

**CONFIRMING**  
**LEO-EMIL WANTA**

? ?

STINGERS  
FROM  
AFGHANISTAN

\$25,000.00  
PLUS  
PLUS

New Republic  
obtained,  
NOT  
WANTA

1 that Wanta convinced him to fly to Vienna, Austria  
2 to close this deal and the guy said, "I don't have  
3 any funds to fly to Vienna, Austria," and Wanta  
4 promised him he'd pay him for his expenses.

5 And he said he did fly there and either  
6 Wanta did not show at the place they were scheduled  
7 to meet or else he never delivered the customer  
8 that was supposed to have these goods or whatever  
9 it was that they were selling, spare airplane parts  
10 or something. And this guy's going to make a  
11 commission on this and there was a charge paid to  
12 Partridge. He said that was a reimbursement for  
13 his expenses, that Wanta did, in fact, pay him for  
14 expenses to fly to Vienna and back, and I don't  
15 remember the amount, but it was a hundred maybe.

16 Q Other than that, did you have evidence that the  
17 other 30 projects of the United States Government,  
18 were -- in fact, expenses were paid by the \$500,000  
19 that Wanta had?

20 A The other things I didn't recognize what he was  
21 talking about. Like he said, the call Partridge

22 Q Just answer it the way I asked it. Did you have  
23 any evidence that any of these other 30 projects  
24 were -- in fact, expenses were paid out of the  
25 \$500,000 that you know Wanta obtained and are the

CIA.  
ops

Scott (2)

Absolute  
Perjury by

① & ②

State Paid Witness  
CIA. ops

1 basis for these charges?

2 A No.

3 THE COURT: I'd just soon keep the  
4 exhibit up here once it's been marked.

5 MR. HAAG: I'd ask that it be received,  
6 Judge.

7 MR. CHAVEZ: No objection.

8 THE COURT: It is received.

9 MR. HAAG: Thank you

10 BY MR. HAAG:

11 Q One more thing. Did you have occasion yesterday to  
12 check with the Canadian Embassy to find out whether  
13 or not Mr. Wanta was, in fact, a Somalian  
14 ambassador to Canada?

15 A Yes, I did.

16 Q Would you briefly tell us what the results of that  
17 were?

18 A Yes. I talked to a Reginald P. Pruneau,  
19 P-r-u-n-e-a-u, who says he is an officer for the  
20 Royal Mounted Canadian Police at the Canadian  
21 Embassy in Washington, D.C., and I inquired of him  
22 if Mr. Leo Wanta was the Somalian ambassador to  
23 Canada and he checked their records and got back to  
24 me and indicated no, he was not. And he informed  
25 me that since October 26th, 1990 there has been no

*ERRONEOUS  
TESTIMONY*

*[See (ATTEST EXHIBIT FROM CANADA)]*

[See enclosed  
CANADIAN  
EXHIBIT]

1 office maintained by Somalia of any sort in Canada  
2 since that date.  
3 Q Did you contact one other person to reconfirm that  
4 fact?  
5 A Yes, and they then directed me to Ottawa to the  
6 Foreign Affairs Department and I spoke with a Mr.  
7 Maurice Bernier, B-e-r-n-i-e-r. And he is the  
8 foreign service officer for the Department of  
9 Foreign Affairs of Canada. I faxed him a copy of  
10 the letter that was purported to have been sent to  
11 Ottawa to the foreign minister.  
12 Q And that's a part of an exhibit in this case, isn't  
13 it?  
14 A I believe it is. It's a letter from -- supposedly  
15 from some ambassador in London saying that Mr. Leo  
16 Wanta has been appointed by the Somalian Government  
17 as an ambassador to Canada. I faxed him a copy of  
18 that and he indicated he had never seen it before.  
19 He said, "I'm a diplomat and I'm not supposed to  
20 use nasty language," but he said, "That letter is a  
21 bunch of B.S." He said if it had ever come to  
22 their office, he said he'd throw it in the garbage.  
23 He says it a phony. He said it couldn't have  
24 possibly existed. It's dated 1993. The Somalian  
25 warlords were at war since 1990. There is no

All diplomatic records seized in 1993,  
destroyed between Susse -> Wise, oops!!  
Found by CANADIAN GOV'T.

