

NEW-HARMONY, (IND.) January 2024

**Kusturin Double Murder Trial
Delayed by Judge Goedde
for the Seventh Time in Two Years!
By: Dan Barton, Publisher**

I was in the midst of transmitting my initial composed "Fact Letter" to the public last week concerning all of the delays in the Austin Kusturin murder trial and the Seven schedulings, thus far, when I received an answer to a question I had asked Prosecutor Clowers a couple of days before regarding Kusturin's state of being. This stopped the presses, or rather the emails.

As I had begun to say on December 15, 2023, the Gazette was contacted by an unsolicited anonymous source close to the Kusturin murder case who reported that there was going to be a delay in the trial initially set for February 4, 2024. The source said that murder suspect and defendant Austin Kusturin had been injured in the Posey County Jail. That trial, I learned, has now been moved up to March 11, 2024.

While no source is unimpeachable, even official sources, anonymous sources, take on a special confirmation priority and I immediately notified Posey County Sheriff Tom Latham of this injury report. I needed his verification of the information that had been related to me. I needed the facts from his office in order to insure their accuracy. I stated to him that I had received the report that Kusturin had been injured while confined in Latham's facility and that the injury reportedly caused another delay in a jury trial date, would he please confirm the accuracy of that report. I asked Latham to advise me on the details of any injuries to Kusturin that may have occurred and what his condition was at present. Also whether,

indeed, a new trial had been scheduled.

Sheriff Latham would only say, "I am unable to share Mr. Kusturin's condition, but in the effort to provide as much transparency as possible, so a conspiracy theory doesn't grow legs, his attorney is the reason for the delay." This answer didn't provide any transparency, in that, Latham still didn't advise the press or the public on Kusturin's present condition. Once again he seems to be circumventing the gist of the question.

Kusturin's attorney, Glenn Grampp, did make a motion to continue/delay/cancel the February 2024 trial date, as he has done six times previously, but that did not clear up the alleged injury report.

I sent an email concerning this development to Posey County Prosecutor Thomas Clowers. I advised Prosecutor Clowers, "It's obvious that Sheriff Latham's unreasonable response to The Gazette; that he is able, and does, divulge information concerning Kusturin's legal counsel, but indicates that the condition of an inmate under his care will not be revealed to the press or the public because of some sort of imaginative conspiracy theory that he's concerned about. So, I ask you the same question regarding Mr. Kusturin; has he been injured in any way at the Posey County Jail and what is the present state of his health and the status of his next jury trial date?"

That was sent to Clowers on December 15th. On December 20th, five days later, I received his reply. Here is what he said: "In response to your attached letter, please be advised that defense counsel Glenn Grampp sustained a physical injury that resulted in his latest motion to continue the trial date. Mr. Grampp

discussed his physical condition in his motion for continuance, as well as during the recent public hearings. The Court granted the continuance over the State's objection."

On December 22nd, I emailed Prosecutor Clowers once more for a clarification regarding Kusturin and his present health condition. I said: "Your response is interesting, since the information that I was given by a source only related to Kusturin being the injured party. Just to be sure I have this story tacked down, I would like to know whether or not Kusturin was also injured in any way at the Posey County Jail. I'd appreciate a specific answer to that question."

You see dear reader, while Publicly Paid Defense Attorney Grampp has requested and received a delay and a new jury trial date from Posey County Judge Craig Goedde; Grampp has, as far as is reported in the public record on the date of this writing, December 24, 2023, not, according to public records, requested any delays or rescheduling in any of his other numerous recent court cases in either Vanderburgh or Warrick Counties. It seems like that would raise some eyebrows! It did mine.

On December 27th, Prosecutor Clowers responded by saying, "I am not aware of any injury to Mr. Kusturin."

I have taken the extra necessary step to clarify with an email whether, since Clowers indicates that he is not "aware" of the defendant's present condition, that I cover my position and I asked the following question of Mr. Clowers: "Have you made an official inquiry? If so, with whom and what was their answer? After all, I'm not aware myself,

but then I'm not official and haven't gotten an official answer that absolutely clears that question."

I don't expect an answer to the last question from Prosecutor Clowers, but the clarification is important, and it was imperative that I ask the question. Particularly since there have been so many delays in this case from motions by the defense - Glenn Grampp - and approvals by Judge Craig Goedde, over Prosecutor Clowers objections.

