

Steven Ben Hun, wife and son:

Re: the death of Stefan Suto

We have had a broad discussion within our office after a review of Dr. Daniel Shultz's report of the post-exhumation autopsy performed on the body of Stephan Suto. Therefore, we can make the following observations:

1. The autopsy appears to have been well done. It addresses many of the concerns that a prosecutor might have regarding the cause of Stefan Suto's death. Dr. Shultz's opinion is clear that the injected hydrogen peroxide and inhaled hydrogen peroxide treatments *allegedly administered in Tennessee* by Dr. Carrie Madej contributed to a further decline in Mr. Suto's medical condition. However, both the IV peroxide treatment and ozone treatments administered by Dr. James Thorpe and Dr. Viglione in Florida were the clear cause of death for Mr. Suto, according to the autopsy findings of Dr. Shultz.
2. While the treatment that *allegedly* began with Dr. Carrie Madej caused his medical condition to decline, it was at this point that the decision was made, apparently by the two of you, your wife and son, to transport Mr. Suto to Florida instead of seeking conventional medical treatment locally. Dr. Shultz even opined in his report that it would have been appropriate from a medical standpoint to have taken him to a local Tennessee hospital instead where Mr. Suto stood a chance of his condition being reversed and brought back to a healthier state.
3. In Florida, Drs. Viglione and Thorpe, according to Dr. Shultz, engaged in a pattern of behavior that Dr. Shultz sees as highly suspicious and detrimental. Dr. Shultz emphasized in his report that the hotel setting was an improper setting for medical treatment and that it appeared to him that both Drs, Viglione and Thorpe, as well as the family (the two of you) accepted this. The hydrogen peroxide treatment continued even though Mr. Suto's condition worsened. Dr. Shultz included photos of Mr. Suto the day before his death and describes the death as "highly unusual" and a "direct consequence of many unfortunate choices and distrust of traditional medicine" going on to call it reckless on the part of the physicians. We are not sure how to take Dr. Shultz's reference to the fact that Dr. Viglione failed to note in her charts that Mr. Suto had already received the hydrogen peroxide treatment in Tennessee. He may be criticizing the doctor for failure to note medical history appropriately or he may be implying that Dr.

Viglione had not been informed. We suspect the former. It is at this point in the report that he says:

“If he had made entry to licensed medical care in an appropriately outfitted emergency department, suited for the sorts of care he apparently needed (particularly the blood transfusion given his plummeting hemoglobin in the face of hemolysis due to the IV hydrogen peroxide) his outcome may have altered”.

4. Dr. Shultz goes on to observe that the Florida doctors added ozone treatment to the IV peroxide treatment. A blood transfusion was made by one of the doctors donating their own blood without a cross match! This action was described as “unbelievable”.
5. After Mr. Suto’s death the doctors failed to report the death as required by Florida law. Dr. Shultz expresses extreme frustration with the failure on the part of the authorities to properly investigate or act based upon the information he had accumulated and provided them.

We have noted that Dr. Shultz is critical, not only of the three doctors involved, but also of the family’s (your) decision making along this timeline. The spread of blame, in his opinion, includes the family medical decisions as a factor. He goes on to express the opinion that proper hospitalization in Tennessee in a timely manner may have saved him. The many and brightly waved ‘red flags’ should have altered the family’s decision to accept ‘medical’ treatment in a hotel room in Florida.

The belief that he would have had a good chance of survival if treated in a hospital in Tennessee is precisely the issue that we attempted to explain to you, your wife and your adopted son that hinders a successful prosecution of a homicide in Tennessee.