*U.N. SEAT IS OCCUPIED AS SOVEREIGN NATION*

*False TESTIMONY by AGT. Disc.*

1 Government of Somalia, they are no offices anywhere  
2 in the world and certainly they did not have one in  
3 Canada. He said he also had never heard of Leo  
4 Wanta and there's no record that he is any  
5 ambassador and there is no ambassador.

*(See ENCLASURE FROM CANADA)*

6 Q Would it be fair to say that the defense of  
7 diplomatic immunity in this case would be  
8 ludicrous?

9 A Yes.

10 MR. HAAG: No further questions.

11 THE COURT: Mr. Chavez?

12 MR. CHAVEZ: None, Your Honor.

13 THE COURT: You may be excused. That's  
14 an exhibit. I think I need that. Thank you.

15 (Witness excused.)

16 MR. HAAG: I call Dr. David Mays.

17 (DAVID MAYS, having been called as a  
18 witness on behalf of the State, was duly sworn,  
19 examined, and testified under oath as follows:)

20 DIRECT EXAMINATION BY MR. HAAG:

21 Q Doctor, would you state your full name please and  
22 spell it for the record?

23 A David Mays, M-a-y-s.

24 Q And you are a medical doctor, is that correct, sir?

25 A Yes, I am.

1 Q And by whom are you employed?  
2 A I'm employed by the Mendota Mental Health  
3 Institute, Madison, Wisconsin.  
4 THE COURT: This is his report. You want  
5 it marked?  
6 MR. HAAG: Sure.  
7 THE COURT: Didn't know whether you were  
8 going to use it. I just wanted to anticipate.  
9 MR. HAAG: I am going to use it. Thanks,  
10 Judge.  
11 BY MR. HAAG:  
12 Q Dr. Mays, were you called upon as a part of your  
13 duties to do a competency examination, an  
14 examination pursuant to Section 971.14 of the  
15 Wisconsin Statutes, on a person by the name of Leo  
16 Wanta?  
17 A Yes, I was.  
18 Q Is that person in court here today?  
19 A Yes.  
20 Q Where is he?  
21 A He's sitting at the end of the table in the blue.  
22 Q And you did conduct such an examination on Mr.  
23 Wanta?  
24 A Yes, I did.  
25 Q Did you also have occasion to review the files of a

1 previous encounter with your staff that Mr. Wanta  
2 had as the subject of a competency examination  
3 earlier that year?

4 A Yes, I did.

5 Q And you have to your left and the Judge has had  
6 marked for you what I suspect is Exhibit 2 for  
7 purposes of this hearing. Can you identify that  
8 for us?

9 A Yes. This is the report that I sent to the court  
10 on June 30th, 1994.

11 Q And would it be fair to say that the report in a  
12 sense was somewhat inconclusive as regards Mr.  
13 Wanta's competency as much as there seemed to be a  
14 question in your mind in writing the report that  
15 you didn't have sufficient data about Mr. Wanta's  
16 -- the truth or falsity of certain statements Mr.  
17 Wanta made that would help you to make a  
18 determination in this case?

19 A Yes, it was inconclusive for those reasons.

20 Q Were you in the courtroom for the testimony of Mr.  
21 Ullman?

22 A Yes, I was.

23 Q And did you have occasion to talk to Mr. Ullman  
24 yourself and Mr. Chavez before this hearing?

25 A Yes, I did.

*JULY 5,  
1994  
JULY  
TRIAL  
WAS  
SCHEDULED -*

CONFERENCE  
IN:

\* → BACK OF  
COURT w/ HAAG,  
CHAVEZ & ULLMAN

1 Q Based upon the information that you've had -- that  
2 you have received now subsequent to the examination  
3 of Mr. Wanta, first of all, did you find any of  
4 that information to be relevant to your inquiry?

