 the shattered doorjamb nor any picture of it. (See ITEM #18). The door itself  
4 had comparatively little damage because the weaker jamb took the main impact.

5 (2) With the doorjamb destroyed (ITEM #18), the doorknob was the only  
6 item left to show the attacker's immense force & violence to get at Lazor;  
7 evidence surrounding a "forcible and atrocious crime" and need for firepower  
8 in self-defense. The knob's horizontal shaft which bolted the door locked,  
9 was bent by the force into a permanently bowed position: (See EXHIBIT HH).

10 (3) Days after collecting the crime scene evidence, the police returned,  
11 tampering with everything at the scene. They took painstaking efforts to dis-  
12 mantle and remove the doorknob and threw it in a standard hefty trash bag  
13 with much other evidence and placed it at the road for commercial garbage  
14 pick-up and disposal. The garbage company refused pickup due to unpaid bills,  
15 and the trashed evidence was accidentally returned to Mr. Lazor with bags of  
16 his household property while he was free on bond.

17 Stage 2: Recovery of doorknob and concealment by defense attorney,  
18 acting as an agent of the prosecutor, to aid the prosecution:

19 (4) Mr. Lazor delivered the doorknob to Mr. Schroeder, untouched, wrap-  
20 ped in cloth, requesting it be fingerprinted for trial, as proof that he was  
21 being framed for murder and to catch the police if they were to lie about  
22 trashing these items. The doorknob was but one of many such items he found.

23 (5) In response, Mr. Schroeder deliberately destroyed the police offi-  
24 cers' fingerprints, and hid the existence of the doorknob from the jury, and  
25 from Mr. Lazor before, during and for months after the trial. He admitted  
26 his motive was to protect prosecution officials from misconduct exposure, in-  
27 sisting that is his first duty as a court officer never to "rock the boat."  
28 As consolation, he brought the door into evidence with the bored out hole,  
refusing to explain or let Lazor tell the jury why the doorknob was gone.

1           THE PREJUDICE:

2           (6) Mr. Schroeder's concealment to aid the prosecution, produced all  
3 the same disadvantages for the accused as would have been produced by the  
4 destruction of the doorknob by police, had their attempt not been foiled.

5           (7) Concealing the doorknob, by destruction or hiding, resulted in:

6           a/ The jury had no idea of the immense force used by the attacker,  
7 the evidence of his "forcible & atrocious crime" intention, or murderous rage  
8 that corroborated the armed violence to a degree warranting firearm defense.

9           b/ The jury was deprived of seeing evidence that backed up a mere  
10 unsupported claim of violent force and the need for self-defense firepower.

11           c/ It ruined Mr. Lazor's credibility having no evidence to back up  
12 his mere say-so, enabling the prosecutor to forcefully argue that Lazor in-  
13 vented as a skilled "liar," the claims of Allred's force & violence, causing  
14 panic, fear and justification for self-defense. (See EXHIBIT AA: RTs).

15           d/ It deprived Mr. Lazor of his primary defense that prosecution  
16 officials framed him and engineered an entire fabricated murder case, of  
17 which the attempted doorknob destruction was positive proof, and proved "bad  
18 faith" deliberateness in the evidence engineering -- but it was all hidden.

19           e/ It caused the judge to make rulings adverse to the defense, con-  
20 cerning allowed/disallowed evidence, allowed/disallowed jury instructions,  
21 and much else which changed every facet of the trial against the accused.

22           (8) Having presented the door to the jury while hiding from them  
23 (a) that it had a doorknob, and (b) why it was gone, implied to them that:

24           a/ There never was a doorknob and thus there was no force/violence.

25           b/ That Lazor thus lied about the force, violence and need for  
26 self-defense; and thus it was a malicious, senseless, cold-hearted murder.

27           c/ And/or, at best, that Mr. Lazor or his counsel tampered with the  
28 door to hide incriminating evidence; since "they" entered it in evidence.

1 ITEM #18: DOORJAMB OF BASHED-IN DOOR AND HOUSE AS CRIME SCENE EVIDENCE:  
Deliberately destroyed; had reconstructed by attacker's family.

2 THE FACTS:

3 (1) The doorjamb (door frame) of Mr. Lazor's bashed-open door was shat-  
4 tered with torn-out chunks of wood as Mr. Allred bashed the door in. The jamb  
5 was the last vestige of proof of his violent force, with the doorknob hidden  
6 and all else destroyed by the prosecution. Whether the killing was lawful  
7 self-defense or murder depended on the degree of the attacker's force & vio-  
8 lence; i.e., murder conviction versus acquittal. (See EXHIBIT II).

9 (2) Months before trial, secretly, the prosecution turned Mr. Lazor's  
10 house over to the attacker's uncle, Paul Garnier, who instigated the attack;  
11 and gave the "OK" to reconstruct and destroy what was left of the crime scene.  
12 They reconstructed the doorjamb and whole crime scene long before trial, while  
13 Mr. Lazor was still assured, and for months thereafter, that it was securely  
14 preserved as evidence. What crime scene evidence hadn't yet been destroyed,  
15 (meatcleaver, fingerprints, body, clothes, carpeting, blood, phone, garbage  
16 basket, bullets in clip, bullet hole & particles, doorknob, and much else),  
17 was now ruined irreparably by the attacker's family. (EXHIBIT JJ).

18 (3) Rather than Mr. Schroeder move for dismissal or some remedy for  
19 the crime scene spoilage making for an unfair trial, he ABANDONED his months-  
20 late motion to preserve the house -- the only written motion he started to  
21 make in the whole trial. He deemed it imperative based on the amazing dis-  
22 crepancy between bogus police diagram depictions & photos (ITEM #22) and see-  
23 ing the house in real life (RT 8, 11-12). But the jury never knew about it.

24 THE PREJUDICE:

25 (4) Removing this last vestige of physical evidence that showed and  
26 proved the forceful attack was real, (a) removed all proof of the need for  
27 self-defense; (b) destroyed Mr. Lazor's credibility with nothing to back up  
28 his bare claims; (c) allowed the prosecutor to persuade the jury to believe

1 no forceful attack had been made (RT 1540) even if Mr. Allred had tapped the  
2 door with his foot; arguments made while knowing he'd destroyed the proof.

3 (5) Plans to take the jury to the house where they could experience and  
4 verify the conditions of the panic-evoking attack, had to be abandoned as  
5 pointless once the scene was destroyed -- though they never knew the destruc-  
6 tion occurred nor why plans to view the crime scene were cancelled.

7  
8 ITEM #19: BEDROOM DOOR BASHED OPEN FULL 90° AND BEYOND, BY ATTACKER:  
9 Concealed police photo of proof; while lying to the jury.

