

FOR MEDIA REVIEW / PUBLIC STATEMENT

Diedrich J. Holgate

Case No. 3:24-cr-00389-SI-1

I am going on record with the position that the Department of Justice process has been weaponized against me because of dissent.

That is not a slogan. It is the pattern I am asking journalists, editors, legal observers, and the public to examine.

My serious legal conflict with the state did not begin in ordinary criminal secrecy. It began in protest, public dissent, and adversarial criticism of government institutions going back to the Occupy period. Before that, I did not have this pattern of serious legal trouble. The escalation came in the context of political dissent, institutional criticism, and refusal to accept official narratives at face value.

That history matters.

When the government prosecutes and supervises a person whose central posture is criticism of government institutions, the government should be held to a higher standard of precision, not a lower one. Otherwise, the institutions being criticized can use criminal process, probation language, psychiatric framing, administrative burden, and surveillance conditions to protect themselves from dissent — whether consciously, recklessly, or through institutional blindness.

That is what I believe has happened here.

The key failure is that no one properly tested the narrative.

No one served as Devil's Advocate against the risk frame. No one seriously challenged the assumptions. No one forced the government's interpretation to compete against context, contrary evidence, public authorship, clinical clarification, political meaning, or the actual record. But science, truth, law, and justice do not develop by treating assertions as conclusions. Hypotheses must be tested. Narratives must be challenged. Risk claims must be measured against counter-evidence.

Instead, the public frame around me has repeatedly been distorted.

A morning coffee-shop incident involving theft of my suitcase has been reduced into a "bar fight" narrative. That phrase is not neutral. It is alcohol-coded, disorder-coded, and mutual-combat coded. It changes the meaning of the event and then lets the government treat the distorted version as risk evidence.

Mental-health ambiguity has been converted into dangerousness. The Amenda Clinic assessment does not support bipolar, schizophrenia, or schizoaffective framing. It does not support forced medication. It does not support institutionalization. It does not say I will decompensate without counseling. It supports voluntary, self-directed counseling. Yet the government-supervision frame converts disagreement, symbolic speech, and distrust of coercive psychiatry into risk.

My speech has been treated as threat posture even when it is political, symbolic, rhetorical, religious, legal-civic, or adversarial in nature. That distinction matters. I am not claiming a right to make true threats. I am saying the government cannot erase context, strip speech of register, and then use its own interpretation to justify expanded control.

Now Probation is seeking computer-monitoring software.

That request should alarm anyone who cares about civil liberties.

This is not merely a technical condition. It would expose legal work, attorney-related preparation, private journals, religious and psychological reflection, unpublished writing, Sophia AI within the wHolgate Sophia Framework™, source ledgers, proprietary intellectual-property architecture, and the private workspace where public civic work is developed.

It is surveillance of the workshop of the mind.

The sentencing transcript matters here. Probation already raised computer monitoring at sentencing. The Court did not impose it. The Court adopted a narrower framework: no threats, and if an actual threat is reported, that report can trigger reasonable-suspicion inspection of devices. Probation accepted that framework on the record.

Probation is now trying to obtain the broader digital-control regime it did not receive before.

That is not rehabilitation. That is escalation.

I publish under my own name at wHolgate.org, with SophiaGate.xyz to follow shortly as the public access point for the wHolgate Sophia Framework™. My work is public-facing, attributable, civic, legal, philosophical, and solution-oriented. I am not hiding anonymously. I am not operating covertly. I am on the record.

That public posture should count against the hidden-danger narrative. If the government believes I made a true threat, it can identify the specific threat. If Probation believes I violated a condition, it can identify the specific violation. But broad surveillance should not be imposed because an institution dislikes, fears, or misreads an adversarial public voice.

My public writing, including my article “Making America Great Again,” is not an attempt to hide from the civic order. It is an attempt to demand that the civic order live up to its declared values. America should not be measured by slogans, party loyalty, or institutional self-protection. It should be measured by the gap between its declarative values and its operational conduct. Where that gap becomes intolerable, citizens have a duty to stand up, apply lawful pressure, and disrupt false institutional frames — including in court.

That is not lawlessness.

That is civic responsibility.