5 A Yes, I did.

6 Q Does your opinion, on the basis of the information  
7 provided and as well as all of the information and  
8 the examination that you conducted, remain the same  
9 or would it change to a reasonable medical  
10 certainty?

\* →  
11 A My opinion now is different than it was at the time  
12 I wrote the report.

13 Q Do you have an opinion to a reasonable medical  
14 certainty as to whether or not Mr. Wanta is  
15 competent to proceed?

16 A The decision about competency is a decision made by  
17 the Court, and I am able to advise the Court on my  
18 opinion, but recognizing that my expertise is more  
19 in human behavior rather than in legal matters,  
20 with that limitation, yes, I do have an opinion.

21 Q What is that opinion, doctor?

22 A My opinion is that Mr. Wanta is not competent to  
23 proceed.

24 Q And would you explain what information you have  
25 that leads you to that conclusion and what your

1 reasoning was?

2 A One of the problems that we face with Mr. Wanta was  
3 the truth or the untruth of a lot of the story that  
4 he was telling us about what he had done, who he  
5 was, and the circumstances surrounding the alleged  
6 crime. After reviewing numerous records, going  
7 through Mr. Ullman's earlier report, talking with  
8 you, it is my conclusion that there is a great deal  
9 of Mr. Wanta's story that is not true. It's  
10 further my conclusion that Mr. Wanta believes the  
11 story that he tells quite sincerely, that is, that  
12 he is not concocting it in some manner to somehow  
13 fool or mislead the Court intentionally. For that  
14 reason, I believe that Mr. Wanta suffers from a  
15 delusional disorder.

16 Now, the question of competency has to do  
17 with whether or not Mr. Wanta is able to: One,  
18 understand the charges against him; two, understand  
19 how the court works; and three, work with his  
20 attorney. As has been pointed out by the Court  
21 quite exactly, a delusional disorder does not  
22 necessarily mean that he is incompetent. As I  
23 mention in my report and I continue to believe that  
24 Mr. Wanta does understand the charges against him  
25 to a reasonable degree, that he is well familiar

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CONVERSATIONS  
W/TH  
① Judge  
② Atty Gen  
③ Public  
Defender



1 with the way that it works, but I have serious  
2 reservations and, in fact, I doubt whether or not  
3 he can transcend his delusional disorder to the  
4 extent that he is able to work with his attorney to  
5 provide a plausible defense to present in court.  
6 And for that reason I believe that he is not  
7 competent to proceed.

8 Q Are you aware of particular statements in addition  
9 to those that have been adduced here in testimony  
10 on the record this morning that Mr. Wanta has made  
11 to your staff that you would believe because of the  
12 nature of the statement to be false?

13 A Yes. I have actually compiled a list of statements  
14 that Mr. Wanta has made through his various  
15 interviews that I believe are particularly  
16 incredible.

17 Q Could you inform us of those statements?

18 A I'll just go ahead and read them. From the  
19 interview with Mr. Ullman on 6-18-91 Mr. Wanta was  
20 quoted as saying the following: That William Casey  
21 and Bob Gates personally told him that he should  
22 work for commission rather than salary for the CIA;  
23 that Mr. Wanta worked on federal projects for the  
24 E.X. Destroyer, the M-1 Bomber and B-1 Bomber; that  
25 Mr. Wanta was first approached to do intelligence

Slightly  
FALSE  
COMMENTS  
BY DENNIS  
ULLMAN  
(See Tape  
Recording)  
FACTS

DX Destroyer  
B1 Bomber  
(NOT M-1)

Agency CONTRACT //

John  
Brecht  
Society  
(Handouts)  
5800  
W. Vlier  
Sr -  
M, Lu

worked  
with  
(NOT  
FOR  
Brecht to)  
never  
discussed  
"Stealth  
Bomber"

1 work when he was 15 years old; that he was a  
2 candidate for inspector general for the Department  
3 of Defense; that he owes hundreds of thousands of  
4 dollars and does not need to write down what money  
5 goes where because of his high I.Q.; and that we  
6 should contact George Bush, George Schultz, Colin  
7 Powell and Bob Gates for further information about  
8 his defense.