10 THE FACTS:

11 (1) The bedroom door flew open past 90°, allowing the attacker to swing  
12 the meatcleaver at Mr. Lazor's head, catching the phone's cord and jerking it  
13 out of Mr. Lazor's hands through the door. Lazor then fired through the door.

14 (2) At least 3 police officers testified under oath that the door  
15 could open only 18-24 inches due to a large chair obstructing further open-  
16 ing. This allowed the prosecutor to persuasively argue that Lazor couldn't  
17 have shot through the doorway at Mr. Allred; therefore he not only lied to  
18 the jury under oath, but that it also proves Lazor had to have shot Allred in  
19 senseless cold blood in the other room while he lay disabled on the floor.  
(See EXHIBITS O & T).

20 (3) Mr. Lazor was ordered by his attorney not to refute the police; he  
21 sheepishly did so anyway but all corroborating evidence was kept hidden.  
22 This included a police photograph of the crime scene which showed the door  
23 opened past 90° without the alleged obstruction, across 3 12-inch floortile  
24 squares. It was already verified that the chair hadn't been moved and that  
25 the door is much less than 36" wide. This proves that all 3 police officers  
26 lied under oath to further frame Mr. Lazor. (See EXHIBIT KK: The police  
27 photo that proves it). The jurors never knew of the photo nor fabrications.

28 THE PREJUDICE:

1 (4) Three police officers' concurring testimony against one accused  
2 murderer whose credibility was bashed with falsehoods for days without rebut-  
3 tal, was in no position to be believed by any jury. They had to deduce by  
4 these odds that he lied again, and again; and that the only reason he'd have  
5 to lie would be to cover up his guilt, and that lying here indicated he lied  
6 in other areas, and vice-versa. They were so instructed. (EXHIBIT AA).

7 (5) With this evidence concealed, the jury was left with only one multi-  
8 faceted, plausible conclusion:

9 a/ That Lazor lied about the door flying open and about how and  
10 from where Mr. Allred was shot - it couldn't have been through the doorway.

11 b/ That the only other alternative presented must be accepted as  
12 true, that Lazor shot Allred on the kitchen floor, unjustifiably.

13 c/ This all suggests that Mr. Lazor did in fact "contrive" self-  
14 defense as the prosecutor alleged, to cover up that he murdered with malice.

15

16 ITEM #20: ALL CRIME SCENE EVIDENCE WAS TAMPERED WITH, REPOSITIONED, STAGED:  
17 Concealed and lied about the tampering; but proven by photos.

18 THE FACTS:

19 (1) For 7 months the police swore they touched nothing at the crime  
20 scene except possibly nudging the telephone. During the trial, police photos  
21 surfaced which show items in some photos were repositioned in other photos.  
22 Probing revealed this happened with virtually every item at the scene, along  
23 with other forms of tampering. (See EXHIBIT LL, Police caught under oath).

24 (2) The prosecutor countered with vigorous falsehoods and deceptions  
25 to deceive the jury that the photos didn't show any tampering. In arguments  
26 and summations the jury, Mr. Schroeder abandoned the issue and never made  
27 any motions to dismiss, nor for limiting the use of the tainted evidence, nor  
28 for anything. The exposure that had only barely begun, was rendered insignif-  
icant by diverting all further attention from it, and assigning no meaning

1 to it, nor even ascertaining that the tampering was a proven fact. The jury  
2 never knew that underneath what they'd begun to see but was ultimately con-  
3 cealed and diverted away from, was an entirely fabricated and framed murder  
4 case. Mr. Schroeder refused to expose this as it had already impermissibly  
5 "rocked the boat", but he patched that up by keeping the significance hidden.

6 THE PREJUDICE:

7 (3) Everything was tainted, irreparably. Yet that was never made known  
8 to the jury. No single item of evidence nor all cumulatively, could be relied  
9 on to be in its original state nor show what it purported to prove; and thus  
10 could not produce a reliable verdict -- but that wasn't made clear to the  
11 jury. It was abandoned before it was probed or developed to that degree.

12 (4) The jury was denied an opportunity to acquit Mr. Lazor of all char-  
13 ges based on the wholesale tampering, as jurors did in the John DeLorean and  
14 O.J. Simpson cases, and many others, based on much lesser tampering. Because  
15 in this case (a) They were deprived of the full revelations of the tampering;  
16 (b) Of its significance in abrogating reliability of evidence, of a fair  
17 trial and a just verdict; (c) They were deprived of arguments and instruc-  
18 tions informing them of obligations to limit the use of the tainted evidence,  
19 of their right to consider the evidence non-reliable, and their right to  
20 acquit Mr. Lazor based on the tampering, framing and fabrications.

21 (5) The pervasive taint and prejudice against having a fair trial was  
22 sufficient to warrant dismissal of all charges by the court, but the degree  
23 of taint, fabrication, framing and prejudice was hidden from the judge too.

24

25 ITEM #21: CRIME SCENE EVIDENCE WAS GIVEN TO CRIME PERPETRATOR'S MOTHER:

Concealment, loss, spoilage and fraud by prosecution give-away.

26

THE FACTS:

27 (1) After collecting the evidence from the crime scene, the prosecu-  
28 tion turned many of the critical items over to the mother of the perpetrator

1 of the crime, Mrs. Eleanor Allred. It included critical items such as ring(s)  
2 of keys, baton-weapons, a footlocker at the immediate scene full of items,  
3 evidently including the meatcleaver -- the most crucial item of the whole  
4 trial. (See ITEM #1). The evidentiary value of these, as verdict-critical, is  
5 known; but because countless other items were not inventoried before given  
6 to Mrs. Allred, they, or their value can never be proven.

7 (2) Mrs. Allred was allowed to testify to encourage a murder verdict,  
8 exposing her sympathy-evoking suffering from the death, to the jury. The sole  
9 basis for permitting her as a witness was her alleged ability to verify that  
10 her son had no weapons at the shooting scene, since his belongings given to  
11 her contained no weapons (supposedly). (EXHIBIT MM: RTs). Mr. Schroeder re-  
12 fused to expose the prosecution give-away as misconductful fraud and expose  
13 that other evidence destruction had nullified Mrs. Allred's capability of  
14 knowing her son had no weapons -- leaving no basis to allow her to testify.

15 THE PREJUDICE:

16 (3) The batons, apparently the meatcleaver, keys and other crucial  
17 crime scene evidence was conveniently disposed of by giving it to the mother  
18 of the attacker. They were the essence of the defense warranting acquittal.  
19 Besides the obvious value of the meatcleaver and baton weapons, and their  
20 placement (behind a door where Allred had earlier hid and attacked Lazor),  
21 the keys proved how Allred stealthily entered Lazor's house undetected. With-  
22 out them, the jury was persuaded that Allred couldn't have entered the house  
23 undetected, and therefore Lazor must have staged this. (See EXHIBIT NN: keys  
24 visible in lower right corner of police photo, and prosecutor arguments).

