



PRESS RELEASE!

TONY ALAMO INNOCENT BUT STILL IN JAIL NEW EVIDENCE

JURIES HAVE BEEN WRONG—TONY'S JURY WAS WRONG!

LETTERS PROVING PASTOR ALAMO'S INNOCENCE

To Whom It May Concern:

My daughter, Desireé Kolbek, has called me on many occasions asking me to forgive her because the government didn't keep their end of the bargain. She said she knew she went too far with all the horrible things she said regarding Tony and me, and that there was nothing she could do about it nor could she get out of what she had already done.

She stated in the last year, in many different phone conversations, how she wanted to keep me out of this—knowing that the FBI threatened, at gunpoint, to take my life, and Tony's. Therefore, she thought that by helping to bring Tony down, it would spare

me, her mother, her brothers, and sister. Now, as stated before, she has begged for forgiveness because she didn't realize they were lying to her.

Desireé didn't leave the church because of any physical or sexual abuse, she left because she knew I was coming through town and she didn't want to be confronted about her disobedience and unruliness.

I am sickened by the government using, and I mean "using" my daughter, making deals with her. They are destroying what is left of her. She is frail and weak-minded, and they are playing on that.

John Kolbek

If you would like a copy of the original, handwritten letters, please e-mail us at taoffice@alamoministries.com

Letter from Mother

To all concerned:

As Desireé's mother, I am enraged and grieved at the tactics the FBI used to make Desireé testify falsely against Tony Alamo: threatening at gunpoint her father's life, along with Tony Alamo's, and hanging her family (her mother, brothers, and sister) over her head, knowing she would do anything she could to protect us. This was confirmed

in conversations she had with her dad, as well as on the stand during Pastor Tony Alamo's trial. Evidence was brought out that Desireé had spoken with the FBI over 80 times. When I heard that, I was not at all amazed, knowing Desireé; I am sure such frequent phone conversations were imperative in coercing her to testify against Tony. Desireé

has always, for years, been very close to her family. We have shared many good times, and I know her love for her family is apparent to anyone and everyone that has had even brief communication with her. Desireé has always had a special father-daughter relationship with her dad, loving him dearly. She believes,

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From Mother

(Continued from page 1)

in going along with the FBI, she could save her dad's life. Knowing that FBI agents and US Marshals already threatened her dad, that if he continued to go to Tony Alamo's church, they would "fill him with bullet holes" like they were going to do to Tony Alamo.

When Desiree left the church, she did not contact the FBI; the FBI, along with Wellspring representatives, contacted her [Wellspring is the Cult Awareness Network, which is a brainwashing, mind-controlling station. The government calls it a "counseling center." It is actually a government-controlled organization posing as a privately-owned organization. The government paid thousands of dollars to send them there, and they don't disclose what happened there.], double-teaming in harassing and toying with her troubled state to get negative statements regarding Pastor Alamo. My sister,

Lori Hayes, who she was living with at the time, told me she was alarmed at the fact that the FBI was trying to get ahold of Desiree.

After the first, September 2008, raid where six girls were taken, Desiree called us frantic, asking if we were all okay. When we told her we found out this raid was caused by statements she made to the FBI, she was emphatic that she had nothing to do with it. She became angry and seemed very confused at this and repeatedly said, "I promise I had nothing to do with this!"

Desiree has lived with many different people since she left the ministry, and never did we force her to return against her wishes. We, and the families that took her in, hoped that something good would come of it. My sister, Lori, for the safety of her own children, had to kick Desiree out of her house saying, "Desiree is a sociopath." She was sorry she hadn't listened to me before; realizing everything I said about Desiree was absolutely true. My mother, her

grandmother, agreed. The conclusion that Tim and Jen Westemier came to (from the months they tried to help Desiree before she was kicked out of their house, forcing them to remove her belongings and change the locks on their doors for the safety of their children) was that Desiree had a mental condition. When I asked what they meant by this, they said being a pathological liar is a mental condition.

You, FBI, are torturing Desiree mentally. We have had conversations with Desiree where she was weeping and telling us she has tried, to no avail, to get away from you by running away and hiding from your reach. Leave my daughter alone!! You couldn't get one testimony against Pastor Alamo without approaching the vulnerable people like my daughter Desiree, threatening them, making deals with them, and bribing them with gifts to win them over. I repeat, leave my daughter alone, you are hurting her!
Jennifer Kolbek

Desiree Kolbek is the 18-year-old daughter of John Kolbek. John is wanted by the government, they say, for spanking two 18-year-old men; but really they want to kidnap his other four children. The FBI told Kolbek's daughter, Desiree, that they would drop the bogus charges on her dad if she lies about Tony Alamo. So she did. She left the church because she said she was afraid of her father, not Tony Alamo or any sex problems. This is the letter that she wrote Pastor Alamo before she left the church. Kolbek is innocent. The government wants his other four children. This is why he won't come in. He hasn't done any wrong. The government has kidnapped our children. They admit they want to close all true Christian churches!

Tony,

I didn't want to do this because I love you. But if there's one thing I can't take it is getting beat by my dad. You'll probably say, no she doesn't love me, she's just a phony. Well, no I'm not. I wouldn't do any of the stuff I do or at least try to do for you. I love you from the very depths of my heart, but you don't seem to really care. I feel I can't be myself around you, there's a whole lot of love I would love to give to you, but you don't give me

a chance; you don't know what's in the depths of my heart like maybe someone who loved me should. I can't handle getting beat by my dad. He's freaked me out so bad, I go into recluse thing when I see people on TV or watching people get beat, it just shakes me up. I can't handle it. And it's not only that that I left, but also because I hate every single bastardly, rotten, phony, two-faced, etc. sister. To me it's not worth to explain about these

people. All I ever wanted is you to love me. Unfortunately I don't have that. My heart is softer and more caring than people know, but I can only show it to someone who shows the same. I didn't want to do this, because every time I thought of leaving, my heart would break and I would start weeping uncontrollably. I love you, always will. No one else can compare to you.
Love,
Dez

Later, the FBI sent Desireé and two of the other young women, who also lied in court, to be deprogrammed by the Cult Awareness Network at Wellspring. The FBI paid over \$15,000.00 for them to be deprogrammed, plus many gifts. The FBI called it “counseling.” In court, they said they sent them to “the counseling station.” This is also what the FBI called it at Waco, when they “counseled” those Christian mothers, dads, and children.