9 From Dr. Parikh, P-a-r-i-k-h, admission  
10 note at Mendota, Mr. Wanta stated that he worked [with]  
11 for Mossad, M-o-s-s-a-d, the Israeli Secret Service  
12 and Hungarian Secret Police in Singapore in 1989;  
13 that he worked on the Stealth Bomber; that he has  
14 strong evidence to believe that Vince Foster did  
15 not commit suicide; that his income for 1994 will  
16 be four billion dollars; and that he and Lloyd  
17 Benson have a contract for 318 billion dollars; and  
18 finally, as he told me, that he's an ambassador for  
19 the Somalian Government to Canada.

20 Q Doctor --  
21 A I would add one thing.  
22 Q Yes.  
23 A These facts came out as Mr. Wanta was talking about  
24 how he would defend himself against the charges  
25 that were brought to him here today. These were

1 not random facts that came out otherwise, but Mr.  
2 Wanta believed that these had direct relevance to  
3 his defense.  
4 Q Knowing what you know about the underlying charges  
5 in the criminal complaint in this case -- I'll  
6 withdraw that question. That's a question more for  
7 my argument, doctor. Doctor, do you have an  
8 opinion as to whether or not there is any  
9 likelihood that some form of treatment or  
10 medication is available that might help this --  
11 what you believe to be this delusional pattern of  
12 Mr. Wanta?  
13 A I have an opinion, yes.  
14 Q And what is that opinion, doctor?  
15 A My opinion is that there is a possibility that some  
16 medication may affect Mr. Wanta's delusional  
17 disorder in a positive way, that is, that he would  
18 become less delusional. I should add that the  
19 possibility of that helping him is not as great as  
20 I would like. Mr. Wanta has apparently been a  
21 person who likes to elaborate and embellish details  
22 of his life for some time and apparently a lot of  
23 these beliefs have been present for some time. We  
24 also know medically that the treatment of someone  
25 who has a well circumscribed delusion is not very

FOR  
\$14,129<sup>00</sup>  
FALSE  
STATE  
TAX  
Allegation

1 successful in a large number of cases, but has been  
2 successful with some time. So it is possible that  
3 this can be treated and there are reservations  
4 about the successfulness of that treatment.

5 I would add that Mr. Wanta does not  
6 believe that he suffers from mental illness and I  
7 sincerely doubt whether he would voluntarily accept  
8 medication that he felt was changing his mental  
9 status.

10 Q If assuming, hypothetically, that Mr. Wanta would  
11 not voluntarily receive medication, do you have an  
12 opinion as to whether or not he's competent to  
13 refuse the medication?

14 A The decision about competent about medication  
15 revolves on three different things. It revolves  
16 around an appreciation of your present  
17 circumstances, it involves an understanding of what  
18 the medications are, the risks, benefits and side  
19 effects, and it involves an ability to rationally  
20 apply the first two facts to the third, that is,  
21 can you make a rational decision even if you do  
22 know the facts about your present condition and the  
23 medication.

24 Due to the fact that Mr. Wanta does not  
25 believe that he has a mental illness, specifically,

CHANGING  
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illegal !!

>  
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OVER-  
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↑

1 that is, suffering from a delusion, that alone is  
2 reason enough for me to believe that he is not  
3 competent to make decisions about whether or not  
4 medications would provide a benefit for him.