25 (4) The prosecution benefited from giving away evidence, as follows:

26 a/ It fabricated what exonerating evidence did not exist at the  
27 scene, thus proving Allred had no weapon and was therefore murdered.

28 b/ It provided the "framework" to "frame" Mr. Lazor for murder by

1 false proof that self-defense was contrived, the BB gun was planted.

2 c/ It provided the sole basis for the attacker's mother to influ-  
3 ence the jury to convict of murder, including a display of her sympathy-  
4 evoking suffering mixed with her assurance that her son had no weapons and  
5 thus that this was a malicious murder and "contrived self-defense."

6

7 ITEM #22: ALL CRIME SCENE DIMENSIONS & MEASUREMENTS WERE FALSELY PRESENTED:  
8 All diagrams were distorted; all true measurements were concealed.

8

THE FACTS:

9 (1) The case was laid out to the jury by setting out a foundation of  
10 various diagrams from the prosecution, within which everything else in trial  
11 had its central reference. The defense presented no diagrams. Every diagram  
12 and drawing presented, every length, width, depth, height, relationship and  
13 angle depicted, was grossly distorted. To date, 16 years later, there does  
14 not exist in the case record any true distances and relative dimensions,  
15 without which it is impossible to conceive an accurate idea of how the kill-  
16 ing and the attack actually occurred. (See EXHIBIT 00: RTs).

17 (2) The prosecution had 7 months to prepare accurate depictions and re-  
18 fused. Mr. Schroeder also refused and threatened Mr. Lazor with going back  
19 to jail if he were to prepare and try to present accurate diagrams.

20 THE PREJUDICE:

21 (3) Without accurate dimensions, the jury could not understand how the  
22 attack and shooting occurred; those had to be distorted to fit the fabricated  
23 murder plot. The materially wrong measurements removed the possibility of  
24 sensing the attack, the panic, the physical relationship of the attacker and  
25 shooter at the critical moments, and the impact that true distances had on  
26 fear, panic and shock, of Mr Lazor. The jury had no means to sense it.

27 (4) The wrong measurements formed a false context that forced Lazor to  
28 try to fit true facts into; and this proved impossible. It thus forced him



1 to go along with the false context the prosecution established, as it was  
2 long established as the rockbed of the case foundations, and couldn't be  
3 bucked without re-starting the trial from scratch. Mr. Lazor didn't know how  
4 to do that and Mr. Schroeder wouldn't permit it. Under Schroeder's demands,  
5 Lazor couldn't do anything but buckle under the coercion (ITEM #35), in con-  
6 formance to the state's false context; defeating any chance of acquittal.

7  
8 ITEM #23: WRITINGS BY PF LAZOR HAVING NO RELATION TO ANY CRIME NOR WRONG:  
9 Falsified by prosecutor to depict fabricated murder plot.

10 THE FACTS:

11 (1) The prosecution seized thousands of pages of Mr. Lazor's writings  
12 and graphics. None had anything to do with wrongdoing or criminal conduct;  
13 almost none related to the murder case, and weren't listed on warrants. Mr.  
14 Schroeder falsely told the courts they were seized pursuant to warrants, to  
15 aid the prosecution cover-up of the illegal seizure and entry as evidence.

16 (2) In their original state and contexts as written, the documents  
17 were EXCULPATORY and innocuous; hence the prosecutor altered and falsified  
18 them in various ways to portray them as showing that Mr. Lazor plotted mur-  
19 der, and to defame his character (in chief) as a violent, cold-hearted, mur-  
20 derous type. He falsely presented them to the trial judge when Mr. Lazor was  
21 absent in pre-trial proceedings, winning many evidence and jury instruction  
22 rulings with the bogus portrayals; then likewise presented them to the jury.

23 THE PREJUDICE:

24 (3) The whole infrastructure of the trial was changed, against chances  
25 of acquittal, by the judge's rulings emanating from the falsified writings.

26 (4) The prosecution refused to ever give the defense readable copies  
27 of many of the writings, which crippled their ability to prove and contest  
28 the altering/falsifying schemes before incurable damage was already done.

(5) There existed no other evidence that justified charging murder "in

1 the FIRST degree" other than the following falsified phrase, which in its  
2 original state as written by Lazor, was innocuous. The first degree charge  
3 infected the whole trial, influencing the second degree verdict. This falsi-  
4 fied murder plot, which summed up the prosecutor's whole case, was not con-  
5 tested to the jury, instead was "stipulated" to by Mr. Schroeder, and there-  
6 fore it was a "must-be-true," "ONLY scenario" presentation. As follows:

7 (6) Mr. Lazor wrote in his business appointment book ("DAILY AIDE") to  
8 pick up a dictating machine at the General Electric Service Center store, by  
9 the notation "GET DICTATOR G E SERVICENTER". On that same date he wrote three  
10 other references to recording tapes for the dictator, but the shooting inci-  
11 dent intervened in these appointments on the same date, 1-10-83. Over the  
12 previous 10 days, Mr. Lazor noted several aborted appointments to use the  
13 dictator to record housing contract discussions with John Allred's uncle,  
14 Paul Garnier; in his shorthand: "DICTATOR GARNIER" and "GARNIER CONTRACT."  
15 Beginning at preliminary hearing four months before trial, the prosecutor un-  
16 veiled that his whole murder case/murder charge of first degree murder was  
17 built around falsifying the phrase "GET DICTATOR G E SERVICENTER" by whitening-  
18 out the "G E SERVICENTER" and arguing that Garnier was being called a "Dic-  
19 tator", that "Garnier Contract" meant a "murder contract" and "GET DICTATOR"  
20 meant to "KILL the Dictator" -- but at the last moment the murder intent was  
21 transferred to Mr. Allred who showed up without Garnier. This scenario was  
22 the basis to charge first degree murder and was presented to the jury as the  
23 closing words, the grand finale that summed up the prosecutor's whole murder  
24 case. (See EXHIBIT PP: Layout of entire scheme to alter & deceive, including  
25 prosecutor's statements in official transcripts [RTs]). Privately, Mr. Sch-  
26 roeder condemned this as fraudulent misconduct; then went right ahead and  
27 stipulated to altering Lazor's writings to match the falsified presentation,  
28 and personally helped the prosecutor falsify them. (See entire EXHIBIT PP).

1           (7) This single example represents many others too numerous to list  
2 here. It shows the prosecutor's disposition toward deceiving the jury into a  
3 verdict by falsified evidence: (1) Deliberateness; (2) Deviousness; (3) Tak-  
4 ing great calculating pains of planning & scheming to "frame" Mr. Lazor for  
5 the murder; (4) Trickery; (5) Manufacturing evidence, while emphasizing to  
6 the jury that all his efforts were a devout "search for the truth." (EXHIBIT  
7 BB). And it shows Mr. Schroeder's disposition to join in whatever the pros-  
8 ecution desired, no matter how certainly it was to cause a wrong conviction.