The deeper issue is this:

The government is treating dissent as pathology, protest as instability, symbolic language as threat posture, and legal-civic framework development as a basis for surveillance.

That is weaponization.

It may not require every actor to consciously admit, “We are punishing dissent.” Institutions often protect themselves through softer mechanisms: selective interpretation, risk-loaded language, psychiatric framing, administrative burden, delayed permissions, probation discretion, media shorthand, and professional incentives not to challenge the frame. But the result is the same. A dissident voice is converted into a risk file, and the risk file is then used to justify more control.

This is why I am asking media outlets to revisit their coverage.

This is not a simple story about a threatening defendant resisting supervision. It is a story about how government institutions interpret dissent, how probation narratives become legal reality, and how false framing can become enforceable deprivation of liberty.

The public should be asking:

Why did a coffee-shop theft-defense incident become a “bar fight”?

Why is a clinical assessment that does not support severe psychiatric dangerousness being used to justify psychiatric-risk framing?

Why are clean drug and alcohol tests not being treated as meaningful compliance?

Why is an open, attributable dissident posture being treated as instability rather than civic engagement?

Why is a developing legal-civic framework being treated as a reason for private digital surveillance?

Why is Probation seeking computer monitoring after the Court already chose a narrower reasonable-suspicion device-search framework at sentencing?

Why did no one serve as Devil’s Advocate against the government’s interpretation before recommending expanded control?

Why should the institutions I criticize be allowed to define my dissent as dangerousness without a higher evidentiary burden?

I understand that I am bound by lawful court orders while they are in effect. I am not asking to be above the law.

I am asking that the law not be used as a weapon against dissent.

I am asking that media outlets stop repeating state frames without examining the underlying record.

And I am asking that the public recognize what is happening here: protest speech, political dissent, symbolic language, public authorship, and legal-civic work are being converted into a supervision and surveillance rationale.

That should concern everyone, regardless of politics.

Newspaper Article Appendix

Holgate - Media Review / Public Statement

Exhibit A: The Daily Texan, Wednesday, July 7, 2004, page 1.

Article: "Ex-UT student acquitted of assault charge"

Byline: Clay Reddick, Daily Texan Staff

Context: The article reports Diedrich J. Holgate's acquittal on an assault charge and notes that the end of the suit allowed him to pursue a degree at the University of Texas.

The following pages include the full front page for provenance/context and a zoomed crop of the article for readability.

This appendix is included as public media-record context for wHolgate.org.

Exhibit A1 - Full Front Page

The Daily Texan, Wednesday, July 7, 2004, page 1.

THE DAILY TEXAN

Wednesday, July 7, 2004

Serving The University of Texas at Austin community since 1903

www.dailytexanonline.com

Ex-UT student acquitted of assault charge

End of suit allows Holgate to pursue degree at UT

By Clay Kendrick
Daily Texan Staff

A former UT student was acquitted last week of assault against an advertising professor. On June 29, a jury found Diederich Holgate, an ex-UT philosophy student, not guilty of misdemeanor assault by contact for allegedly pushing Ron Anderson, an associate professor of advertising, in the communication building in a June 2002 incident.

Holgate said the verdict will allow him another chance to finish a degree at the University after two years of litigation.

One afternoon during the 2002 summer semester, Holgate went to the communication building looking for Rob Jensen, an associate professor of journalism, who was outspoken about his political views in the months after the Sept. 11, 2001, attacks, Jensen told the Texan that he had never met Holgate.

Holgate found Jensen's office empty and asked Anderson, whose office was down the same hall, if he knew where the professor was. After being told Jensen was out of town for the week, Holgate then kicked the door open and told him to leave the building.

Witnesses said that when Holgate saw Anderson, he turned around and shoved him with both hands. Holgate

said he only put out his hands out to stop Anderson from running into him. According to witnesses, Anderson then threw a cup of coffee at Holgate, striking him in the chest and staining his shirt. Witnesses told police that Holgate then turned and walked away yelling at Anderson. The professor returned to his office and called the police, but neither man reported any injuries.

Holgate hailed the decision, calling it a victory for student rights. "They were trying to tell me that I didn't have the right to go and talk to professors," Holgate said. "This guy wanted to put a barrier between professors and students."