5 MR. HAAG: No further questions.

6 THE COURT: Mr. Chavez?

7 MR. CHAVEZ: Nothing from me, Your Honor.

8 Thank you.

9 THE COURT: Let me ask one question and I  
10 ask it specifically because of the verbiage of the  
11 statute. And I'll read the statute, 971.14(4).  
12 Even lawyers have trouble following the statutes.  
13 Effectually sub. (4)(d) says: If the court  
14 determines that the defendant is not competent and  
15 not likely to become competent within the time  
16 period provided in sub. (5)(a), the proceedings  
17 shall be suspended and the defendant released,  
18 except as provided in sub. (6)(b).

19 971.14(5) talks about commitment and  
20 says: If the court determines that the defendant  
21 is not competent but is likely to become competent  
22 within the period specified in this paragraph if  
23 provided with appropriate treatment, the court  
24 shall suspend the proceedings and commit the  
25 defendant to the custody of the department of

Never  
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Appointed  
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1 health and social services for placement in an  
2 appropriate institution for a period of time not to  
3 exceed 12 months or the maximum sentence specified  
4 for the most serious offense with which the  
5 defendant is charged, whichever is less.

6 Your opinion, doctor, was that it is  
7 possible that there is treatment. Generally  
8 speaking, in the law, likely and likelihood deals  
9 with the subject of probability, not possibility,  
10 and so my question basically is: Would you care to  
11 elaborate on the distinction which I have just made  
12 because I don't think possibility is likelihood?

13 THE WITNESS: Well, you're asking a  
14 difficult question.

15 THE COURT: Pardon?

16 THE WITNESS: You're asking a difficult  
17 question. Let me tell you how I would think about  
18 this as a doctor. I think that the possibility  
19 that Mr. Wanta will continue to maintain his  
20 delusion to some extent permanently no matter what  
21 we do is great. I do, however, believe that there  
22 is a possibility, in fact, it may be likely, that  
23 Mr. Wanta's delusion will change somewhat if he is  
24 treated with medication.

*U.S.S.R.  
Gulag.  
@pers.*

*ERASE &  
FORGET*

25 Furthermore, I think that as a physician

*For 3rd \$14,129.00 - ++ Payments by EXTORTION.*

1 I do not know the answer to this question until  
2 I've had an opportunity to treat him. It is not a  
3 question that would go on indefinitely. I will be  
4 able to come to the Court in three months and tell  
5 you whether or not Mr. Wanta is likely to improve  
6 with the medication. I think at this point --  
7 Maintaining an optimistic attitude, I would say  
8 that it is -- I would treat Mr. Wanta and I would  
9 expect that he would get somewhat better with his  
10 delusional system, and if he doesn't on the  
11 medication, I would know that within a period of  
12 three to six months.

13 I don't know if that's good enough but  
14 that's --

15 THE COURT: Well, it answers my question.  
16 I don't know if it's good enough either, but that's  
17 neither here nor there.

18 Any questions in view of the Court's, Mr.  
19 Haag?

20 REDIRECT EXAMINATION BY MR. HAAG:

21 Q Would it be possible, doctor -- Would it be  
22 possible from your perspective medically to be able  
23 to make the determination about the likelihood of  
24 Mr. Wanta improving from this condition in less  
25 time than that? In other words, under the