9           (8) By Mr. Schroeder aiding the prosecutor in the falsifications and  
10 cover-up, and by stipulating to switching the falsified writings for the real  
11 ones, (EXHIBIT PP), he abrogated any possible relief on appeal as the appeals  
12 judges reiterated: Stipulations foreclose all appealability. (EXHIBIT QQ).

13

14 ITEM #24: DOCUMENTS BELONGING TO MR. LAZOR TENDING TO SHOW HIS INNOCENCE:  
15 Illegally seized, held & concealed only to bar defense from using.

16           THE FACTS:

17           (1) Aside from falsifying documents that were seized without warrant,  
18 many were seized and kept by the prosecution solely to keep the defense from  
19 having them to use as evidence because they undermined the prosecutor's case,  
20 proved it was fabricated, and showed innocence. Copies of documents and even  
21 a list of items taken, except for selected token pages, were refused by the  
22 prosecution to the defense; and those given were non-legible. 16 years  
23 years later, readable copies and lists of items taken are still denied.

24           (2) The prosecution had no intention to use these documents for trial.  
25 They were taken solely to keep the defense from using them to undermine and  
26 refute the prosecution's case, and to prove Mr. Lazor's innocence. In one in-  
27 stance where Mr. Lazor did have an extra copy, the prosecutor got the trial  
28 judge to rule that Lazor was disallowed from using his "copy", because it was  
not "the original." The prosecutor had and concealed "the original" papers.

1        THE PREJUDICE:

2        (3) The hidden documents proved Mr. Lazor's innocence concerning many  
3 false accusations that comprised the "thousands of puzzle pieces" that framed  
4 the "big picture of guilt" of "circumstantial evidence." (EXHIBIT B). They un-  
5 dermined the prosecution's case, one puzzle piece at a time, showing not only  
6 a picture of innocence, but exposing the whole murder case as fabricated.

7        (4) Mr. Lazor's credibility was so damaged by him not having these doc-  
8 uments to back up his assertion of innocence, that the prosecutor was able to  
9 persuasively argue that Lazor was a trained professional liar. And that if it  
10 were true that Allred previously threatened and attacked him, as claimed, he  
11 would have had notes to back it up, as he made notes for everything else in  
12 life. The jury didn't know the prosecutor had these very notes and Lazor was  
13 not allowed to ever tell them. This represented dozens of other instances.

14  
15 ITEM #25: DATED CASH REGISTER RECEIPT PROVING MURDER CASE FABRICATING:  
16        Repeated acts of concealment, after denying "discovery" copies.

17        THE FACTS:

18        (1) Ellis and Wallis testified that three months before the killing, Mr.  
19 Lazor took possession of the BB pistol and locked it in the premises garage  
20 where no one besides Lazor could access it because of the lock. (In reality,  
21 Ellis took possession of it in front of Wallis and Lazor). This testimony was  
22 the root of the prosecutor's case presentation that Lazor "planted" that BB  
23 gun on Mr. Allred, hiding it in the locked garage until the opportune time.  
24 This double-testimony was what made the "planted gun" theory plausible.

25        (2) During trial, on the prosecutor's evidence table, Lazor pointed out  
26 to Mr. Schroeder several books of purchase receipts which the prosecution had  
27 seized without warrant and refused copies to the defense. Therein was found a  
28 OSH cash register receipt stating "lock latch for Roberts Rd. garage," dated  
October 13, 1982; which was significantly AFTER the date swore to by Ellis

1 and Wallis. Other evidence already established there never had been any kind  
2 of locking mechanism -no means to lock the garage door- until Lazor installed  
3 this latch and lock. This proved there could not have been a lock nor any  
4 means to lock the garage door and that this testimony was fabricated repeat-  
5 edly under examination: The gun could not have been locked in the garage.

6 (3) Explanation and presentation of the receipt would expose perjury  
7 and prosecution misconduct in fabricating the murder case. Schroeder promised  
8 he'd expose it all within Lazor's testifying, but instead barred Lazor from  
9 stating or showing what the receipt stated, while ever-assuring that would  
10 come "later." He kept the whole matter concealed so the jury never knew any-  
11 thing about it. He also helped the prosecutor obscure and conceal the exact  
12 date of the event in case the receipt or related evidence were to surface.

13 THE PREJUDICE:

14 (4) The corroborating double-testimony established a necessary link in  
15 the chain of puzzle pieces that Lazor "planted" the BB gun to "contrive self-  
16 defense" -which proves murder. Proof of the perjury was disallowed & hidden.

17 (5) The jury never had a clue as to any perjury or proof of it. Dozens  
18 of other perjured statements would have unraveled had this one been exposed.

19 (6) It destroyed Mr. Lazor's credibility when Mr. Schroeder forced him to  
20 recant his truthful, original testimony that refuted the perjury, to aid the  
21 prosecutor in reinforcing how specially truthful the two witnesses' testimony  
22 was, particularly compared to Lazor's (supposed) "lying." (See EXHIBIT RR).

23

24 ITEM #26: TAPED POLICE INTERVIEW OF FERNANDEZ' EXCULPATORY ADMISSIONS:

Cassette tape was "lost" at the critical juncture in the trial.

25

THE FACTS:

26 (1) Donna Fernandez testified to the jury that Mr. Lazor had expressed  
27 animosity toward Allred before the killing. In tape recorded police inter-  
28 views she insisted the contrary was true -- before discussions with Allred's

1 friends and family; to whom she was related through marriage. The jury never  
2 knew of the relationship. At the point where Fernandez delivered this false  
3 surprise testimony, the police tape that could have impeached her disappeared  
4 from police custody. No one could account for the disappearance.

5 THE PREJUDICE:

6 (2) Without the tape, it could not be proven that Fernandez fabricated  
7 the only prosecution witness testimony that Mr. Lazor directly told them of  
8 hostility he felt toward Mr. Allred. The prosecutor's arguments to the jury  
9 about Lazor's alleged anger and hatred toward Allred being his motive to mur-  
10 der him, persuaded the appeal judges that this fabrication was true. (See  
11 EXHIBIT SS: Excerpts of appeal decision, indicative of effect on jury).

12  
13 FACTUAL STATUS AND EVENTS WHICH WERE  
14 FALSIFIED, CONCEALED, AND SUPPLANTED WITH FABRICATIONS

15 ITEM #27: FACT: THE SHOOTING ROOM WAS LAZOR'S BEDROOM, NOT A MERE "PANTRY":  
16 Concealed evidence, witnesses & fact; fabricated "pantry" status.