Letter from Misheal Jones

Dear Tony,

I'm writing this letter for you to use in whatever capacity you can because it enrages me to see what was done to you in court. Of course, I wasn't there, but what I'm reading in the news media is all the lies that were told on the stand against you, and nothing was said by your attorneys to prove them to be liars, when we all know that they are liars. It made it look like our side was admitting that what they said on the stand was true. It seems like they were just trying to keep their arguments to the charges, but the prosecution, who was originally ordered by the judge to do the same, went into all the rest of that garbage to try and smoke screen the charges.

As is well-known from all the media coverage, the government initially raided your office and home looking for child pornography. When they found none, and were left with absolutely no proof to these horrendous lies, they had to convince young girls that lived on the property to testify falsely against you to make their charges stick. They thoroughly questioned the 6 girls they took in the raid, hoping they could find something they could use against you, but of course, there was nothing they could say. Another girl they went after was my niece, Desireé Kolbek. She initially wouldn't comply with them, so the FBI had to come up with a plan to pressure her to bring her false testimony. They coerced a young man, Seth Calagna, who was in the church, by having his sister calling him secretly and convinced him to leave

the church and bring charges against John Kolbek, Desireé's dad. Immediately after he left the church, he went to the police to press charges. Again, this all happened during the time that they were scrambling to come up with something to charge you with, after finding nothing when they raided. This was done to push Desireé into testifying against you in hopes she could make it easier on her dad. Desireé tried to run away to avoid being forced to testify, but they found her. In her own testimony, she admitted that the FBI called her, and had her call them, a total of eighty-something times. Obviously, they were pretty worried that she would change her mind or change her story, so they had to keep constant contact with her to make sure she didn't.

First of all, Desireé is very lascivious, and was so even as a little girl. She, at a young age, wrote in her diary that she wanted to be a whore. She was infatuated with the rapper Eminem and planned to run away to him and be his whore. She, on several occasions, was caught doing lewd things to her baby brothers. Desireé has always been a liar and caused her parents much trouble, and anyone who knew her, knew her to be this way. Even the people who sided with her against you know that she is a liar. Anyone that is associated with her for even a short time finds out that she is a compulsive liar; yet they somehow succeeded in getting her to testify to exactly what they wanted her to say, and make her look believable, with no real cross-examination from your

attorneys. There was so much that could have been said against her testimony; yet nothing was said.

Her mother could have testified to all of this and much more, but the judge stopped her testimony short just because she invoked her Fifth Amendment right, which she did only at the instruction from her attorney, when the prosecution asked her where she had been living so they could get her other four children. I know the prosecution questioned her on this subject because they wanted to discredit her. They were worried about all that she could say in her testimony. Her testimony could have destroyed Desireé's credibility. I've never heard of a judge striking a testimony when someone invokes their Fifth Amendment right. Yet, this went unnoticed by the jury and general public because they were so taken in by Desireé's lying testimony, which is exactly what the prosecution hoped would happen. They knew they couldn't prove the charges against you, that you supposedly took minors across state lines for the purpose of sex. I was with you on many of those trips and know for a fact that all of those trips were for church business, and anyone who went on the trip was there to help with the many things you did on those trips, from continuing to handle all of the church business from your hotel room, to doing your daily radio programs, to the many different business projects you worked on, way too numerous to list. Those women flat out lied all the way through their

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testimonies, yet it went uncontested, making you to appear guilty.

I hope, for the sake of the truth coming out, that you will be allowed an appeal, and that all these things, and many more, will be brought out. I want you to know that even though I can't be with you right now, I am still with you in spirit, and I pray constantly for you. I know the Lord will take care of you. Even though it seems so dark right now, it's not over. Like you said, this is just the beginning. Thank you for all the messages that you are still bringing. They keep us going. You are such a testimony to me and an en-

couragement to continue on no matter what. I am ready to go to jail for the gospel if need be, and even die, because I see your boldness. Some people don't understand your "harshness" and hatred against Satan and anyone being used by him, but it makes perfect sense to me. God needed someone like you to stand before the god of this world, Satan, and not back down, even though the whole world hates you. It's all scriptural. These blind leaders of the blind don't even realize that they are fulfilling prophecy. He also said there would be woe to those that were with child, so them going after our

children is prophecy as well. The majority of the people in the world are so blinded, and don't realize that they are just being led around by their noses by Satan and his Vatican-controlled government. But thanks to you faithfully teaching and constantly reminding us of the importance of studying the Word, we are not blinded to what is going on. We are going to be part of the few who will be prepared, watching, and ready for His coming. Again, I'm praying for you with all my heart and know I'll see you soon.

Love,

Misheal Jones

The Letter from Desireé Kolbek to Eminem

March 6–24, 2004

Dear Diary,

For some reason I am so upset today. There was a thing on TV called Eminem. I really wanted to see it because I like him. I want to be a housewife with children and it just be me and my husband, me, and the children. Me and my husband sleep together. I only really love one man and want to be with him.

I want to find the love of my life. He's probably in New York. I want to find Eminem. I love him. I wonder if my Grandmother knows who he is. Well if I go to my Aunt Kathy's house I would talk to Laurissa about it.

I wonder if Eminem is married? I wonder if he would love me too. The first time I saw him I fell in love with him. I want to find him so bad. I don't feel like any use in this church but to do duties. If I had mine own house I would be a wonderful housewife and so on. I don't know how to express how I love Eminem. I hope he's doesn't have a girlfriend already. I wonder how old he is. I'll probably say I'm 18 or something. Well I want to leave and get out of here and find the man I

love who is Eminem. I love him very much so. I want to find out on the internet when I get kicked out and sent to my Grandmothers what his number is and talk to him. I wish I could see him and hold him in my arms and kiss him. I love him so much.