Anderson could not be reached for comment.

"This guy wanted to put a barrier between professors and students."

Diederich Holgate,
former UT philosophy student

ACC board OKs tuition increase

Fees will fund health program, faculty wages

By Matt Wright
Daily Texan Staff

The Austin Community College Board of Trustees approved on Tuesday a 58-per-cent credit-hour increase for district students in the fall as part of the 2005 budget. The budget, which passed by a 54 vote, also included an 88-per-cent credit-hour increase for all out-of-district students. The board also added a \$1-per-credit-hour increase to the student life fee, bringing total increases to 56 and 59 per cent, respectively.

The board chose not to increase

tuition in the spring or summer of 2005, provisions for which had been included in earlier budget proposals, and the final number was lower than the original 88 per cent credit-hour for district students originally recommended by the administration.

The tuition increases will go toward fully funding ACC's Health Science Expansion, as well as increasing funding for full-time faculty wages, the hourly minimum wage for part-time workers and the Capital and Technology Funding Initiative. The funds will also pay for 26 new faculty hires who are being brought in to help ACC meet accreditation standards created by its accrediting

See ACC, page 2

TODAY'S NEWS

St. David's seeks funds to alleviate costs

The private nonprofit hospital group will ask the Travis County Hospital District for funds.

SEE PAGE 5

SPORTS



Loughorn Olympic hopefuls ready to swim

The 2004 Olympic swim team will be led by Texas head coach Eddie Reese. Learn when Loughorns may join him.

SEE PAGE 7

WORLD & NATION

Edwards joins Kerry in race against Bush

Presidential candidate Kerry chose Southern populist John Edwards as his running mate in the November election.

SEE PAGE 3

OPINION

Profit should not drive bid on Los Alamos

Texas columnist JJ Herrera discusses conflicting goals in lab management.

SEE PAGE 4

ENTERTAINMENT



The Round Table, Jerry Bruckheimer style

The Bruckheimer-produced "King Arthur" purports to offer a more accurate take on the legend, but it may not be an improvement.

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Today's Weather

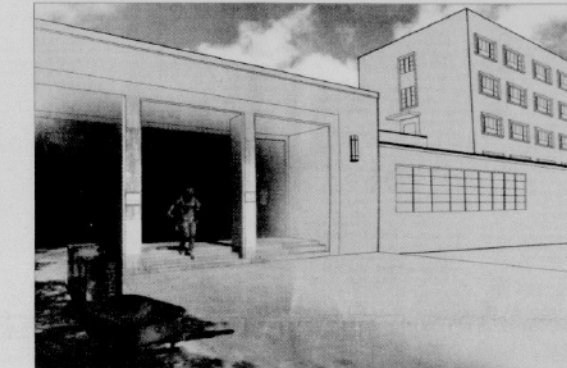
High 92 Low 74
Does this look like a Q to you?

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Volume 104, Number 173
25 cents

KINSHOLVING GETS A MAKEOVER



—photo by Jeremy Baker
—photo illustration by Chris Gannon

Upgrades renovate heavily trafficked dorm for first time since 1953 opening

By Zein Bazzawi
Daily Texan Staff

Kinsolving Dormitory is getting a face-lift. The University's Division of Housing and Food Services has embarked on a two-year project to improve the building's electrical and fire safety systems, as well as residential spaces, staff offices and dining facilities.

With \$91 million in deferred maintenance costs looming over 1300 beds, the most important maintenance concerns will be addressed first, said Doug Garrard, an associate director of the department. "To my knowledge, Kinsolving has not had a major renovation since it opened in 1953," Garrard said. "There will be some major upgrades to Kinsolving that are very much needed."

Garrard said increased student traffic in Kinsolving makes it a

prime candidate for renovations and expansion.

"We're really concentrating on Kinsolving and making it an academic community for this side of campus, just like Jester is for [the south] side of campus," Garrard said.

A major component of the project is upgrading Kinsolving's electrical systems. Garrard said new wires are being installed throughout the building to improve electrical service and provide more energy to rooms for students with multiple electronic devices.