Title 18 § 111b  
Attempted Murder - Potentiale

1                   circumstances, I guess I'm saying, how much time do  
2                   you think would be necessary for you to assess that  
3                   likelihood so that you can inform the Court?  
4           A        The kind of medications that affect delusions tend  
5                   to exert their maximum effect within and at a  
6                   period of about six months. Now, people can show  
7                   improvement before then, but it is generally true  
8                   that it is after a six-month trial of medication  
9                   that we finally decide that the medication is not  
10                  useful. So at the outside I would say within six  
11                  months if Mr. Wanta is given medication during that  
12                  time, that would be the minimum amount of time  
13                  before I would say that he cannot be restored to  
14                  competency.  
15                               MR. HAAG: No other questions.  
16                               THE COURT: Any questions, Mr. Chavez?  
17                               MR. CHAVEZ: No, Judge, thank you.  
18                               THE COURT: You're excused, doctor. Can  
19           I have my exhibit? Thank you.  
20                               (Witness excused.)  
21                               THE COURT: Further evidence, Mr. Haag?  
22                               MR. HAAG: No. State rests.  
23                               THE COURT: Mr. Chavez?  
24                               MR. CHAVEZ: No, Judge.  
25                               SPECTATOR: Judge, excuse me for



1 interrupting.

2 THE COURT: You are whom, sir

3 SPECTATOR: I'm Gregory Sali, S-a-l-i,

4 and I have an interest in this case and I think a

5 great injustice is being done.

6 THE COURT: Well --

7 MR. SALI: I would like to speak.

8 THE COURT: I'd like to have you tell me

9 who you are other than Mr. Sali.

10 MR. SALI: I am Gregory Sali. I'm

11 trained as a physicist and I am an agriculturist

12 and over three years ago I proposed an agriculture

13 program to Mr. Wanta and so I have some inside

14 knowledge of what he was -- what he was doing at

15 that time and I think it has a bearing on this

16 case. At this point all this evidence is just

17 one-sided.

18 THE COURT: Well, I'm perfectly willing

19 to have you, if you wish to and particularly if Mr.

20 Chavez wishes to consult with you, to do so, but I

21 am not willing basically to have -- and I don't

22 mean this unbecomingly -- to have anybody come into

23 the courtroom and start saying things.

24 MR. SALI: Could we recess for a little

25 bit and discuss --

New Republic  
Director

1 THE COURT: I'll be glad to give you a  
2 few moments, particularly Mr. Chavez, to consult  
3 with you or for Mr. Haag to consult with you,  
4 either one, and we'll take ten, and if you want  
5 more than that, let me know. My position,  
6 basically, is, meaning no disrespect to you, sir,  
7 whoever you are, that I'm not willing to have any  
8 -- take a poll of 50 people in the courtroom.

9 MR. SALI: I understand.

10 (Court in recess.)

11 THE COURT: We are back on the record in  
12 State vs. Wanta. The participants as earlier  
13 indicated are present, both counsel and Mr. Wanta  
14 personally. We left this with Mr. Sali wanting to  
15 make a statement and my suggesting to counsel that  
16 they talk to him and see if either wishes to call  
17 Mr. Sali as a witness. Mr. Haag?

18 MR. HAAG: I did not converse with Mr.  
19 Sali because he indicated he preferred to talk to  
20 Mr. Chavez, so I do not intend to call him.

21 THE COURT: Mr. Chavez?

22 MR. CHAVEZ: Judge, I spoke with Mr. Sali  
23 briefly. I don't believe the information that he  
24 wants to proffer to the Court is relevant to this  
25 competency hearing. Therefore, I will not call him

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as a witness.

THE COURT: That's the answer, Mr. Sali. We've got representation of him on both the State and the defense and just a volunteered statement is not one that I feel that is appropriate to entertain at this point in time, particularly when it relates to something four years ago. The issue is today. So, thank you.

MR. SALI: Your Honor, may I make a statement?

THE COURT: No. That's just what I said. And the reason I think I indicated as we took the adjournment, sir, if I had 50 people in the courtroom and everybody wants to make a statement.

MR. SALI: I do have documents to present, Your Honor.

THE COURT: Pardon me?

MR. SALI: I do have documents to present.

THE COURT: Well, all I can say is that counsel control.

MR. SALI: Counsel is on a railroad job, in my opinion.

THE COURT: All right. Argument, Mr. Haag. If you wish to, counsel, I'm willing to have

1           you present a short memo, if you'd rather do that,  
2           but if you want to make an argument, make an  
3           argument.