Today was fun I hope I am there on time to see Eminem before he finds a girlfriend. Oh how I love him so much. I about think of him all day and wish I was near him and be with him, I love him. Goodnight my love goodnight.

Right now I feel really depressed I love Eminem so much I love Eminem and want to be with him. I know he'll love me alot because inside I really can be sweet but when someone says something I don't like I want to grind their lips into the cement. Eminem is someone I loved for a long time.

I wish I had my own house and room and bathroom with just me and my husband. I guess the reason why I love him so much is because he's the following: white, Rapper, handsome, looks Scandinavian, and dresses really cool. What I like about his face is his nose and eyes.

He's really handsome to my eyes. People say he's "ugly." I just go along with what their saying but inside I really like him. He's someone that I love very much. My love I wish I could be with you. I love you. Love you with everything in me. I wish I could tell someone.

My B-day is in a couple of months which is May 20th and I'll be 13 yr old I want to try to get a picture of him somehow and put it in my locker. Well I've got to go. I love you Eminem. I wonder what his real name is. Well bye.

I just got done with dishes and before that we had just come from shopping. Well I got alot of nice stuff and we went to a Chinese Restaurant which I was very glad now that I went. I saw some Chinese guy there. His head was shaved in the back and on the top. Well it was really neat. I saw him a few times clearing the tables. One time he so happened to look at me. We had like a eye contact for not even a minute Then I felt really weird inside. I would have looked longer but I didn't want to be caught. Man if he would have went in to the restroom I would have waited in the hall because there was

a door that was shut and inside were men and women's bathrooms and nobody could see you in the hall. I would have pretended that someone was in there and waited till he came out. Man I don't know why I feel different these days. Seems like I

am a whore or something. If I knew where Eminem was I'd go for him. But I know where this Chinese guy is.

I want to run away the day after tomorrow at 3:00 am and figure out how to get to that Chinese guy but

how will I find him at that time of night so I guess I would try to get out at 5:30. I just figured out what they are called. They are called Bus Boys. Maybe I'll write a letter of some sort and tell him to follow Sandford and Terri.

Letter from Desireé to a Chinese Busboy

From someone who loves you very much.

March 24, 2004, Friday

Bus Boy,

If only I knew your name I would call you by it. But all I know to call you is Bus Boy. I am the girl with dark blond hair that was sitting by the guy with a beard and Black hat and we were sitting at that round table. I need to see you. From the first glance of you your hair caught my eye. I think you really look handsome. But when we looked at each other or when I looked at you I felt love inside for you and couldn't get you out of my mind. I need you to come get me but you don't know where I live and I don't know where

you live but I am paying the woman that gave this to you \$5.00 to give this to you and to bring your note back to me or you can follow her to Dollar General where she works and I'll meet you there. Please don't disappoint me. I love you & want to trust you & have faith in you. I'll meet you at 7:30 pm Saturday. Maybe it will be better for you to send a note back so I won't go out on Saturday at 7:30 and you not be there and then get caught. I will tell you my name when I see you.

Love you

P.S. until I know your name can I call you Tony and you can call me for the time being Monique.

Bus Boy follow us I would call you by your name but I don't know it. But follow secretly. Tonight I will sneak out and come with you. Will you? Please do! We are driving in a bus. Please don't be caught and make it obvious I Love you and want to be your girlfriend.

Thanks, Desireé

A Letter Protesting Jeanette Orlando's False Testimony In Court

To Whom It May Concern,

I can testify to the fact that Jeanette Orlando is a liar of the worst kind. I was with Jeanette as she stood by and watched her own dad get put out of the ministry on a pack of her lies. She lied with a false confession and said her dad had sex with her and myself.

Jeanette's mother, Lenore, lied for her daughter in court stating she didn't believe Jeanette really told Tony those things about Jeanette's dad, Joey. But Jeanette told me that she had in fact told her mother about her confession of incest to Tony. Not only this, but Jeanette and I had a conversation with Lenore about this false confession to Tony.

Jeanette told so many lies about Tony while in court that I can't cover them all. One of her many lies was that Tony threatened her and her family, that if she didn't marry Tony, he was going to put her and her family out of the church. This is totally made up. I know because I was there when she claims this happened. Tony never said any such thing. It is the same pattern she is doing with Tony. If she can lie about having sex with her own father, why would it be hard for her to lie about Tony?

She also lied under oath when she stated Tony put her out of the church for putting carrots and corn in chicken soup. She knows this is a lie. She knows very well that she

was put out of the church for being a compulsive, pathological liar.

Another one of her lies was that in 1994 when she was 15 years old, she knew nothing about sex; yet she told me and others that she was secretly having sex with a boy in the church named Justin Miller daily when she was only six years old.

She is lying now by claiming to be a "victim." She is no victim. She was very happy while in the church. As a matter of fact, she was put out of the church and cried, because she did not want to leave the church.

She ruined her family's life; she tried to ruin my life, and now she is attempting to ruin Tony's.

Sincerely,
Angela Morales

JURIES HAVE BEEN WRONG MANY TIMES—TONY’S JURY WAS WRONG

The jury note stated that they didn’t find any evidence of sex on the trips, which is what Tony Alamo was charged with—taking underage girls across state lines for the purpose of having sex. They sent a note to the judge asking, “Can we still convict?” The judge never said yes or no, he just said, “Read my jury instructions again” which said no, that they could only convict on the charges!

**Recent Letter From John Pew Who Was Threatened By FBI
He Said They Are Framing Pastor Alamo**

Sir,

Much has happened since I left the ministry. My heart wishes I could have told you this sooner, but with all that has happened, I did not know the safest way.

Shortly after I left the church, I was put in jail for warrants I’ve had from years ago. Within a week of me contacting the church and requesting the gospel literature and Bibles, I was visited by two FBI agents. They were interested in my involvement with the church and stated that they knew I had been in contact with the church recently.