You may recall ADAs Bob Edwards and Jonathan Edwards using the phrase “intervening cause defense” to justify what they were trying to explain to you. ‘Intervening cause’ in Mr. Suto’s situation means that the detrimental effect on Mr. Suto’s health by Dr. Madej’s *medical treatment* in Tennessee is legally superseded by **the subsequent and ‘intervening’ medical treatment in Florida that, according to Dr. Shultz’s autopsy, actually caused Mr. Suto’s death.**

For these reasons a homicide case cannot be successfully prosecuted in Tennessee. However, in our opinion, the case for a civil medical malpractice case in Florida

should be strong and criminal homicide prosecution utilizing Dr. Shultz's autopsy and his testimony should be possible in Florida as well.

We discussed the possibility of presenting a case for unlicensed practice of medicine in Tennessee and "reckless aggravated assault" in Tennessee against Dr. Madej to the Morgan County Grand Jury. There are several concerns.

- a) The statute of limitations for prosecuting Dr. Madej for the alleged unlawful practice of medicine in Tennessee has long since expired.
- b) The two of you and your son are likely to be called as witnesses to prove that Dr. Madej actually treated Mr. Suto in Morgan County. You are our only proof that ANY of these events occurred in Morgan County. Some of our information about you has you living in Clairborne County. We are not entirely clear from a proof standpoint that we can establish venue in Morgan County, other than through your testimony.
- c) There is concern at least about your (Mr. Hun) credibility as a witness. Especially concerning is some of the information gathered about you espousing 'flat earth' theories. While this may not come up in the testimony before the Grand Jury, we know this about you, and some of the grand jury members may indeed know this as well. Ultimately, because defense attorneys have 'the Google' just like we do in order to find out about your background; AND, our judge at an eventual jury trial and the panel of potential petit jurors will all be educated enough to know that the Earth is pretty close to being a sphere (but for the bulging of the Earth at the equator caused by the centrifugal force of the 'round' Earth's rotation), thus making it far from flat...which further makes for you being a problematic witness at best for a jury trial on cross-examination when you have to take the stand.
- d) Furthermore, the outcome of a grand jury presentation is difficult to predict. There will likely be people in the Morgan County Grand Jury who may, like you, be skeptical of conventional medical treatment, but our belief is that the majority of grand jurors would agree with the assessment of Dr. Shultz. It must be emphasized that once a presentation is made, the grand jury has free reign to decide what and who to charge with criminal offenses. Our office does not testify before the grand jury, and we do not provide evidence ourselves. We present the testimony of witnesses and provide legal advice only. Following the presentation the grand jury instructs us what charges to prepare. Based on what Dr. Shultz has stated in his autopsy report, and the broad nature of his criticism, we believe that the Morgan County Grand Jury would also assess the efficacy of charges against you as the family members. They would proffer charges and could indict you for initiating and

supporting the treatment initiated by Dr. Madej. We will not be able to control their decision and we are compelled to pursue whatever charges against anyone that the Morgan County Grand Jury decides that there is legal probable cause to charge.

We have formed the firm belief that Mr. Suto was a victim of all of the doctors that you allege treated him. However, the most significant charges will have to be filed in Florida.

We cannot explain why the Florida authorities have failed to act. Perhaps they need to reevaluate their position after reviewing Dr. Shultz's autopsy report. Because of all the complicating factors existent in the situation it is not our intention to submit this case to the Morgan County Grand Jury. We will offer to provide a copy of this letter to the Florida prosecutors explaining our position in this matter.

This matter is closed unless Dr. Shultz or some other independent witness or investigator can provide us more information corroborating your story that the events occurred in Morgan County, Tennessee.

I know this is not at all what you want to hear, but each of you as family members must re-evaluate your misguided and misinformed theories that led to your actions in the treatment of Mr. Suto. I realize that the COVID pandemic was an uncertain time, but even during that uncertainty, no reasonable person would have continued down this path of 'treatment', especially when his condition was not responding favorably. I am truly sorry for any person's loss of life under any condition, especially including the horrible circumstances that Mr. Suto evidently endured to the last moment of his life. The photos are horrible to view and the condition that he was in is hard to comprehend.

I am sorry.

Sincerely,

- Russell Johnson

Russell Johnson
District Attorney General

