

Steven R. Nary II
US Navy Apprentice Airman
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March 29, 2004

Mr. Gordon England
Secretary of the Navy
1000 Navy Pentagon
Washington, DC
20350-1000



Re: Federal Military Whistleblower case 10 US Code § 1034
The ongoing Eight year-old Cover-up of a case involving Steven R. Nary, US Navy Sailor, a
Victim of Juan Jorge Pifarre, a Politically Connected, Illegal Alien, and Homosexual Predator

Dear Mr. Secretary

As the legal representatives of Steven R. Nary, and under the Whistleblower section of the Military
Section of the US Code, we are again bringing this un addressed censored case to your attention. Updated
documented information, that is also part of the federal court filings, is on the internet at web sites such as
www.amicusveritas.org

Underlying History:

Exactly eight years ago, on this day in US Naval history, the following incident took place:

An unwary and inexperienced eighteen year-old Navy sailor, Steven R. Nary, was stalked while
in San Francisco's Palladium – a youth disco. His stalker, fifty three year-old Juan Jorge Pifarre,
lured young Nary to his place, after an ATM detour, and under the pretext of partying with local
girls.

While they were at Pifarre's apartment, which was in a remote little-known hilly area of San
Francisco, Pifarre offered Nary a drink. Pifarre got Nary drunk. (Besides being an inexperienced
drinker, Nary is of Native American ethnic heritage, and he shares that group's hereditary
medical weakness when drinking alcohol.)

At that point, Pifarre, an experienced and documented sexual predator, lured the sexually
inexperienced and drunken youth into a coerced minor sex act. When Nary woke up later that
night, it was in the midst of an attempted anal rape by Pifarre. (Note: Piffare is creditably

suspected of also using the date rape drug on Nary. Pifarre had done this before with his other victims.)

Even though Nary had never been in a fight before, nevertheless, there was a fight then. Nary defended himself, even though Pifarre broke his hand. Nary left Pifarre unconscious when he fled to his ship, the USS Carl Vinson, which was ported fifteen miles away in Alameda County, California.

Local San Francisco police later came to the USS Carl Vinson to illegally interrogate and then illegally remove young Nary to the San Francisco jail. After three and a half years of abuse, denial of due process, denial of medical attention, denial of outside exercise, sunlight, and other human rights violations, Nary was illegally tried in September of 1999 in a local San Francisco Criminal court for Pifarre's death.

After extensive independent investigation, we later learned that the late Juan Pifarre was well connected to both the local powerful gay community and several San Francisco political figures. One of Pifarre's connections was with District Attorney Terence Hallinan. Hallinan was the D.A. who tried Nary in the local criminal court. Regarding the local San Francisco media, Nary's pre-trial conviction in this venue bears out other Pifarre connections.

Some of the Laws that were Violated:

The Federal law upheld by federal military and civil federal courts, **Jennings v Markley**, is clear on these two points:

1. “**Delivery is permissive Only**”: Local authorities should have, pursuant to title 32 Code of Federal Regulations, subsection 720.6, have applied for the mandated prior written permission from both the Governor of California and the Secretary of the Navy in order to remove this sailor from his ship.
2. Absent the foregoing permissions, Nary should have been court martialled or had a military inquiry into his conduct.

The facts of Nary's illegal removal and subsequent illegal trial in a local civilian court have been well covered up. On separate pages that are attached are the many issues, and covered-up acts in this case.

We ask for a full investigation of the cover-up of the egregious violations of Steven R. Nary's military and human rights:

- How Steven Nary was removed from locked confinement aboard the USS Carl Vinson, a U.S. Navy ship, through the use of a fraudulent title 32 CFR 720.6 document signed by Peter Cling, an 'at will employee' of the (then) San Francisco District Attorney Terence Hallinan. Cling was also involved in the initial pre-trial prosecution of this case as well as the concealment of Pifarre's HIV/ AIDS / TB/ Hepatitis status. Pifarre was cocaine user and abuser.
- How naval personnel, a "Lieut. 'B'" and a Lieut. Susan Kazmer could file a false report about this title 32 CFR 720.6 document. Specifically, they lied that Nary was turned over pursuant to a valid local warrant and Delivery Agreement (32CFR ss720.6 form) signed by Peter Cling. As noted before, this document was both invalid and a fraud. No warrant was ever served on Nary; he never saw a warrant, nor has this warrant ever been part of the local criminal court file and

record. The participants also concealed Nary's broken hand that Nary got while fighting off Pifarre's sexual assault.