They told me that you were under investigation and that my testi-

mony would be very useful. These two agents went so far as to offer to “intercede” in my legal matters, pending my full cooperation. Sir, they were not even concerned with any statement of my own, they had their own statement I was to go along with. They also informed me that the cover story would be that I was a planted federal agent, to validate my testimony, and that it would be in my best interest to testify. So I did. I gave them my testimony, and they were not happy because I spoke of the glory of God and His salvation! Because I refused to help them, they searched the entire cell

block and confiscated all the literature and Bibles you had sent in to us, and said that anyone caught with it would face additional charges. I was threatened and told to have no further contact with the church or its members. I was then placed into solitary confinement with the charge of attempting to incite a riot. This happened in August 2008. Since that day, I have not heard from them.

I have also not stopped praying for the Lord to strengthen you and the brethren. Great is your reward in Heaven.

For His Glory,
John R. Pew, Jr.

**United States District Court
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

UNITED STATES OF AMERICA

§

§

v.

§

NO. 4:08CR40020-001

§

BERNIE LAZAR HOFFMAN,

§

also known as TONY ALAMO

§

DEFENDANT’S MOTION FOR NEW TRIAL

COMES NOW **BERNIE LAZAR HOFFMAN, also known as TONY ALAMO**, Defendant herein, and for his Motion for New Trial pursuant to the 5th and 6th Amendments to the United States Constitution and Rule 33 of the Federal Rules of Criminal Procedure, would respectfully show unto the Court the following:

1. The court committed error by denying Defendant's Motion to Suppress. The motion was based on stale information in the affidavit supporting the search warrant as well as no indicia of informant reliability nor any statement of reliability. Thus, all evidence collected during the September 20, 2008, search should have been ruled inadmissible.
2. The court committed error by failing to require the government to reveal the identity of two informants.
3. The court committed error by refusing to have the government reveal their original notes of interviews with witnesses and further refusing to inspect in camera the notes of the governmental agents or, at least, to order them preserved with the court.
4. The court committed error by refusing the defense request to see and inspect the records of Wellspring counseling center as to government witnesses Kolbek, Orlando and Eddy. This is especially true since the credibility of witnesses was the ultimate issue in the case.
5. The court committed error by refusing Defendant's request to see and inspect all FBI 302's of witness interviews. Even though the government said they did not have any that they had not turned over to the defense, the testimony of witnesses show that there were repeated and numerous interviews by law enforcement. Witness Desireé Kolbek alone testified she talked to the FBI at least 80 times.
6. The court committed error by denying the defense Rule 29 motion on the sufficiency of the evidence as to all counts, as the government failed to prove the elements of the offense alleged in the Second Superseding Indictment beyond a reasonable doubt. By count set forth below, the evidence presented was legally and factually insufficient to sustain conviction on any count:

Count 1: Summer Hagan was not supposed to go on the trip to California. There were multiple purposes of the trip, including visits to Defendant's doctors, installation of a new sound system in the California church, and shopping for and purchasing jewelry and clothing related to church activities, as well as routine church business. Summer Hagan testified she really did not know why she was going, but Alys Ondrisek testified it was their idea to go on the trip, not Tony Alamo's.

Count 2: The evidence is that Tony left California to see his sick brother in Nashville. When he returned to Fouke, Hurricane Katrina had caused a chaotic situation in the central United States and he did not want church members, including his own children, to travel during this time. One of the complaining witnesses called from California and wanted to come home to Fouke. Tony resisted because his daughter was with them and other church members. Finally, he relented and gave permission for them to travel home to Fouke. Sex was never alleged to have occurred on this trip. There was no evidence showing the dominant purpose was for immoral purposes with Hagan.

Counts 3 and 4: All of the evidence is that Desireé Kolbek's mother visited her freely and on the two occasions came and got her and took her to the mother's home in Oklahoma. There is no evidence the purpose of the trip was for sex. In fact, Jennifer Kolbek testified as to the real purposes for her daughter's travels, which did not include sexual activity.

Count 5: Amy Eddy testified she arrived in Fouke in January, 1998, while Tony Alamo was in

prison serving his sentence for a federal tax conviction. Mr. Alamo was not released from prison until July 8, 1998. He stayed in a half-way house until December, 1998. Amy Eddy's father was concerned and she went to Ft. Smith to talk to him over the phone. Her mother, Sue Davis, testified as to the reasons for Amy Eddy's transportation, which did not include sexual activity. Ms. Davis sent her back to Fouke.

Count 6: The testimony concerning the 1999, trip to Nashville, Tennessee, established that the purpose for the travel was to look at real estate and visit Mr. Alamo's sick brother. Amy Eddy testified she did not have sex with Mr. Alamo on this trip. In addition, Mr. Alamo got permission from his probation officer to travel with her and set forth the purposes of the travel on the travel request form.

Count 7: This concerned a trip to California for a legal matter that was interrupted and church members spent the night in Albuquerque, New Mexico, before returning to Fort Smith, Arkansas. Witness Orlando testified that "*I'm not sure about it, but it had to do with legal matters.*" There was no evidence of sex on this trip, either. Angela Morales testified that she and Orlando stayed in the same room and Orlando never left.

Counts 8 and 9: This was a trip from Fort Smith, Arkansas, to Huntington, West Virginia, for a deposition in West Virginia. Orlando testified that the trip to West Virginia had "*something to do with his ex-wife.*" She also testified on cross examination that she "*didn't remember if they went from Ft. Smith to Memphis.*" Several witnesses, including Sandford White, Angela Morales, and Sharon Alamo confirmed that a trip from Fort Smith to Memphis never occurred, as the group traveled straight from West Virginia to Memphis, Tennessee. There was no evidence of any sex on this trip. Orlando's parents were waiting in Memphis to assist Mr. Alamo in the tax trial. There was also testimony that Orlando shared a room with someone in Huntington and did not leave the room that night.

Count 10: This count concerned the substitution of office personnel in Fouke and California. Witnesses Rodriguez and Orlando were to go to the church in California to take the place of two other office workers who wanted to return to Fouke. Rodriguez merely asked if she could accompany Orlando because she wanted to go to California. There is absolutely no evidence Tony did anything to require Rodriguez to come to California or return to Fouke from California. The testimony was from Rodriguez: "*Needed someone to go with Jeanne. He asked if I wanted to go.*" There was testimony that church members always travel in pairs, as referenced in the Bible. The evidence of criminal intent is totally lacking by the evidence at trial.