17 THE FACTS:

18 (1) Throughout trial hundreds of times, Mr. Lazor's bedroom from where  
19 he shot the attacker, was mischaracterized as a mere, impersonal, walk-in food  
20 "pantry." The jury was presented no other concept of it. Even Mr. Lazor was  
21 pressed into using this misnomer; otherwise no one would have known what he  
22 was talking about and he'd have had to buck each question concerning the act-  
23 ual shooting, and this was strictly disallowed. Within the context of both  
24 attorneys having joined forces against him concerning this and all else, he  
25 had no choice but to "go along" with this.

26 (2) The physical evidence showing this had been converted into a bed-  
27 room, and witnesses who knew it was Mr. Lazor's bedroom, were all concealed.

28 THE PREJUDICE:

(3) The false "pantry" presentation erased all capability of mentally

1 conceptualizing that this was a vicious attack in the sanctity of one's pri-  
2 vate bedroom in their home, warranting greater use of self-defensive force;  
3 compared to hiding in a kitchen pantry waiting to murder an expected visitor.

4 (4) "The pantry" concept, was a subconscious, reinforcing bombardment  
5 of the false notions that (1) Mr. Lazor had no business being there, unless he  
6 had some ulterior motives; (2) The unusual place suggests he was lying in  
7 wait for someone; (3) It was not a home-bedroom sanctity situation.

8 (5) Jury instructions crucial to acquittal under the circumstances that  
9 occurred were disallowed and never known of by the jury, resulting in not  
10 being able to acquit, based on the fabricated "pantry" scheme. (EXHIBIT TT).

11

12 ITEM #28: FACT: SHOOTING SCENE WAS MR. LAZOR'S RESIDENCE, NOT MR. ALLRED'S:  
13 Concealed this fact & evidence; fabricated story of Allred's home.

13

THE FACTS:

14 (1) Mr. Lazor lived in the house for more than a year on the day the  
15 attacker broke in. He purchased the house six months earlier. He was coerced  
16 by Mr. Schroeder not to testify as such but to agree with the prosecutor. Mr.  
17 Lazor somewhat refused, but Schroeder talked over his testimony when he tried  
18 to explain the truth. (See EXHIBIT UU, reprimanded repeatedly for this).

19 (2) In secret proceedings Mr. Lazor didn't know about until imprisoned,  
20 Mr. Schroeder had betrayed him before trial by agreeing with the prosecutor  
21 and judge that Lazor didn't live in or own this house. He insisted that Lazor  
22 must go along with what the prosecutor already established; the jury would  
23 not believe anything contrary, which would make matters worse.

24 (3) Witnesses who'd visited Lazor's home, contacted him by mail, phone  
25 calls and otherwise knew this was his residence, were banned from testifying.  
26 All physical evidence was likewise banned, such as utility bills in his name,  
27 and much else. The prosecution fabricated a scenario that Lazor lived twenty  
28 miles away; while the woman who really lived there wasn't allowed to testify

1 that Mr. Lazor didn't live there, but did live where the shooting occurred.

2 (See EXHIBIT VV: Declaration of Marlene Hepp).

3 (4) The prosecution fabricated a companion scenario that Mr. Allred him-  
4 self lived at this residence on the day of the shooting. Mr. Schroeder aided  
5 the prosecution in concealing and barring all witnesses and evidence that  
6 proved this was a fabricated hoax.

7 (5) Within two years after Mr. Lazor's conviction, it became California  
8 law (Penal Code §198.5) that anyone killing an intruder in their home,  
9 exactly as Lazor had done, regardless of the "puzzle piece" circumstances,  
10 are presumed to have acted in self-defense and their act was not a crime. But  
11 Mr. Schroeder assured the jury that whether Lazor's residence was at the place  
12 of the shooting or not, was an meaningless "red herring." (See EXHIBIT WW).

13 THE PREJUDICE:

14 (6) Jurors' propensity to acquit when one's private home is invaded, as in-  
15 dicated by the community's passage of the "Home Protection Self-Defense Bill"  
16 (Penal Code §198.5), was nullified by them never knowing this was Mr. Lazor's  
17 home; and that the attacker didn't live there.

18 (7) Mr. Lazor's credibility was undermined by not being allowed to pre-  
19 sent any witnesses or evidence to prove what his watered-down testimony had  
20 attempted: He did live there, and the prosecution fabricated that Allred did.

21 (8) Over 20 jury instructions were not given to the jury, so they could  
22 not acquit of murder without them, based on the fabrication of Mr. Lazor not  
23 living at the house and the attacker living there. The instructions were re-  
24 quired, had the evidence proving Lazor's and Allred's residences not been  
25 switched by concealment and fabrication of factual evidence.

26  
27 ITEM #29: FACT-EVENT: ALLRED STALKED LAZOR AND ATTACKED HIM ON 12-20-82:

28 The event, witnesses and evidence were all concealed from the jury.



1        THE FACTS:

2        (1) Seven weeks before the killing (11-22-82), John Allred embarked on a  
3 campaign of stalking, threatening and attacking Mr. Lazor, which ended in the  
4 last attack and shooting on 1-10-83. Lazor called for police intervention  
5 various times, finally to be ordered by them never to call again. Allred vio-  
6 lently attacked Lazor on 11-22-83, where Allred got police to take his side  
7 and falsely accuse Lazor of pulling a gun, just because he owned one (legal  
8 and registered).

9        (2) On 12-20-82, Mr. Allred publicly attacked Lazor in a restaurant,  
10 without cause, where Paul Garnier had to pull him off, and many witnessed it.  
11 Mr. Schroeder refused to let the jury know about this attack or ongoing stalk-  
12 ing, telling the judge in Lazor's absence that he "has no desire" to let the  
13 jury know of any of Allred's violent acts against Lazor beyond what the pro-  
14 secutor was already presenting with his dishonest spin. (EXHIBIT XX, RT 40).

15        (3) Late in trial, a jury instruction that permits acquittal and great-  
16 er self-defense force against one who'd threatened or menaced the accused,  
17 was rejected by the judge, based on Schroeder keeping the stalking and attack  
18 information out of trial. The jury never had any idea about these events by  
19 Mr. Allred, nor the jury instruction. (See EXHIBIT YY: Rejected instruction).

20        THE PREJUDICE:

21        (4) Had the jury known about Allred's stalking and violence, their com-  
22 plete perception about him, about Lazor and the eventual shooting would have  
23 been altered: Toward Allred with reduced sympathy, and toward Lazor with em-  
24 pathy for the necessity for the self-defense shooting.

25        (5) Had the "Threats & Menaces" (Bush) Instruction been known about by  
26 the jury, especially along with the omitted facts, it would have been a vir-  
27 tual "directive" to acquit of murder; their omission had the opposite effect.