- How for three and a half years, NIS/ NCIS agent(s) S.A. Lewis could lie and/or mislead Washington authorities about this case.
- How Captain J.H. Evans, a JAG in the civil section of the Navy JAG Headquarters could lie/ mislead US Senator Shelby, who was contacted by his constituents because of the connection of Pifarre to the 1985 killings of five off-duty U.S. Marines in San Salvador, El Salvador.
- Concealment of Juan Pifarre's prior history of stalking, luring and sexually assaulting other U.S. military recruits.
- Concealment of Juan Pifarre's sexual stalking of an undercover vice cop in a San Jose public toilet. For this Pifarre was convicted and placed on probation. His conviction was also omitted from the record of the case.

The Nary case has these HUD connections:

- We note that San Francisco's corrupt politicians, involved in the local HUD scandals, have named a building each for Juan Pifarre and Charles Holmes, at a total cost of \$20 million to taxpayers. Holmes was a purveyor and producer of male prostitution videos for FALCON VIDEO; he later died of AIDS. Holmes also was connected to the Palladium in San Francisco, where Nary was stalked by Pifarre on the night of March 29, 1996.
- Because of the media censorship here in San Francisco, and cover-up by people within the Navy, no one knew of the connection of the male prostitution video industry to the owners of, and investors in, the Palladium. For example, former U.S. Representative John Burton was an investor in the Palladium. See U.S. Bankruptcy Court – Northern district California Case Number 95-3-3389 (Bijou Group Inc./ S.A.W. Entertainment Ltd.).
- There are also videos and DVDs claiming to depict active duty nude etc. military personnel in both Gulf-Iraqi wars etc. (Taurus Videos)
- We again bring to your attention, the profiteering from the illegal predatory homosexual spy-camming of military personnel at such locations as the Naval Academy's toilets, and military bases around the world.
- We, and Mrs. Edith Nary (Steven Nary's mother) were falsely accused of 'accusing' the Navy of placing those homosexual predatory spycams.
- We only know, and have repeatedly said, that the people advertising these spycams brag about these videos and DVDs in their advertising on the world wide web, in print, and in video catalogues such as AVN. We suggest you browse through www.angryyoungman.com, ALL WORLDS VIDEOS, TAURUS, the Naval Network, and www.marinemeat.com on the internet. HOW TO SEDUCE YOUNG MILITARY RECRUITS is just one of the many pornographic videos that specifically target young military personnel.

We discovered these predatory entities through the hard copy ads published in the BAY AREA REPORTER, a homosexual/man-boy love and male prostitution weekly newspaper that publishes

these classified ads under such headings as NAVAL NETWORK, and XY MAGAZINE, regarding where to find young military personnel for sex.

Note that **Wayne Friday**, an employee of San Francisco County District Attorney Hallinan, as well as a BAY AREA REPORTER columnist and political editor is also deeply involved in manipulating and tampering with this case. Wayne Friday, then a local police commissioner, also has used his resources (rogue cops) in the SF Police Department to try to intimidate witnesses in this case.

- San Francisco County Sheriff **Michael Hennesey**, a corrupt local official and homophile, tampered with U.S. military mail in January 2000. U.S. mail was sent certified to Steven Nary, regarding his pending discharge from the Navy, if he didn't file a Federal appeal. Nary never received, was notified of, or even signed for, that warning letter because of Hennesey's tampering. **We ask that Nary's status be restored pending a final Federal and Congressional appeal.**

We note that Hennesey is involved in the recent and illegal strip search of a seventy year-old Catholic nun, who was arrested in a peaceful demonstration.

- Have you considered the possible military **security issues** raised by spycams and listening devices placed on military bases in areas, off limits to non -military personnel, such as saunas, medical exam rooms, recreational facilities?
- Many people have learned piecemeal about the Nary case. Many are outraged about this cover-up. As a result they do not want the Fleet and the Blue Angels to return for a Fleet Week under circumstances where unwary military personnel are stalked, lured and sexually assaulted.