7. The court committed error by allowing into evidence over the objection of the defense numerous items of tangible and testimonial evidence that was clearly irrelevant and prejudicial in violation of Rules 401, 403, and 404 of the Federal Rules of Evidence. This included evidence and allegations of Defendant's relationship with adult women, his control over the ministry, his tax evasion conviction, the insinuation of hiding assets suggesting some sort of fraud, tax evasion, wage and hour violations, assault and battery, corporal punishment, and others. The cumulative effect of the irrelevant testimony operated to deprive the defendant of a fair trial.

8. The court committed error by allowing into evidence over the objection of the defendant incidents of threats of physical violence and actual violence.

9. The court committed error by allowing into evidence over the objection of the defendant the telephone tapes from monitored jail conversations as same were irrelevant to the charges in the indictment.
10. The court committed error by emphasizing the fact before the jury that the witness Jennifer Kolbek took the 5th Amendment in response to a question on cross examination by the government. The question was irrelevant---“*Where do you live now?*”---and by first striking her testimony and then reinstating her testimony. Her credibility was unduly and irreparably damaged. It is plain error to require a witness to take the 5th amendment in front of the jury. The jury should have been excused for the discussion of the witness’s privilege against self-incrimination and not told why the witness was removed from the witness stand.
11. The court committed error by allowing the government to force the witness Sue Davis to take the 5th amendment before the jury. The government knew she would and deliberately invoked the error which is prosecutorial misconduct that should have resulted in a mistrial. Again, the Court allowed her to take the 5th in front of the jury and then emphasized it, thus damaging her credibility.
12. The Court committed error by allowing the testimony of the 404 (b) witnesses.
13. The Court committed error by denying Defendant’s motion for a mistrial upon the statement of the government in their initial closing argument that was an impermissible comment on Defendant’s exercise of his 5th amendment right during the trial. The error could not be cured even though the court gave a curative instruction to the jury.
14. The Court committed error by denying the Defendant’s Rule 29 motion on count two (2) of the Second Superseding Indictment as same was not supported by proper venue.
15. The Court committed error by allowing into evidence over Defendant’s objections numerous irrelevant exhibits. The cumulative effect was to deny the Defendant a fair trial.
16. The Court committed error by denying portions of Defendant’s Motion In Limine.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the convictions herein be set aside and Defendant be granted a new trial and for any other relief to which he may be entitled.

Respectfully submitted,

HARRELSON LAW FIRM, P.A.
BY: /s/ Jeff Harrelson
Jeff Harrelson
Arkansas Bar Number 96118

Tony is innocent of the charges, and still they convicted him because the judge never told the jury that they could not convict Tony without convicting him on taking them across state lines for the purpose of having sex, which left the inference that they could convict him.

United States District Court
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 4:08CR40020-001
	§	
BERNIE LAZAR HOFFMAN,	§	
also known as TONY ALAMO	§	

ADDENDUM TO DEFENDANT’S MOTION FOR NEW TRIAL

COMES NOW **BERNIE LAZAR HOFFMAN, also known as TONY ALAMO**, Defendant herein, through undersigned counsel, and for an Addendum to his Motion for New Trial filed herein, pursuant to the 5th and 6th Amendments to the United States Constitution and Rule 33 of the Federal Rules of Criminal Procedure, would respectfully show unto the Court the following:

17. The First Amendment to the United States Constitution directs that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. This language is absolute. It does not say that Congress can make laws infringing upon religious freedom only under certain circumstances or that only certain kinds of laws can be enacted infringing religious freedom. It says that Congress can make no law that so infringes.

A secular court imposes its own laws and prejudices on its proceedings and trials. It operates outside a religious context and brings its own judgment to bear on religious views and prejudices of individual jurors to the fact-finding process. Taken together, these two factors infringe upon the rights of an individual who is being tried on facts that raise conflicts between Biblical truths and the law of the land. Mr. Alamo maintains his innocence and denies he violated secular law. He feels he and his church have been targeted for prosecution for his teaching of certain Biblical principles.

Specifically, in Mr. Alamo’s trial, the Government’s allegations concerned, for the most part, the marrying of post pubescent females. Generally speaking, this arrangement is prohibited by secular law, or those laws made by man through representative process.

For thousands of years and in most historic and Biblical societies, such marriages were commonplace and not condemned by society or prohibited by law. *Webster’s* dictionary defines *childhood* as the “state or time of being a child; state or time from birth or infancy to puberty or maturity” and defines *puberty* as “the state or quality of being first capable of begetting or bearing offspring which is marked by maturing of the reproductive organs, with the onset of menstruation in the female and the development of secondary sex characters in both sexes; the period at which sexual maturity is reached.”

The age of puberty varies in different climates and environments, being from thirteen to sixteen in boys and eleven to fourteen in girls, and is commonly designated legally as fourteen for boys and twelve for girls. In hotter climates, puberty in young women can begin as early as 8 or 9.

The Bible itself is replete with such marriages; for example, in the King James Version of the Bible in I Kings 1:2, the Psalmist David was old and ill and could not stay warm. His servants sought and found a young virgin to “lie in thy bosom, that my lord the king may get heat.” In the Book of

Jasher, Chapter 24, verses 24–40, it is recounted how Rebecca reaches puberty at ten years old and marries Jacob’s father, Isaac, who is forty years old.

The Apocrypha relates that when Mary, the mother of Jesus, was twelve years old and God had sent grace upon her, an angel of the Lord commanded Zacharias to assemble widowers and to “whomsoever the Lord shall show a sign, his wife shall she be.” Joseph, an older man, was distraught because he believed he would be ridiculed because of his age difference, but followed the will of the Lord and married her.

