

24 July 2017

Dear Dante

As you be vaguely aware, I shook off a liver cancer some years ago. The oncology physicians at Boston Medical Center did some cutting and burning and deluged the affected liver tumor with chemotherapy. While I was being evaluated for a possible liver transplant at Beth Isreal Hospital, that team of doctors found that the liver cancer had metastisized to the Lymph Nodes thus I do not fit the criterion for a transplant. At Boston Medical Center Dr Kaven Hartshorn says that I have three years to live, even if I respond to the treatments available to me: "Overall poor prognosis due to advance HHC [hepatocellular carcinoma] with estimated survival, assuming response to treatment, at 3 years." There are a number of clinical drug trials taking place but, because I am a inmate researchers are prohibit under state and federal law from using me as a subject for experimental drugs. If I was granted a medical parole, I might be able to prolong my life. Dante, by way of background, I contracted the Hepatitis-C virus in the prison's infirmary. I wrote an editorial about the prison dentist not sterilizing his equipment between patients titled "Dangerous Tools" -- which led prison officials to fire me as editor of the inmate newspaper. It was too late for me, but I imagine hundreds of inmates were spared the virus. The government has not only made me serve 35 years in prison, I feel as if state officials compromised my health with a deadly virus - operating an unsafe dental chair without any regard for proper health regulations. Dante, I could have been out of prison in less than 2-years - if only I had accepted the plea bargain proposal that the prosecutor discussed with my defense attorney (<http://www.benlaguer.org/documents/affidavit%20of%20Peter%20Edenberg.pdf>). In 2007 the Supreme Judicial Court acknowledge the obvious - "What is exculpatory is that the Commonwealth could not place the defendant in the victim's apartment by means of any evidence, including fingerprints or other physical evidence." In 1991 then Trooper Richard D. McKeon (whom is

the current Superintendent of the Massachusetts State Police) interviewed the jurors about a claim that racial epithets were used prior to trial and during deliberation. Sean Flynn, then of the Phoenix, currently a GQ contributing editor, attended the hearing. He writes - "In order to preserve a supposedly fair and truthful verdict, [the prosecutor] was trying to make one of the men who rendered it look feeble-minded and untruthful, thoroughly incredible as a witness to the deliberation yet eminently qualified as a participant in them." The trial judge and appellate court judges put on a blindfold. There is a Persian proverb - "A man who is asleep can be awoken. But if the man is only pretending to be asleep, then he can't be awoken." In my case, the number of pretending to be asleep is astonishing. On a separate piece of news, the committee for public counsel services has afforded me a lawyer named Joseph M Kenneally (413.213.0189) to retest the DNA evidence previously said to have linked me to the crime. Dante, I presented enough evidence of flaws with the March 2002 DNA test results for the public counsel staff to agree that my arguments were not frivolous. I hope the hour is not too late. I am enclosing the medical record that show I may only have three years of life left. Because the Globe was once burnt when a woman claimed to have had cancer fraudulent raised thousands of dollars, I of course am willing to sign a release for you to get these records directly from Boston Medical Center. Dante, I never imagined that if I refused to accept a 2 year plea bargain I risk dying in prison 40 years later. The Globe has done a number of editorials. I appreciate even the courtesy of you reading this letter. Be well. You can email me at BenLaGuer@gmail.com.

Benjie