28        (6) Omitting these events stripped the whole foundation from the de-

1 fense; they were the defense. It forced Mr. Lazor to concomitantly suppress  
2 all else that was unfavorable toward the attacker, which is the whole defense  
3 in a self-defense case; rendering Lazor's whole case presentation ambiguous  
4 and tenuous at best, stifling out any genuine defense against the charges.

5  
6 ITEM #30: FACT: LAZOR & ALLRED HAD ALMOST NO PRIOR CONTACT BESIDES STALKING:  
7 Concealed fact and fabricated contrary evidence to jury and court.

8 THE FACTS:

9 (1) During their entire lifetimes, John Allred and PF Lazor were in  
10 each others' presence LESS THAN 15 MINUTES -- total, cumulative time. Hardly  
11 a relationship or "knowing" one another. Time they shared alone with no one  
12 else present, was LESS THAN 1½ MINUTES, total, ever.<sup>3/</sup> Telephone contact was  
13 limited to a few calls of Mr. Allred's threats, less than 30-60 seconds each.  
14 Mr. Lazor was not allowed to divulge these facts to the jury or judge.

15 (2) The trial portrayal showed a ½-year intensive and "festering rela-  
16 tionship" of constant churning, fomenting and building violence, by Mr Lazor!  
17 The prosecutor even falsified information to the trial judge that there was  
18 a sexual aspect to their very close relationship, in order to win rulings ad-  
19 verse to the defense, based on the inference of murder by sexual passion. Mr.  
20 Schroeder joined in with the prosecutor, concealing the well-established fact  
21 that Mr. Lazor was strictly heterosexual -- but he couldn't object because he  
22 wasn't present when these false statements were presented. (EXHIBIT ZZ: RTs).

23 THE PREJUDICE:

24 (3) The judge made many crucial rulings adverse to the defense after

25 fn 3. Approximately: 2 minutes initially meeting each other, introduced by  
26 Paul Garnier; 30 seconds to ask a question about tenant matters; 1 minute to  
27 collect a check; 10 seconds in passing; 1-2 minutes when Mr. Lazor was with  
28 his girlfriend Lin Grand, Allred passed by and was introduced; 1½ minutes  
during the 11-22-82 attack/alleged brandishing; 5-6 minutes on 12-20-82 when  
Allred attacked Lazor again; and less than 1-2 minutes at the shooting scene  
on 1-10-83. There was no other personal contact between these two men, ever.

1 savoring the fabricated "relationship" data. It formed the trial infrastruc-  
2 ture, affected what evidence was allowed and disallowed, caused prosecution  
3 jury instructions to be given and defense instructions to be disallowed.

4 (4) It clouded the issues so the jury never got to hear the true moti-  
5 vations for Allred's attack: (1) Rage-jealousy that Lazor bought the house 2  
6 months before Mr. Allred moved to the area, which precluded his inheritance of  
7 it from his uncle; (2) He had fatal disease(s) and was prone to commit "pas-  
8 sive suicide" by setting himself up to be shot and killed; and (3) He viewed  
9 Mr. Lazor, due to his highly-principled lifestyle, as a threat and obstacle  
10 to unsavory designs he had for the house he felt should be rightfully his.  
11 The jury heard nothing about any of these facts, and evidence proving them.

12 (5) The manufactured portrayal of an intimate, festering relationship  
13 formed the necessary context that provided motive and believability of the  
14 more hardcore items of violated evidence such as the "wiped, planted gun";  
15 "towel;" door opening; shot from back, etc. theories, and many others.

16

17 ITEM #31: BRAIN-MEMORY DAMAGE OF KEY POLICE WITNESS OATES, BEFORE TRIAL:  
18 Concealed the status; Manufactured & planted "false memories."

19 THE FACTS:

20 (1) Officer Oates was the foremost key prosecution witness of the case.  
21 He was first at the scene; First to observe Mr. Allred and evidence before it  
22 was altered; He was at the alleged brandishing of 11-22-82; He was one of  
23 only two evidence technicians; He was a link in the broken chain of evidence  
24 where bullet quantities were changed; And one of only two police on the case  
25 who didn't intentionally, repeatedly fabricate evidence and the murder case.  
26 His testimony and that which concerned him from his partner, was the longest  
27 of any witness. More than anyone, his testimony was vital to the verdict.

28 (2) Between the shooting (1-10-83) and the preliminary examination (4-  
5-83), Officer Oates suffered a serious brain impairment that wiped out much

1 of his memory. At the preliminary hearing, his countenance presented as con-  
2 fused, bewildered, shakey and uncertain of anything. His testimony was ob-  
3 viously erroneous. By the time of trial (8-4-83), he was groomed, presented  
4 with assurance and credibility, but his erroneous "memories" had been refined  
5 over time by reinforcement from fabricated information fed to him by other  
6 prosecution officials. His mental garden was planted with "false memories"  
7 that fit the prosecutor's fabricated murder case. Both the prosecutor and Mr.  
8 Schroeder "led" and aided him as to what to say, against Lazor's interests.  
9 Schroeder refused to "rock the boat" by exposing Oates' condition; or to make  
10 any kind of motion for remedy to balance the prejudice against a fair trial.

11 THE PREJUDICE:

12 (3) Officer Oates' testimony was about 85% false, against Mr. Lazor's  
13 acquittal interests; including concerning the following crucial issues:

14 a/ That Allred was "down on the floor on all 4s" when he arrived at  
15 the scene. In fact, Allred was standing over the trash basket against a wall.

16 b/ That Lazor was Mirandized at the 11-22-82 "brandishing" before  
17 giving a statement. This was false and allowed that incident in as evidence.

18 c/ That Lazor's bashed-in door opened only 18-24", disproving an  
19 attack and self-defense. In fact, the door opened fully. (Proven by EXHIBIT KK).

20 d/ He couldn't account for over 30 items of crime scene evidence  
21 moved, altered, missing, re-positioned, changed, corrupted in various ways.

22 e/ He was a crucial link in the unaccounted-for broken chain of  
23 custody of the amount of unfired bullets in Lazor's gun. (See ITEM #15).

24 f/ And scores of other false statements of fact that Oates wouldn't  
25 have intentionally made, but for his memory damage and "re-planting;" and  
26 which were critical to the juror's verdict.

27

28

1 ITEM #32: STATUS: OF DRUGS IN ATTACKER'S BLOOD DURING HIS VIOLENT ATTACK:  
Concealed facts; Fabricated "drug-free" status to jury and court.