In the early days of the settlement of this country, such marriages were common and not forbidden within the secular or religious context. But, at this time in history, adherence to this biblically-sanctioned practice brings prejudice and condemnation for preaching the Bible and common sense, such that the judge of the facts and of the law of the secular courts, are unable to fairly judge Mr. Alamo. This is based merely upon Mr. Alamo’s preaching of these Biblical principles, as Mr. Alamo was not married to his accusers.

The unfair position Mr. Alamo was placed in by this trial concerned the above biblically-founded religious belief. If he had advanced this religious belief concerning the appropriate marriage age of women during the trial in an attempt to mitigate prejudice and condemnation, he most certainly would have been misunderstood to have been justifying the acts of which he was accused and, in effect, admitting to them, even though he denies that they occurred.

A clear purpose of the Tony Alamo Christian Ministries is to preach the whole Bible, which commands all Christians to care for all the young and old men and women from an environment, a society, which bombards them through radio, television, the internet, movies, and other media with violence and clandestine sexual behavior. Keeping them within the religious community and limiting their exposure, both to this media and secular men and women until they are of marriageable age, is believed by the Church to be a God-sanctioned way of raising young men and women. Advancing this idea at trial might well have mitigated prejudice on the part of the jury but, in the secular environment of the courtroom, would have brought about the aforementioned supposition detrimental to Mr. Alamo.

The First Amendment to the United States Constitution does not contemplate placing an individual in this predicament. The forum of a secular court makes a fair trial impossible for Mr. Alamo or anybody under these circumstances. Only a trial, by a godly, orthodox tribunal, for God Himself to do the judging from the Bible without the above-referenced prejudices, could conduct a fair trial under these circumstances and avoid the religious infringement by a secular court.

18. The Court erred in failing to properly answer the jury note asking the question, “Did Tony have to have sexual contact or intercourse out of state to be charged? It happened in Fouke, AR, before trip and after return to Fouke, AR,” the jury presumed and assumed [That is a whole other case about having sex before and after the trip, which we believe we can win, but the actual charges were that he had sex on the trip, and it is proven that that did not happen]. The answer, according to the jury’s instructions for the charges, should have been “yes.” The Court should have directed jurors to the appropriate portion of the charge which tells them, essentially, that such actual sexual contact or intercourse is inconsequential to a conviction, that the requisite intent on the part of Mr. Alamo when crossing state lines is the determining factor.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the convictions herein be set aside and Defendant be granted a new trial and for any other relief to which he may be entitled.

Respectfully submitted,

By: /s/Donald E. Ervin

Attorney at Law

Texas Bar No. 06650500

Two more confessions from other people the government wanted to use to destroy Tony Alamo and his church

Scott Gregory Confession

I, Scott Gregory, am exceedingly grateful for the mercy that the Lord, through the Tony Alamo Christian Church, has bestowed upon me. My own mother would not allow me to stay at her home because of my belief in Jesus Christ and because I wanted to read the Bible (she's a Catholic). My own mother placed me in a home for the emotionally disturbed. The name of the institution is called Brandon at Petersham, in Massachusetts. It was nine years that I stayed there.

Every week, Channel 40, a Fort Smith, Arkansas television station, called me at my mother's home, telling me numerous lies and slanderous remarks about Tony Alamo and the Tony Alamo Christian Church. No wonder I was confused. They began bribing me with hundreds of dollars, fancy hotel rooms, steak dinners, chauffeured cars, and Channel 40 even gave me carte blanche at the cocktail lounge, which I refused. It was a dizzy round of events. One of the lies Channel 40 told me was that Tony Alamo, in a front page article in the *Southwest Times Record*, called me all kinds of names. Channel 40 would not let me see the article but said I should go to the District Attorney's office (the D.A.'s name was Ron Fields) and file a trumped-

up kidnapping charge on Mr. Alamo and associates. Davis Woods and Keith Fry, Channel 40 representatives, drove me to Ron Fields' office.

Before this, when I was at my mother's home in Massachusetts, Davis Woods from Channel 40 called me and told me that I could really get Mr. Alamo and the church on this kidnapping charge and that I could call the District Attorney, Ron Fields, collect, and that he would be waiting for my call. Davis Woods mentioned to me the Little Lindbergh law. I didn't even know what the Little Lindbergh law was, or the penalty that it carried, until later when I talked to Jack Jewel from the FBI office, who was investigating another false charge, that Pastor Alamo was fixing the votes in Dyer, Arkansas. Because of the lies that Davis Woods from Channel 40 said Mr. Alamo told about me in the front page of the *Southwest Times Record*, I was hopping mad. Mr. Fields was not in, but his secretary gladly accepted my call.

When I got back to Arkansas, and after I had pressed charges, I went to the library to try to find this article in the *Southwest Times Record*, and when I found it, my heart sank because all the things that Channel 40

representatives Keith Fry and Davis Woods said were false.

While I was filing these false charges against Tony Alamo in Ron Fields' and Lee Kuykendall's (district attorneys of Sebastian and Crawford County) office (a deputy sheriff was also present), they were very happy and excited to file charges against Mr. Alamo and the church. At this time, Ron Fields bragged to me that he was the one that called the FBI in on the phony Dyer election scandal that he caused, and tried to get me to be afraid of the only person that has ever been decent to me and treated me fairly in my whole life, Tony Alamo. My bed was assigned to me in Dyer at one of the dorms, and I was in Dyer every day of my life for 2½ months before the voting.

When Channel 40 put their trumped-up interview with me on the air, which was a three-day, hour-long TV series, which they called "Mystery on the Ridge" (the ridge, Georgia Ridge, is just above Dyer, Arkansas), they said that I had given them the names of people that did not live in Dyer that voted. This is not true. All the people who voted in Dyer lived there, so how could I have given them any names that voted that didn't live there? I never gave them any names at all.

After reading the newspaper article in the library, I was very sad and troubled and felt that I had been used by Channel 40 and the District Attorney, Ron Fields. It chilled my blood when I recalled back that Mr. Jewel from the FBI office told me that kidnapping (the Little Lindbergh law), carried the death penalty. These district attorneys, Ron Fields and Lee Kuykendall actually want to see Mr. Alamo dead.