4                       MR. HAAG: This is a situation where I  
5           felt that I had -- after having read the report,  
6           Judge, had a duty to flush out the opinion of Dr.  
7           Mays and, very frankly, just to cut through  
8           everything here, to be able to ask him the question  
9           if the statements that Mr. Wanta has made to this  
10          Court, to Mr. Ullman and to the staff at Mendota,  
11          which he purports to be in his defense, are false,  
12          do you have an opinion. And so the attempt was  
13          simply to give some further information about the  
14          falsity of those statements, some of which would, I  
15          think, attack the credulity of the most naive  
16          person on earth.

17                      I had a duty to bring -- I think, to  
18          bring those facts out and to have the doctor opine.  
19          I didn't mean to confuse the issue further. I  
20          think it is a very difficult issue. I have some  
21          personal opinions about Mr. Wanta's so-called  
22          defense, but I'm not the one to get up on that  
23          stand and testify about it. I respect Dr. Mays'  
24          opinion. And I think that -- And I think that I  
25          was just following through with what I perceive to

1 be a statutory duty. So I have no further  
2 argument, but I'll be happy to answer questions of  
3 the Court.

4 THE COURT: Mr. Chavez?

5 MR. CHAVEZ: Thank you, Judge.

6 THE COURT: Let me ask just one question.  
7 Well, go ahead, I'll ask it when you're done.

8 MR. CHAVEZ: Judge, this is a very  
9 difficult position for an advocate that is a  
10 defense attorney attempting to prepare a defense.  
11 I think it's fairly obvious to the State and to the  
12 Court 971.13 states that no person who lacks  
13 substantial mental capacity to understand the  
14 proceedings, and this is the key where I'd like to  
15 emphasize or in the disjunctive, assist in his or  
16 her own defense may be tried. That's the key here,  
17 Your Honor, assist in his own defense.

18 Dr. Mays has testified to a reasonable  
19 degree of medical certainty that my client, Mr.  
20 Wanta, is not able to assist at this time and also  
21 testified that medication may help here. I find  
22 that would be appropriate here. Let us try the  
23 medication and three or six months down the road  
24 let's try this case, if Mr. Wanta is, in fact, to  
25 that level where he can assist in his own defense.

1 Thank you.

2 THE COURT: Let me -- My first question  
3 was going to be there's in the file a transcript of  
4 a hearing held apparently on March 10th, 1994. It  
5 is entitled Preliminary Examination and was that  
6 the total preliminary?

7 MR. HAAG: On one day, yes, sir.

8 THE COURT: All right. The list of  
9 witnesses is Tim Janssen, Anthony Kuhr and Dennis  
10 Ullman. That's it?

11 MR. HAAG: Yes, sir.

12 THE COURT: I would like to -- I think  
13 it's appropriate, let me put it that way, that I  
14 read through the file again because I think it is a  
15 different kind of a case, to be very honest about  
16 it. Certainly, if the assertions that Mr. Wanta  
17 has made with respect at least in letter form and  
18 to some extent on the record in statements to the  
19 Court are encroached upon or constitute or purport  
20 to a defense in the matter and they are false, then  
21 he is -- if they are delusional, the fact is that  
22 he cannot -- I believe it's certainly most arguable  
23 that he cannot assist counsel in the preparation of  
24 the defense.

25 If, as I stated earlier, they have no

1 bearing upon a defense, then of what interest are  
2 they really? I mean, there are a lot of people  
3 that have mental problems, and I'm not saying that  
4 Mr. Wanta does or doesn't, but assuming that to be  
5 the fact, the issue then becomes do those mental  
6 problems impinge upon his ability to communicate  
7 with counsel.

8 We have the testimony and the evidence we  
9 have. We have my comments to that. I would like  
10 to read the prelim and that isn't going to take me  
11 long. The reason I would like to do that is my  
12 assumption is, and perhaps erroneously, that the  
13 evidence presented at the prelim would deal  
14 somewhat with the source of monies involved in  
15 this. Am I right or wrong?