"Many more of our students are coming to campus and bringing more and more electronics," Garrard said. "If residents come in and all the residents have things plugged in, they all turn them on at the same time, they blow the fuse, and that's why we're trying to upgrade all the electrical services in the halls."

Before renovations, Kinsolving had four or five dorm rooms connected to a single circuit.

"If you look by comparison at San Jacinto Hall, [it] probably [has] two, three, four circuits in one room now," Garrard said.

See KINSOLVING, page 2

Bush, Kerry present higher education ideas to invigorate student support

Candidates tackle issue from different angles

By Clint Johnson
Daily Texan Staff

As the 2004 presidential campaign approaches its November climax, both major candidates are trying to garner the support of college students by proposing ideas to offset the cost of higher education.

President George W. Bush detailed his plan for education spending in his 2003 budget, and, according to his campaign, "this plan includes \$983 million in new funding for education and job training programs."

Sen. John Kerry, D-Mass., who on Tuesday chose Sen. John Edwards, D-N.C., as his running mate, gave voters a taste of his own ideas in a June 29 speech, when he called for a "GI Bill for the 21st Century." Though both men claim to address higher education concerns, they each propose to attack the issue from a different angle.

Kerry promised Tuesday to curb rising public tuition by giving \$10 billion in federal funds to states that "hold tuition in line with inflation."

This comes as the University is in the midst of its own tuition increase. In 2003, after the Texas Legislature gave up much of its authority over setting tuition for public universities, the UT System Board of Regents increased semester tuition and fees by \$720, about 18-percent more than 2003, underlying inflation, according to a report issued by the U.S. Federal Reserve.

Higher Education Proposals

- Increased funding for Pell Grants by about \$100 million since last year
- Proposed \$12 million to advance State Scholars program
- Proposed \$1000 more for students in Pell Grant Plus program
- Promised \$10 billion to states who curb rising public school tuition
- Proposed \$2500 in tax credits for four years of college
- Promised to graduate 1 million more college students over next five years



President George W. Bush



Senator John Kerry

Kerry's campaign could not be reached for more details on his plan.

Bush has budgeted \$45 million for states to help prepare students for college, but he has not announced any plans to regulate rising tuition.

The candidates are also looking at federal grants and loans for students, which have not kept pace with the rising cost of education, said Student Financial Services Associate Director Dan Davis.

The Pell Grant, a need-based award, has attracted much attention because of an estimated \$3.7 billion shortfall in the program's funding and a maximum

reward, which some say does not adequately cover the cost of education.

According to his budget, Bush plans to increase funding for the Pell grant to \$12.8 billion, which is only 1-percent more than last year's allotment and is not expected to correct the shortfall.

Neither candidate has promised to increase the current maximum amount a student can receive through such a grant — currently \$4,050, which Davis said amounts to only about 23-percent of yearly University tuition and

See HIGHER EDUCATION, page 2

Exhibit A2 - Article Detail

The Daily Texan, July 7, 2004 - "Ex-UT student acquitted of assault charge"

Wednesday, July 7, 2004

Serving The University of Texas at Austin community since 1900

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*End of suit allows
Holgate to pursue
degree at UT*

By Clay Reddick
Daily Texan Staff

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On June 29, a jury found Diedrich Holgate, an ex-UT philosophy student, not guilty of misdemeanor assault by contact for allegedly pushing Ron Anderson, an associate professor of advertising, in the communication building in a June 2002 incident.

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Holgate found Jensen's office empty and asked Anderson, whose office was down the same hall, if he knew where the professor was. After being told Jensen was out of town for the week,

Holgate tried to initiate a discussion with Anderson on Jensen's political stances.

According to witnesses, Anderson told Holgate he didn't want to talk and shut the door in Holgate's face.

Anderson told police that Holgate then kicked the door, and the professor followed the student and told him to leave the building.

Witnesses said that when Holgate saw Anderson coming, he turned around and shoved him with both hands. Holgate

said he only put out his hands out to stop Anderson from running into him.

According to witnesses, Anderson then threw a cup of coffee at Holgate, striking him in the chest and staining his shirt.

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Anderson could not be reached for comment.