2 THE FACTS:

3 (1) The prosecutor told the jury, judge and defense that Mr. Allred had  
4 no drugs in his blood during the shooting; and got Mr. Schroeder to stipulate  
5 this was a fact. No test results ever issued except those limited to selected  
6 and few drugs. The attacker had just returned from a doctor treating him  
7 with medications for immunogenic diseases, including Hepatitis-B, when he  
8 stopped to perpetrate the attack. His foremost intimate mate was a strung-out  
9 dope addict (Val Ray).

10 (2) Medical and judicial cases long established that mixing Hepatitis-  
11 B medications with other drugs Allred appeared to be under the influence of,  
12 cause uncontrollable, violent, raging, murderous attacks in certain people.  
13 There are also many cases where those on the drug PCP are not easily stoop-  
14 able with even standard .45 caliber gunshots, and commonly provokes those  
15 under its influence to perpetrate such raging, violent attacks without cause.

16 THE PREJUDICE:

17 (3) Mr. Schroeder's "stipulation" quelled all potential doubt that Mr.  
18 Allred acted out rage from drug influence; it foreclosed the truth about his  
19 unsavory, violent character; it provided the prosecutor with uncontested  
20 persuasion that Lazor's shots "would have and did" "knock Mr. Allred down and  
21 out" -- thus proving no need for self-defense, which proves murder. Had the  
22 jury known that certain drugs (1) Cause such unprovoked, murderous attacks;  
23 (2) Make the attacker super-humanly unstoppable even with .45 bullets; and  
24 (3) that Mr. Allred was taking such drugs, it would have undermined this core  
25 ingredient of the murder theory, and exposed Mr. Allred's disposition truth-  
26 fully as a violent, raging attacker committing such a "forcible & atrocious  
27 crime" as to necessitate that Mr. Lazor have acted with self-defensive fire-  
28 power in order to secure his personal protection and his life.

1 ITEM #33: FACT-EVENT: PROSECUTION WITNESS ELLIS KICKED IN DOOR OF HOUSE:  
2 Concealed evidence to pin act on Mr. Lazor as proof of murder.

3 THE FACTS:

4 (1) The jury was presented a fabricated event that seven weeks before  
5 the killing Mr. Lazor (a) assailed Mr. Allred (b) at Allred's home, by (c)  
6 "brandishing a gun" on him and (d) kicking in part of the front door of the  
7 house to get at Mr. Allred. The broken door was the only physical evidence.  
8 Testimony by Ellis, Allred's surrogate cousin, was the state's other "evidence."

9 (2) What no one ever told the jury, as Mr. Lazor was not allowed, was:  
10 (a) Weeks before 11-22-82, (b) Ellis himself kicked in the door, and there  
11 were abundant witnesses and other evidence to sustain this fact. (c) That the  
12 house was Lazor's residence, not Allred's; and this is why Ellis kicked in  
13 the door in retaliation against Lazor to destroy his property. (d) That Ellis  
14 was not even on the premises that morning, he was at work, which was easy to  
15 prove but Mr. Schroeder would not allow the work records or witnesses to be  
16 presented, because they proved that the prosecutor knew and fabricated this  
17 whole event.

18 THE PREJUDICE:

19 (3) This fabricated event was so significant in "proving" murder,  
20 that the trial judge stated so in rulings, the prosecutor and Mr. Schroeder  
21 asserted that it powerfully demonstrated murder "motive" and "intent," and  
22 the appeal judges agreed, citing it as a reason for no appeal relief (in con-  
23 junction with the other 34 violated ITEMS they knew nothing about). It would  
logically have effected the jury similarly.

24 (4) It painted a picture of Mr. Lazor as a volatile "loose cannon" full  
25 of rage and revenge toward Mr. Allred -- 180° opposite of his true character.

26 (5) Had the jury been allowed to hear Lazor's uncoerced straightforward  
27 testimony and other witnesses, with the evidence, it would have proven yet  
28 one more example of prosecution fabrication of the whole murder case.

1 ITEM #34: ADMISSION BY POLICE THAT CASE INVESTIGATION WAS TO FRAME LAZOR:  
Concealed fact and official transcript of this unwitting admission.

2 THE FACTS:

3 (1) Under oath outside the presence of the jury, Detective Theron Mc-  
4 Carty, the prosecutor's chosen case "investigating officer" plainly stated at  
5 least three times that the case investigation was conducted exclusively to  
6 uncover evidence that Mr. Lazor murdered Mr. Allred, and that all contrary evi-  
7 dence found was disregarded and left uncollected, to spoil or be thrown away.  
8 His response to aghast reactions was gestures of "what's wrong with that?"

9 (2) All further reference to this unwitting admission was hushed, as if  
10 it had never been said. The jury never knew a thing about it. The version of  
11 official transcripts released by the court, does not contain this admission.

12 THE PREJUDICE:

13 (3) Had the jury known of the admission, a jury instruction would have  
14 been required, permitting or directing an acquittal based on this alone, that  
15 the whole case was too tainted with "framing" a murder outcome, for there to  
16 be the possibility of a fair trial. The John Delorean and O.J. Simpson trials  
17 ended in acquittals for far less taintings. Lazor's trial judge would have  
18 had compelling cause to dismiss all charges before letting it go to a jury.

19 (4) Had the admission and circumstances been revealed, it would have  
20 been the door-opener to submit to the judge or jury all of the other 34 ITEMS  
21 that were then known of or could have been uncovered with counsel assistance.

22 (5) These revelations would have shown that there could never possibly  
23 have been a fair trial for Mr. Lazor, as all opportunity to present evidence  
24 in defense of the charge was forever destroyed. They could have even proven  
25 his actual innocence in self-defense (the meatcleaver; the attacker's finger-  
26 prints; bullet hole direction in body & clothes; shoeprints; doorknob; autop-  
27 sy photos of frontal shot -- to name a few). All of which would have com-  
28 pelled either a court dismissal of all charges or an acquittal by the jury.

1 ITEM #35: LAZOR'S TESTIMONY WAS TAINTED BY COERCION THAT FORBADE DEFENDING:  
2 Everything Lazor spoke was under coercion; but this was concealed.

3 THE FACTS:

4 (1) From the inception, Mr. Schroeder used many ploys of coercion to  
5 break down Mr. Lazor's will to defend against the charges, until he finally  
6 had Lazor "going along" with almost all of the prosecutor's "puzzle pieces" of  
7 guilt. His pressurings to get Lazor to "take a deal" and outright falsely ad-  
8 mit guilt had failed; but the insidious "puzzle piece" method was a success.  
9 Every answer, every word from Mr. Lazor was tainted with the adverse effect of  
10 this coercion; no single bits of testimony, even those appearing favorable,  
11 can be isolated out from the coercion effect -- a pervasive saturation that  
12 did not permit him to independently think, voice or act on any trial matter.

13 (2) All of the coercion was AGAINST Mr. Lazor's acquittal interests and  
14 favored and supported the prosecution's fabricated murder case.