Also, Channel 40 hates Mr. Alamo because he knows they're liars and won't let them have interviews because of their lying smear campaigns during the time of Susan Alamo's death, and that they made mockery of her at the time of her funeral and his mourning. So I called up the D.A., Ron Fields, and told him that I wanted to drop the false charges, that the things that Channel 40 had said about Mr. Alamo were not true, and that they were all false charges anyway, that no one had kidnapped me. Ron Fields encouraged me not to drop charges even though I demanded him to. He argued about this with me very much. This made me afraid, and I hung up. I could easily see the hatred that Ron Fields felt for Mr. Alamo.

After being in the church and being out, it is frightening to see how people lie and twist things and confuse the public in their quest to destroy the church.

Channel 40 even brought me to the U.S. Department of

Labor's office, instructing me to go to the U.S. Department of Labor and help them in their quest to try to destroy the church (but they never will). Roland Shell of the U.S. Department of Labor also made slanderous, degrading remarks about Mr. Alamo's deceased wife, Susan. They also instructed me to call U.S. Department of Labor attorney, Robert Fitz, in Dallas.

While I was at the Tony Alamo Christian Church, I was hateful and didn't really keep up my share of the work and wouldn't go to all the prayer meetings or read my Bible enough. At that time, I deserved to be dismissed from the church.

I praise God that I'm back at the church. I praise God for His mercy, that God has opened my eyes to the tremendous amount of wickedness in these small Arkansas communities, wickedness that is directed against a mighty work of God that is winning thousands of souls every month, saving hundreds of men, women, and children's lives, feeding and clothing and visiting people, opening its doors to strangers and having mercy by welcoming back the prodigal son.

I understand that Ron Fields is now saying on TV that he advised me to wait a day to think it over before I press charges. This is not true. He never told me any such of a thing. What he did tell me was that Mr. Kuykendall was not in his

office, because it was late in the afternoon, and instructed me to be sure to be back at 9:30 in the morning.

Channel 40, Ron Fields, and Lee Kuykendall are the ones that persuaded me to bring the kidnapping charges against Tony Alamo in the first place, and now that I am telling the truth and want to drop the charges and just serve the Lord, the District Attorney, Ron Fields, is calling me a liar and malicious, and saying that I could go to jail for malicious prosecutions against Tony Alamo.

I testify that the malicious ones are Ron Fields, Lee Kuykendall, and Channel 40. I never met any people so vicious in all my life. Also, Mr. Jewel from the FBI's office is working with Ron Fields and Lee Kuykendall on this very much.

My testimony should make it very clear to anyone who reads this report that the Roman Empire, its United Nations or world government, the "federal government," the state governments, the city governments, and the media all work hand in hand in an attempt to destroy Christianity, but they never will because "Heaven and earth shall pass away, but [God's] Words shall not pass away" (Matt. 24:35). And God's Word tells us that "If God be for us, who can be against us?" (Rom. 8:31). God's Word also tells us that Satan, his Roman Empire, his world government and media

are defeated foes and shall be destroyed by eternal punishment in Hell and the Lake of Fire.

Mr. Jewel actually asked me to find backsliders from the church who were caught stealing, and are now on drugs,

to be witnesses against Mr. Alamo. And now that I know all these things, the lies, the phony charges, the vicious hatred, it's very frightening for me. I have told you the truth and now fear for my life. I am very sorry for what I did to Mr.

Alamo. I have repented of my sin and asked God to forgive me, and I know that He has.



SCOTT GREGORY

February 10, 1983

Joseph Taliaferro Confession

My brother is a cop and I used to work undercover with the police department and help bust drug dealers. The National Aviation Facilities Experimental Center (N.A.F.E.C.) located in Pomona, New Jersey, hired me to infiltrate the Tony Alamo Christian Church. Agencies like this plant it in your heart and soul not to talk about working for them, under any circumstances, even under threat of torture. I was to be paid \$10,000 for information that I would supply to the N.A.F.E.C. I believe that the N.A.F.E.C. is a division of the FBI and the U.S. Department of Labor. Also, it seems to me that they are somehow linked with the Mafia. I was instructed to call in several times per day to talk to the men who hired me, Captain Connelly and Lt. Robinson, who could be reached at (609) 641-6100.

I was hired at the time that the Tony Alamo Christian Church came to Atlantic City about the abortion issue. The N.A.F.E.C. told me that they were merely interested in the anti-abortion program that the church was offering. At this time I couldn't

understand why, but the church was offering free aid to women that were going to have an abortion, if they would agree not to have the abortion. The church was offering free prenatal care, hospitalization, and support for the mother and child. Why they wanted me to place myself secretly into the church at first seemed innocent enough, but the plot got thicker as the time went on.

The N.A.F.E.C. wanted to know many things about the Tony Alamo Christian Church, even the complete layout of Tony Alamo's house and even the room he slept in. They also wanted to know the doctrine of the church. Tony showed me throughout his house and even the room where he slept, which was a small room. The United States federal government even wanted to know if Susan Alamo was really dead. It seems kind of crazy to me, because hundreds of people were at the funeral and the casket was open, and she died at the City of Faith Hospital in Tulsa, and was embalmed there before being brought into Arkansas. I'm told there is a death

certificate, and her casket was left open for two weeks. To me, the doctrine of the church is very beautiful and scriptural. The people at the Tony Alamo Christian Church go to two services every day. They read the Bible and pray. I was truly inspired myself.

There were several sequences of events that transpired while I was at the church. They were all being done by the federal government. First, a branch of the government sent many false telegrams while I was at the church, stating that I had inherited two and one-half million dollars. I was instructed to show these telegrams to the people at the church and to tell them that I wanted to tithe some of it and then invest the rest in business. This they told me to do in hopes that I could get close to Tony Alamo. The next sequence of events, which I knew nothing of, was that the federal government had some men call the church stating that they were going to kidnap me, knowing that Tony Alamo and the church would try to protect me. There was yet another sequence that I

didn't know about. I don't believe that the people that were calling with the fake kidnap threats knew about it either. Helicopters started flying over the house, which I believe were military helicopters. Several jeeps were seen around the area loaded with what I believe were federal men. Also a silver and blue van with five large men was seen at the Alamo Grocery Store in Alma. Local police force vehicles were seen prowling the area.