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Diedrich Holgate,
former UT philosophy student

TODAY'S NEWS

KINSOLVING GETS A MAKI

Supplemental Media Exhibits

Holgate - Media Review / Public Statement - Website Packet

This supplement appends additional user-provided photographs/screenshots of newspaper coverage, a court-administration email screenshot, and a best-effort transcription of the historical email image. Some materials are photographs of photographs or phone-library screenshots; they are included for public custody and context, not as newly authored statements.

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Exhibit C1	Austin American-Statesman article photograph - "Man in threat case: I've got a point to prove" (photo date label: February 25, 2021).
Exhibit D1	Article screenshot - "Unsurprisingly, District Judge Must Warn Rick Perry Not To Threaten Grand Jury," by Katherine Haenschen, August 17, 2014.
Exhibit E1	Historical email screenshot - Diedrich Holgate to Court Administration, subject "To set the record straight," July 16, 2018.
Exhibit F1	Photo-library overview showing related newspaper clippings and media items. Context image only.
Exhibit E2	Best-effort typed transcription of the historical July 16, 2018 email screenshot.

Exhibit B1

Austin American-Statesman front-page photograph - Occupy Austin, "After arrests, city requests leaders" (Monday, October 31, 2011).



Exhibit B2

Photo-library overview showing the Occupy Austin front-page image among related media items. Context image only.



Exhibit C1

Austin American-Statesman article photograph - "Man in threat case: I've got a point to prove" (photo date label: February 25, 2021).



Exhibit D1

Article screenshot - "Unsurprisingly, District Judge Must Warn Rick Perry Not To Threaten Grand Jury," by Katherine Haenschen, August 17, 2014.