16 MR. HAAG: It picks up the source of the  
17 monies at a point. It does not go to the original  
18 source of the money.

19 THE COURT: All right. But my question  
20 -- my real purpose in doing it is to see whether or  
21 not there would at least appear to be a connection  
22 between the movements of the monies that the tax  
23 department is claiming was received and the  
24 positions of the defendant as to where it was or  
25 wasn't and what he was doing and what he wasn't

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1 doing. And to some extent, what Mr. Ullman was  
2 talking about when he testified to, I can't think  
3 of the names, but there was some contact with  
4 respect to somebody who was involved in the  
5 purchase of arms and something of that nature. In  
6 any event, I'd like to read through that. It won't  
7 take me long. I'll do it today.

8 The second problem that I have is the  
9 issue of -- which I'd like to spend more than a  
10 moment thinking about is the issue of likelihood  
11 versus possibility, and I don't know that counsel  
12 can give me any help on that one way or the other  
13 any more than they have. If you can, you can try  
14 to do it right now, or if you want a day to do it,  
15 that's fine.

16 MR. HAAG: I'd just throw out the one  
17 thought that I had. Dr. Mays was being as straight  
18 with us as he possibly could be. I interpreted  
19 what he was saying to be that it -- I think that he  
20 told us that it was likely that there would be some  
21 improvement, but recognized that the medication  
22 probably or treatment probably would not get rid of  
23 all the delusions. So the question becomes -- The  
24 question may be phrased is it --

25 THE COURT: Statute says likely.



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1 MR. HAAG: -- is it likely that some  
2 improvement will make Mr. Wanta competent, because  
3 I think we do have a record that supports there  
4 will be -- he believes that there will be some  
5 improvement.

6 THE COURT: Yeah, I think that Dr. Mays'  
7 testimony is that he feels that Mr. Wanta is not  
8 now competent to proceed. I think that his  
9 testimony basically is that Mr. Wanta is not  
10 competent to make -- is not able to make competent  
11 decisions with regard to the usage of medications  
12 by reason of his inability to listen to or make  
13 evaluations as to advantages or disadvantages  
14 because he doesn't recognize the mental illness.  
15 So that I don't think there's any problem with that  
16 regard.

17 The question really becomes one, and I  
18 think as I phrased it and I think the doctor  
19 responded as best as -- what I was going to say was  
20 going to be kind of insulting, but not really, the  
21 best that mental health professionals can do it,  
22 and I don't consider that to be an insulting  
23 comment, but I thought that you might, Dr. Mays,  
24 but it's as the doctor put it. I think there's  
25 mental health professionals that are dealing with

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words and their lawyers that are dealing with words  
and that course has never run smooth and probably  
will never actually run smooth no matter how much  
they try to perfect it.

I will remand Mr. Wanta to the custody of  
the sheriff until further order of the Court. That  
order will be out either today or tomorrow.

MR. HAAG: Thank you, Your Honor.

MR. CHAVEZ: Thank you, Judge.

(Proceedings concluded.)

1 STATE OF WISCONSIN )  
2 COUNTY OF DANE ) ss:  
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4 I, DEBORAH ZWIEBEL MANKE, hereby certify  
5 that I am the duly-qualified and officially-appointed  
6 court reporter for the State of Wisconsin, Circuit Court,  
7 County of Dane, Branch 2; that I was such on the 13th day  
8 of July, 1994; that on that date I stenographically  
9 reported the proceedings had before said Court; and that  
10 the attached foregoing comprises a true and accurate  
11 transcript of my stenographic notes and of the whole  
12 thereof.

13 Dated at Madison, Wisconsin, this 28th day  
14 of July, 1994.

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*Deborah Zwiebel Manke* *dzm*  
Deborah Zwiebel Manke, RPR  
Official Court Reporter

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