Clowers is ready, as is the public, maybe Grampp is not the man for the job. After all, he's had his problems over the past couple of years. Judge Goedde needs to get control of his courtroom. It appears that keeping defendant Kusturin locked up in Sheriff Latham's jail might only be begging for trouble.

THE LITTLE MATTER OF THE SHOTGUN!

By: Dan Barton

Austin Kusturin was arrested on November 9, 2021 for the murders of Elizabeth and John Hall of Mt. Vernon, Indiana. It was several weeks after Kusturin's arrest that a confidential source came to me and indicated that the couple was killed with a shotgun. I was startled! Very few break-in killings are done with a shotgun, in fact most burglars are not usually in it for murder.

Initially, I didn't act on the information, mostly because unsubstantiated information usually ends up in the trash bin as being false, and the police and prosecutor were busy enough without my input at that time. So, I kept it in mind for later verification. I figured the shotgun detail would pop up from the investigators anyway; it seemed to be in the public interest. Nothing happened in that regard.

Then the Probable Cause Affidavit written by Indiana State Police Investigator Weston Kuykendall came

up and I decided it was time for me to act. Kuykendall placed special emphasis in his report in the McCarty/Justice investigation on the purchase of a shotgun by Misti Justice just before the double murders took place. Neither Justice nor McCarty have been directly implicated or arrested in connection with the case, though Kuykendall's report makes reference to the killings.

Indiana State Police found DNA from Bobby McCarty on the Shotgun and so I thought it was fair to ask the question: "Was it indeed a shotgun that was used to kill Elizabeth and John Hall?" That question has still not been answered by Posey County Prosecutor Thomas Clowers. The following is where that question stands!

On December 15, 2023, as publisher of The New Harmony Gazette, I sent a question via email to Posey County Prosecutor Thomas Clowers: "On December 15, 2022, one year ago, I sent the following question via email, in part, to your attention; ...Were the Hall's killed with a shotgun on November 6, 2021?"

On December 20, 2023, five days later, I received the following response from Prosecutor Clowers; "In response to the attached letter, the answer to your question would come from an investigatory record of law enforcement and is specifically excepted from public disclosure pursuant to Ind. Code 5-14-3-4(b)(1)."

There is no doubt that the Indiana Code quoted by Prosecutor Clowers exists, but that does not explain why, so far down the road on this case, and after so many jury trial delays in the Kusturin case, there would be any logical reason not to advise the public as to whether it really was a shotgun that was used in the double murder of Elizabeth and John Hall.

After all, in the Probable Cause Affidavit attested to by Indiana State

Police Investigator Weston Kuykendall, the matter of a shotgun was a central concern in the arrests of both Robert McCarty and Misti Justice; that was well established. McCarty is now convicted of both a drug charge and a weapons violation, and has been sentenced. Misti Justice was arrested on a weapons charge and is out of jail on bail at present. She awaits a return to court. Kusturin is in jail pending a confession to the double murder, which the court patiently awaits; now over two years!

What could possibly be the harm of informing the public about the weapon used in the crime? Certainly, shotguns are rarely used in murders, and even rarer in home break-ins and burglaries. Somewhere I read that arrests for shotgun crimes of that nature were under one percent.

On July 25, 2022, the public record indicates that Prosecutor Thomas Clowers initially filed Information (Indictment) for Life Without Parole in this case. Not the Death Penalty, though the Death Penalty still exists in Indiana.

On September 14, 2022, Prosecutor Clowers filed an amended Information (Indictment) with the Defendant for Life Without Parole.

Again, on January 18, 2023, the public record indicates that Prosecutor Clowers filed a second Information (Indictment) and an amended Information for Life Without Parole with the Defendant in this case.

Tear Down this Wall of Silence, Mr. Clowers, and let the sun shine in! Was it a shotgun? Stop pleading the Fifth under Indiana Code 5-14-3-4(b)(1) and give the public its due. The Truth!

All of those named as arrested in this article who have not been convicted of a crime are considered innocent until such time as they are found guilty in a court of law.