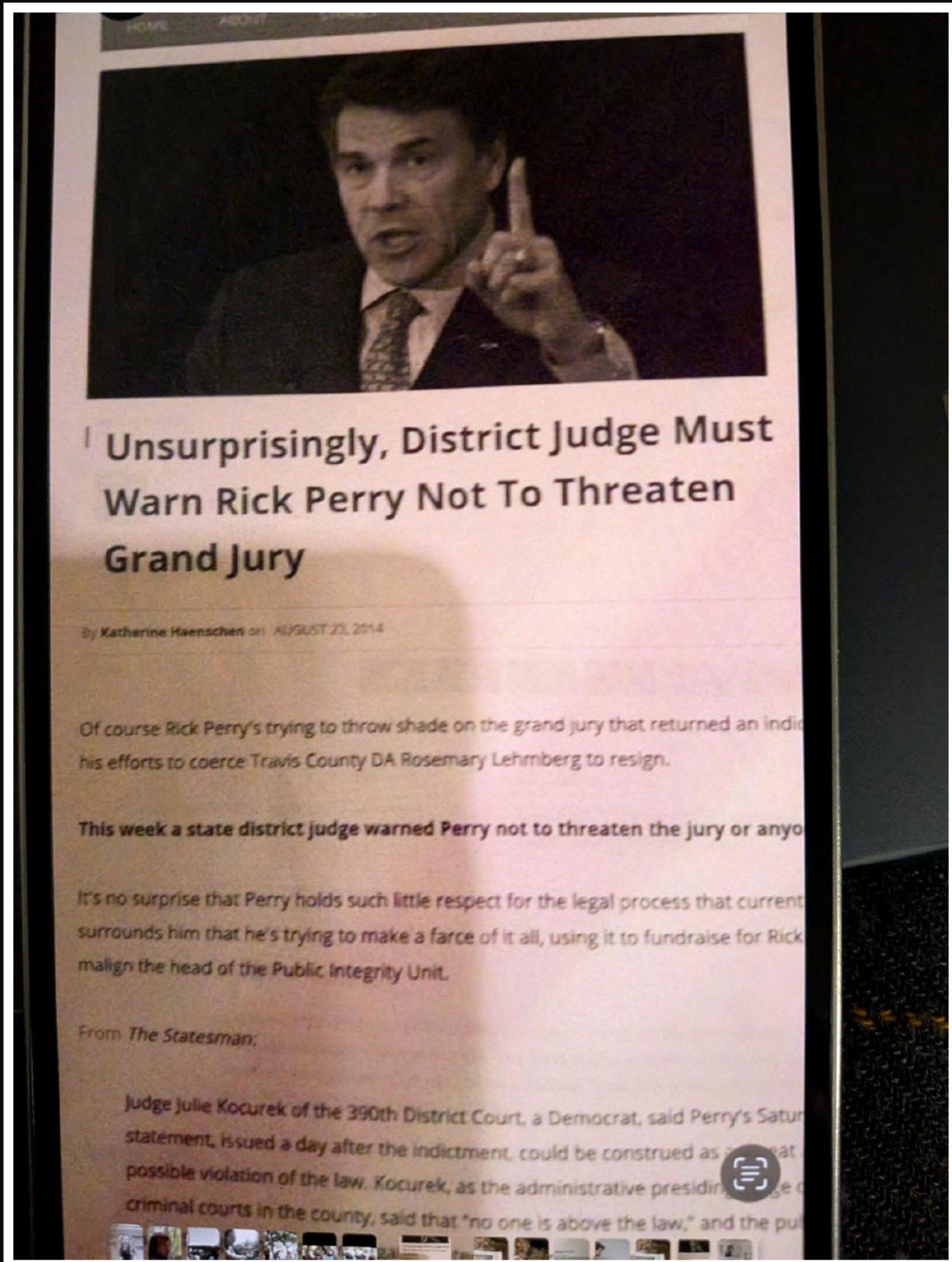


Exhibit E1

Historical email screenshot - Diedrich Holgate to Court Administration, subject "To set the record straight," July 16, 2018.

From: Diedrich Holgate [<mailto:diedrichholgate@gmail.com>]

Sent: Monday, July 16, 2018 8:41 AM

To: Court Administration

Subject: (EXTERNAL) To set the record straight

Concerning Whalberg & Kocerek. I Am furious & no illegal threat exists or has. Objective & subjective tests must be administered to establish true threats. *Elonis v the US* & *Watts v the US*. Year & a half & nothing was established on this or the last case to establish anything. Further. No more than an eye for an eye, no more than a tooth for a tooth. You cannot morally justify 2 years or the threat of 25 for what's at worst a verbal assault. Cruel & unusual punishment. It does depend on what is, is. When the people fear the gov you have tyranny & when the gov fears the people there is liberty. I will not live My life in fear over what's said in anger & should never be taken beyond hyperbole. Both of them are responsible for taking ten years of My life. They can both do ten or let one hang for treason. Further this gov is in violation of My 1st 2nd & 9th Amendment rights. It is self evident that you are not free if you can be told what you can & cannot consume. This gov is an existential threat to life liberty & the pursuit of happiness. I do have the right to kill you. A right is not the same as exercising it or even wanting to do so. Y'all are the worst kind of bad guys. The bad guy that thinks he is good & just. Welcome to the narrative that's going to kick your ass!

_____end of email_____

Exhibit F1

Photo-library overview showing related newspaper clippings and media items. Context image only.