Because of the vicious nature of the federal government agency that I was working for as a spy, I personally believe without a doubt that they are deliberately trying to make the Tony Alamo Christian Church look like a bad and mysterious organization, which it is not. I have seen literally hundreds of letters commending them for their kind work. I have personally sat in one service after another and heard wonderful testimonials from the church people. I have become very well acquainted with many people who live at the church and they are all beautiful people. While I was at the church, I saw the sincerity of this church and found it to be a very good church, preaching the gospel of the Lord Jesus Christ in a very convincing manner and helping the poor, suffering, and needy. I believe that this is what churches are really supposed to do.

Because I am giving this testimony, I fear for my life. These federal government agencies

are very vicious and will pay thousands of dollars for false testimonies against the church. They are looking, at any cost, to destroy this church and any other church like it. These federal agencies most certainly hire and work with hardened criminals and are inspired exclusively by the Vatican.

I believe that the U.S. government was setting up the Alamos for slaughter. The fake kidnap threats would have the Alamos thinking that they would be protecting me from goons. The Feds were then going to say that the Alamos had kidnapped me, and pretend to come to my rescue. Of course, the Alamos, not knowing these were the FBI, U.S. Department of Labor, and Mafia goons, would try to protect me and end up being slaughtered by the federal government. Then the newspapers, magazines, and TV networks, like the *Hearst* newspaper chain, the *New York Times*, the *L.A. Times*, *Life*, *Time*, *Newsweek*, *People*, ABC, NBC, CBS (all secretly owned and controlled by the Vatican) would start blazing.

I have made several other statements and signed them at Gean, Gean, & Gean law firm in Fort Smith, Arkansas. I have talked with Mr. Gean and have told him many other things and told him that it was all right to tape me. (This was Roy Gean III.) Again, I want to state that I was hired by the federal government and to be paid \$10,000 to testify falsely about the affairs of the Tony Alamo

Christian Church. Again, my contacts that hired me were Captain Connelly and Lt. Robinson. They instructed me to plant myself at the church in Miami, Florida. In order to verify these facts, I have supplied the telephone number of my contacts, (609) 641-6100. I have full knowledge of the taping of my conversation. The statements made above were made without coercion, force, or any promise of reward. The N.A.F.E.C. is a government agency (FBI, IRS, U.S. Department of Labor, and Mafia).

They have told me that they planted six other agents in the church who have been there a year or more. Also, they say that they will be sending a girl in with a \$100,000 donation. Isn't it something that these people have been there for a year or more and still have not found anything wrong with this wonderful Christian church?

Again, I fear for my life. I just hope that all Christians that really know God really pray for me. I am leaving the church because of the conviction of God that I am under. The Tony Alamo Christian Church has done nothing but good to me and I returned that with bad


JOSEPH TALIAFERRO
February 1, 1984.



You can tell that the government is doing everything in their power to destroy Christian churches. The Lord is coming back to earth again soon, so get your soul right with the Lord now by saying this prayer:

PRAYER

My Lord and my God, have mercy upon my soul, a sinner.¹ I believe that Jesus Christ is the Son of the living God.² I believe that He died on the cross and shed His precious blood for the forgiveness of all my former sins.³ I believe that God raised Jesus from the dead by the power of the Holy Spirit⁴ and that He sits on the right hand of God at this moment, hearing my confession of sin and this prayer.⁵ I open up the door of my heart, and I invite You into my heart, Lord Jesus.⁶ Wash all of my filthy sins away in

the precious blood that You shed in my place on the cross at Calvary.⁷ You will not turn me away, Lord Jesus; You will forgive my sins and save my soul. I know because Your Word, the Bible, says so.⁸ Your Word says that You will turn no one away, and that includes me.⁹ Therefore, I know that You have heard me, and I know that You have answered me, and I know that I am saved.¹⁰ And I thank You, Lord Jesus, for saving my soul, and I will show my thankfulness by doing as You command and sin no more.¹¹

You've just completed the first step in a series of five steps which are necessary to receive salvation. Your second step is to deny yourself and take up your cross daily and follow Jesus for the purpose of mortifying your flesh, that is, for putting to death your own will, your soulful self, and the world

with all of its lusts. All these must be baptized into the watery death of Christ.

Step three is your resurrection from the satanic life of Adam unto the sinless life of Christ. Step four is your ascension into a position of authority to reign for God with Christ on earth, and the fifth step is to reign for God in Christ on earth to the end for the purpose of bringing about the kingdom of Heaven on earth. You must learn the Word of God, submit yourselves one to another and do what the Word says, so that the church and the world may see evidence of your submission to God's Word, His order, and His authority in and by you.

Praise the Lord. May God bless and reward you abundantly.
Yours in the wonderful name of Jesus,
Pastor Tony Alamo

1 Psa. 51:5, Rom. 3:10-12, 23 2 Matt. 26:63-64, 27:54, Luke 1:30-33, John 9:35-37, Rom. 1:3-4 3 Acts 4:12, 20:28, Rom. 3:25, I John 1:7, Rev. 5:9 4 Psa. 16:9-10, Matt. 28:5-7, Mark 16:9, 12, 14, John 2:19, 21, 10:17-18, 11:25, Acts 2:24, 3:15, Rom. 8:11, I Cor. 15:3-7 5 Luke 22:69, Acts 2:25-36, Heb. 10:12-13 6 I Cor. 3:16, Rev. 3:20 7 Eph. 2:13-22, Heb. 9:22, 13:12, 20-21, I John 1:7, Rev. 1:5, 7:14 8 Matt. 26:28, Acts 2:21, 4:12, Eph. 1:7, Col. 1:14 9 Matt. 21:22, John 6:35, 37-40, Rom. 10:13 10 Heb. 11:6 11 John 5:14, 8:11, Rom. 6:4, I Cor. 15:10, Rev. 7:14, 22:14

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