15 (3) None of the above 35 violated ITEMS could have occurred without  
16 Mr. Schroeder successfully harnessing Lazor from any defending, by coercion.  
17 None could have occurred without prosecution officials operating under the  
18 assurance that THEY COULD RELY ON Mr. Schroeder aiding them in sabotaging the  
19 defense including by coercion of his client and in constant cover-ups.

20 (4) Everything that Mr. Lazor had to say in his defense never reached  
21 the witness stand nor the jurors' hearing. There is only an APPEARANCE that  
22 he was allowed to testify. And the same is true with all of the exculpatory  
23 evidence he intended and sought to present, but it was all concealed along  
24 with his aspired testimony.

25 (5) An inherent co-factor of the coercion process was Mr. Schroeder  
26 having to conceal from the jury and court hundreds of highly exonerating  
27 items and issues that urged Lazor's acquittal. This included witnesses, phys-  
28 ical evidence, provable events, facts, his content and delivery of statements  
and arguments to the jury, stipulations and objections, and much more -- all



1 sabotaged with the sacrifice of his client's case, in order to adhere to con-  
2 formity with what the prosecutor had approved him to do, and to aid and  
3 cover-up for the prosecution.

4 (6) Something in Mr. Schroeder's psych-makeup simply would not permit  
5 him to act adversatively toward the prosecution, though his office requires  
6 it. It could not allow him to permit Mr. Lazor to do or say anything against  
7 the grain of the prosecution's manufactured murder case. Lazor was suscept-  
8 ible to a breakdown of his will to resist, by the trauma effects from the  
9 shooting/jailing event making his psyche vulnerable to coercion from the only  
10 source he had to rely on for urgent help. [A natural result of "PTSS," Post-  
11 Traumatic Stress Syndrome].

12 THE PREJUDICE:

13 (7) 33 of the other 34 ITEMS (except #26) had early damaging effects  
14 implicating Mr. Schroeder's coercion and Mr. Lazor's will being overborne by it.  
15 Schroeder was motivated to coerce by his compulsion to aid and cover-up for  
16 the prosecution; and Lazor's capitulation resulted largely from a state of  
17 hopelessness that Schroeder wouldn't permit him any genuine defense, so he  
18 had to grasp on to something -- and Schroeder's coercion was all there was.

19 (8) Mr. Lazor was (1) Forced to be a witness against himself; (2) To be  
20 a "false witness" (3) against his own acquittal interests, (4) while giving  
21 THE APPEARANCE that he was allowed to genuinely testify. (5) While all this  
22 time being prohibited from testifying at all, to anything truthful, exculpa-  
23 tory and defensive. This condition was worse than being prohibited from tak-  
24 ing the stand at all -- it achieved the same end, but with the other four  
25 damaging factors added.

26 (9) Lazor's coerced testimony only reinforced the prosecutor's fabri-  
27 cated murder theories and evidence. Had Mr. Schroeder's mental condition and  
28 betrayal been revealed in court, it would have inherently exposed all of the

1 above 34 ITEMS and countless other circumstantial "puzzle pieces" that served  
2 to compel dismissal of all charges by the court or acquittal by the jury. Be-  
3 cause it was all kept concealed by the prosecution and Mr. Schroeder aiding  
4 them, the 35 ITEMS and all of the exonerating truth that proves the prosecu-  
5 tion's murder case was wholly fabricated, still 17 years later remains unknown  
6 to Lazor's jurors, to any trier of fact, and to any reviewing judges.

7  
8 A 36TH FACTOR  
9 AS A DIRECT RESULT OF THE ABOVE 35 ITEMS:

10 JURY INSTRUCTION DEBACLE PROHIBITING ACOUITTAL OF MURDER

11 36TH FACTOR: TWENTY FOUR (24) JURY INSTRUCTIONS NECESSARY FOR JURY ACOUITTAL  
12 WERE WITHHELD FROM THE JURY DUE TO THE 35 EVIDENCE VIOLATIONS  
13 (ABOVE) RENDERING THEM IMPERTINENT -- WITHOUT THEM THE JURY  
14 COULD NOT ACOUIT OF MURDER.

15 THE FACTS AND THE PREJUDICE:

16 (1) At least 24 instructions which permitted -even directed- the jury to  
17 acquit Mr. Lazor of murder were not given to them. Without them, they could  
18 not acquit, according to the case factors. A jury instruction is not to be  
19 given where there is an absence of evidence to support what's instructed. The  
20 violated evidence, whether the concealed, destroyed, altered, planted, manu-  
21 factured, etc., forbade the jury from ever knowing of the instructions that  
22 warranted Mr. Lazor's acquittal of murder and all charges, based on this un-  
23 known evidence.

24 (2) The violated evidence, first, created a vacuum by omitting all truth  
25 and any genuine defense against the charges, then filled the vacuum with a  
26 fabricated murder case. Both factors concocted the trial infrastructure, in  
27 which were formed the fabricated trial contents, which determined what jury  
28 instructions could be given. Each juror agreed as part of being sworn in,  
that they'd strictly comply with whatever their instructions told them to do.

(3) Mr. Lazor was always assured that the omitted instructions were all

1 being given, and that they had been given; they were covertly withdrawn in  
2 secret proceedings he never knew about. The jurors were never told they could  
3 acquit Mr. Lazor for (a) His self-defense without intent to kill; (b) Against  
4 a "forcible & atrocious crime;" (c) In his home; (d) Due to his altered men-  
5 tal state (e) from panic, (f) fear, (g) gun-blast concussion; (h) Due to the  
6 "sudden quarrel" (i) or any, manslaughter factors; (j) Due to a fabricated,  
7 prosecution-manufactured murder case or (k) Evidence tampering; (l) Or mali-  
8 cious prosecution; nor any other case factor -- but were told with dozens of  
9 other prosecution instructions to convict on the inverse of these factors.

10 (4) The jury acquitted Mr. Lazor of first degree murder, which was the  
11 only verdict option that they came close to being properly instructed on; but  
12 they were never given such an option or opportunity concerning second degree  
13 murder (versus self-defense acquittal), due to the omitted jury instructions,  
14 due to the 35 ITEMS of destroyed, concealed, altered, planted, manufactured,  
15 fabricated, corrupted, falsified, and covered-up evidence.

16  
17

18 EXHIBITS A-Z AND AA-ZZ, FOLLOW NEXT IN ORDER

19 VERIFICATION

20 First, being duly deposed, I declare and affirm, subject to penalties  
21 for perjury, that I personally know by my own first-hand knowledge as a  
22 witness, that the foregoing memorandum of statements of fact are true and  
23 correct.



24  
25 Dated: January 2, 2001 A.D. )  
26 County of Los Angeles, )  
27 California )

PF Lazor, Declarant and affiant

28