DEI COMES TO JASPER INDIANA

By: *Richard Moss, MD*



The medical staff at our community hospital in Jasper, Indiana, a small, generally conservative berg in the middle of fields of corn and soy, received an email from hospital administration indicating that they would begin implementing DEI training. I responded with the following: “I received your email to the medical staff regarding the new DEI initiative at Memorial Hospital, including ‘talking points’ and ongoing ‘education and awareness training.’ I would like to share some thoughts with you, and others, about DEI.

“DEI, as the world knows, refers to Diversity, Equity, and Inclusion. This concept, like many seemingly innocuous-sounding slogans or acronyms, carries with it aspects quite sinister.

It is a phrase that has swept the nation and all of our major institutions, including our universities and schools. DEI has become the new mantra, indeed, a booming industry and ethos, dominating our culture. But contained within it are concepts that are alien and antithetical to the Christian mission of Memorial Hospital, of “being for others.” It is also hostile to the founding of the nation.

“DEI is a hyperaggressive and politicized quota system, a radicalized version of affirmative action for certain so-called “marginalized” people. It divides society into “groups” based on race, sex, sexual orientation, ethnicity, religion, and so on. It gives preference to certain favored groups, which include, in descending order: Muslims, transgenders, gays, blacks, Hispanics, women. It disadvantages other groups currently out of favor, chiefly whites, males, heterosexuals, and Christians.

Alas, there is another group that joins the list of the despised, perhaps the chief target of DEI, the Jews.

“Apart from being intensely divisive, it also reflects a world view that is not compatible with our biblical tradition, which holds that each person is an individual uniquely made in the image of God. This transcendent concept is peculiar to the West and accounts for its extraordinary success, chiefly here in the US, the greatest embodiment of Western thought and accomplishment, although certain alien ideologies, of which DEI is one, now threaten it. But it is our emphasis on the individual, protecting individual rights and liberties, that has made Western nations in general, and America, in particular, so desirable and why all the world seeks to come here. It explains our economic growth, standard of living, and extraordinary cultural and technological achievements. It is based ultimately on the freedoms and protections of the individual precisely because of our belief in the sanctity of each person.

DEI rejects that. It is an identarian ideology, a “caste” system, so to speak, that divides society into intersectional groups based on perceived wrongs committed by alleged dominant power centers in society, which it perceives as intrinsically racist or sexist or homophobic, and so on. Within the DEI calculus, there are oppressors and oppressed, victimizers and victims, and, as noted above, so-called “marginalized people.” It emerges from standard Marxist ideology, except centered on culture or race rather than class, as originally conceived, hence the term “cultural Marxism.” DEI is an extension of cultural Marxism, part of the “intersectional” hierarchy of “oppression” that divides society into odd categories, placing the groups allegedly most “oppressed” at the pinnacle of the pyramid, say blacks, women, or transgenders, and those designated most guilty of “oppression” at the bottom (whites, males, Christians,

Jews).

‘DEI represents a vision that discards eternal notions of good and evil with a new measure: the alleged ‘powerless’ were good, the ‘powerful’ were bad. We replaced colorblindness with race obsession... People were given authority in this new order not in recognition of their gifts, hard work, accomplishments, or contributions to society, but in inverse proportion to the disadvantages their group had suffered, as defined by radical ideologues.’ (Bari Weiss)

“Rejecting the individual, it reduces American society into a collection of groups or tribes, hence the “tribalization” of society. This tribalization (racialization) is based on certain immutable, physical traits such as skin color and sex. This, by the way, has been the norm for all of human history and throughout the world. America was unique in that it rejected tribalization, group characteristics, and superficial appearance, and elevated the individual, which accounted for its historic success, and the reason so many sought to live here.

DEI, furthermore, has no place in any institution that values standards and color-blind meritocracy. If diversity becomes the driving force behind hiring and promotion, or even a small part of it, rather than skill, accomplishment, and merit, then it necessarily compromises standards. If the goal is diversity, and to have proportional representation in Memorial Hospital’s work force, based on race, sex, sexual orientation, and other such trivialities, even in part, and do not contemplate the individual and his unique contributions over all else, then the system collapses and becomes simply one of groups or tribes competing with one another. Meritocracy necessarily dies in such a system. You can have DEI or meritocracy, but not both.