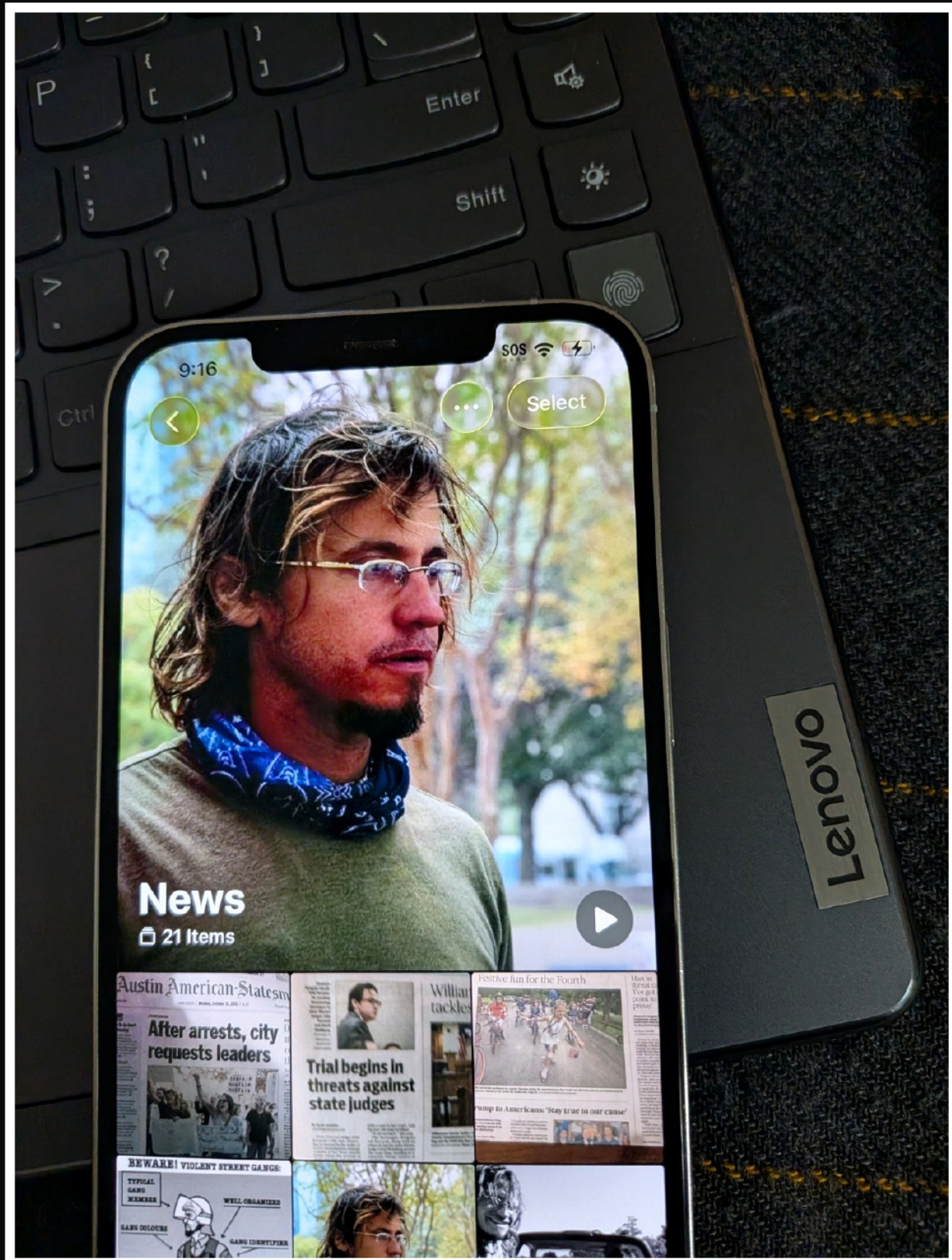


Image included as supplied/enhanced for readability. Original uploaded file retained in working record.

Exhibit E2

Best-effort typed transcription of Exhibit E1. This is a historical email record transcribed from the supplied screenshot. It is not a new statement or present-tense communication.

From: Diedrich Holgate [mailto:diedrichholgate@gmail.com]
Sent: Monday, July 16, 2018 8:41 AM
To: Court Administration
Subject: [EXTERNAL] To set the record straight

Concerning Whalberg & Kocurek. I Am furious & no illegal threat exists or has. Objective & subjective tests must be administered to establish true threats. Elonis v the US & Watts v the US. Year & a half & nothing was established on this or the last case to establish anything. Further. No more than an eye for an eye, no more than a tooth for a tooth. You cannot morally justify 2 years or the threat of 25 for what's at worst a verbal assault. Cruel & unusual punishment. It does depend on what is, is. When the people fear the gov you have tyranny & when the gov fears the people there is liberty. I will not live My life in fear over what's said in anger & should never be taken beyond hyperbole. Both of them are responsible for taking ten years of My life. They can both do ten or let one hang for treason. Further this gov is in violation of My 1st 2nd & 9th Amendment rights. It is self evident that you are not free if you can be told what you can & cannot consume. This gov is an existential threat to life liberty & the pursuit of happiness. I do have the right to kill you. A right is not the same as exercising it or even wanting to do so. Y'all are the worst kind of bad guys. The bad guy that thinks he is good & just. Welcome to the narrative that's going to kick your ass!

[end of email]