Among the creditable private citizens who have worked pro bono, spent much time and their money on this case over the last nine years, besides ourselves, are:

- **George Christopher**, former San Francisco Mayor and Ambassador.
- Dr. Philip & Mrs. **Dreisbach**, the doctor is a US Air Force veteran.
- There is also **Artie Funair**, A US Marine veteran of World War II, a warrant officer, athletic trainer for University of Notre Dame football team, and basketball trainer for Sen. Bill Bradley.
- **Ken Thomsen**, a US Navy veteran, who served on the USS Ranger
- **General Paul Berrigan**, U.S. Army Corps of Engineers. Supporter of Veterans' Rights Issues.
- **Nick Rommel**, a San Francisco City Official, who is gay and ethical and honest. He was the first person to expose the corruption of San Francisco officials and Judges involved in this case.
- **Assorted Retired Federal Agents: HUD corruption** Whistleblowers, **CIA-DEA** have consulted on aspects of this case
- Al Santoli, a consultant, and former Congressional aide to US Representative Dana Rhorabacher, and author of *Everything We Had: An oral history of the Viet Nam War by thirty three American Soldiers*

Among the creditable lawyers who have consulted on the case:

- An Army Colonel, who was a law school classmate of the late US Supreme Court Justice Bryon White.
- **Raul Almacen**, an Army legal officer in World War Two; he died in December 1997, before the case was filed for removal to the jurisdiction of the Federal Courts.

Note: This case was removed, under the Federal question authority to Federal District Court over three months (June 1999) before it was illegally assigned to San Francisco Judge Kevin Vincent Ryan in September 1999. That case C-99-3081 was never remanded (i.e., ordered back) and couldn't be. It was in the US Court of Appeals for over a year. The 16 years-to-life sentence imposed on U.S. Sailor Nary was illegal according to the federal statutes. When Nary filed his legal briefs, seeking judicial review and relief, no federal court upheld this illegal 16 years-to-life sentence.

To facilitate the investigation in this case, all of the defense lawyers, Jeff Brown, Jeff Adachi, George G. Walker, Allan Dressler, Bruce Hotchkiss and Ms. Janice Lagerlof-Kuchinsky have had their lawyer-client immunity revoked.

- **Captain Vincent Averno, a retired Navy JAG**, and author of the Temple University Law School Law Review article "The Constitutional Rights of Servicemen(women)" 1969. Captain Averno has lobbied through emails etc. to such Naval Authorities as Admiral John Ryan, who ignored the case.
- **Bart Lee**, a constitutional law expert who raised questions about 'railroading' due process and conditions of confinement; he too was ignored.

The creditable media, and other concerned citizens, in this case are:

- **Gary Exelby**, a US Air Force veteran, columnist for the **Paragould Tribune** in Arkansas
- **The Plain Talker, an Alabama newspaper**
- **David Glen Fowler**, federal communications consultant for FEMA, National Fire Academy (Virginia) and developer of communications systems for natural disasters, fires, and earthquakes. Fowler was the editor of DENIAL OF DISASTER, the definitive exposé of the cover-ups in the 1906 San Francisco Earthquake. He was also a media consultant to Mayor Diane Feinstein as well as a news anchor for NBC-KRON TV San Francisco. Fowler also exposed the pedophile scandal in the San Francisco Unified School District, The HUD Community Development Block Grant scandals involving Juan Pifare, and voter fraud in San Francisco.
- **Ron Fortner**, an Air Force veteran, Emmy award newscaster for Channel 2 Oakland California;
- **John Castle**, a US Army veteran and talk show host in Fresno California
- **Catholic Family Radio**,
- **Bill Brumbaugh, Proactive News & Views—National Radio Columnist**
- **Genesis Broadcasting;**
- **First Amendment Radio**
- **Paul Likoudis**, Editor & Columnist --**The WANDERER** - North America's Oldest Catholic Newspaper & author of the new exposé *AMCHURCH COMES OUT—THE U.S Bishops, Pedophile Scandals and the Homosexual agenda*
- **Maria Kennedy—San Francisco Faith's newspaper's** Ethical Investigative Journalist
- **John Hoffman**, publisher of the **Urban Capitalist Warrior;**
- **Accuracy in Media**, Washington D.C.
- **Stars & Stripes (the original) G. I's newspaper**
- **Veritas USA!**

As the Steven R. Nary case is now on your watch, we note that justice ignored is justice denied. This can no longer be ignored. Mr. Secretary, is this egregious chapter in U.S. Naval history something that you'd want on your public resume? With a well-documented and ongoing travesty of justice such as this on the World Wide Web (see the PDF copy of this letter at www.amicusveritas.org), it's safe to say, "The whole world is watching."

Sincerely yours,

Peter Paul Ver zola
Legal Representative, Investigator & Legal Liaison
Nary US Navy case