“Shall we now have quotas for our doctors, nurses, technicians, and janitors based on DEI principles of proportional allocations for blacks, Hispanics, Gays, Lesbians, Moslems, and transgenders - over more qualified individuals of the wrong color, sex, or sexual orientation? Shall we treat patients based on such considerations? Such a concept is antithetical to the mission of the hospital. It betrays the purpose of our institution and its religious and biblical basis for current fashionable, destructive, and divisive Marxist goals that have no place here and should be unequivocally rejected. Further, why is “diversity” a goal. Diversity is actually a challenge to overcome in the pursuit of “unity,” which is a far more important aspiration.

“DEI has become a quasi-religion. It is part of a cadre of similarly destructive and related leftist concepts such as “Critical Race Theory,” “Social Justice,” “Queer Theory,” and “wokeism.” DEI means the end of meritocracy, standards, quality of care, and the belief in the individual not as a member of a particular racial tribe but as a person forged in the image of God. It is antithetical to our faith, traditions and the founding principles of this nation. DEI prioritizes identity over excellence and balkanizes along racial and other lines. Replacing hard work, initiative, and accomplishment with proportional representation of favored groups, it elevates skin color, sex, or sexual orientation, over the sacred individual. It is also anti-white, anti-male, anti-

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Dan Barton
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Contributing Writers
Dan Barton
Richard Moss, M.D.
Denise Rapp

Christian, anti-Semitic, anti-Western, and anti-American. Dissecting a society by superficial appearance is divisive not inclusive. It is nihilistic and foments hate and separatism. It is destructive of the mission of the hospital, of “being there for others,” which is accomplished by providing the highest quality of care based on employing the finest individuals regardless of race, sex, ethnicity, and so on - and treating everyone, patients and staff, equally, as individuals. That is the ideal you should strive for - not scrutinizing trivial surface features. You must reject DEI, a poisonous ideology. It shifts power to a corrupt agenda and bureaucracy that threatens achievers of every race and ethnic background, and ultimately, America itself. You must rip DEI out root and branch for the sake of our institution - and the God we hold dear.”

I sent this to the entire medical staff and hospital administrators including the CEO. I also sent it to members of the hospital board. I have heard nothing back and do not know if they plan to proceed with their disastrous plans. I will continue to oppose it vigorously and must imagine that it is a small minority of leftist activists on the medical staff that pushed for it. I will do all that I can to ensure that it does not stand.

Richard Moss, M.D., a surgeon practicing in Jasper, IN, was a candidate for Congress in 2016 and 2018. He has written “A Surgeon’s Odyssey” and “Matilda’s Triumph,” available on amazon.com. Contact him at richardmossmd.com or Richard Moss, M.D. on Facebook, Twitter, and Instagram.

NEW HARMONY GAZETTE
JANUARY RECIPE
By: Denise Rapp

BUFFALO CHICKEN MEETBALLS

This Buffalo Chicken Meatball recipe is geared for all you football fans, or for those who just want to eat good food.

This boneless, tender ground chicken meatball is just big enough to pop in your mouth. All spicy and oh so comforting, causing you guilt for eating 1/2 the batch, but not really.

That delicious simple bite is what makes this snack, the hit of any party. Chill off your burning taste buds with cold ranch or blue cheese dressing and crisp celery stalks.

Be sure to make extra!

Buffalo Chicken Meatballs
90 Balls - Servings 30 @ 3pp

4 lbs. chicken ground in food processor
1 lg onions ground in food processor
1 ½ tsp. garlic powder
1 ½ tsp. onion powder
1 ½ salt
1 tsp. black pepper
1 tsp. dill
2 tsp. parsley
1 c. Bread crumbs
1 c. Parmesan cheese
2 egg whites

22 oz. jar Buffalo wing sauce
1 stick of butter

Directions:

Preheat oven to 350°

Add all ingredients into a large bowl. Use your hands and gently lift from the bottom, gently squeezing. (Put on gloves if you have them)

Do not over mix or you Meatballs will be tough.

Bake for 20 minutes or until internal temperature reads 165°.

Then add Buffalo sauce and butter. Heat and coat the Meatballs and serve.

As a garnish, serve with celery sticks, ranch or blue cheese dressing.

Enjoy!

