

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

Janet I. Fischer

Plaintiff

vs.

UNITED STATES OF AMERICA, JOHN ASHCROFT in his official and individual capacity, VIRGINIA A. PHILLIPS in her official and individual capacity, RACHEL INGRAM in her official and individual capacity, ADMINISTRATIVE OFFICE OF THE U.S. COURTS in its official capacity, LEONIDAS RALPH MECHAM in his official and individual capacity, DAVID J. MALAND in his official and individual capacity, WILLIAM G. PUTNICKI in his official and individual capacity, SHERYL L. LOESCH in her official and individual capacity, SHERRI R. CARTER in her official and individual capacity, JACK WAGNER in his official and individual capacity, MIKE BRADFORD in his official and individual capacity, WILLIAM BLAGG in his official and individual capacity, KIRSTEN SUDHOFF DOOR in her official and individual capacity, ANDREA HEDRICK PARKER in her official and individual capacity, HAROLD O. ATKINSON in his official and individual capacity, PAUL MICHAEL BROWN in his official and individual capacity, LEON W. WEIDMAN in his official and individual capacity, PATRICIA A. WILLING in her official and individual capacity, ROBERT D. McCALLUM in his official and individual capacity, MICHAEL F. HERTZ in his official and individual capacity, STEVE D. ALTMAN in his official and individual capacity, ANDREW SKOWRONEK in his official and individual capacity, JOHN S. GORDON in his official and individual capacity, LEON W. WEIDMAN in his official and individual capacity, GARY PLESSMAN in his official and individual capacity, KRISTINE BLACKWOOD in her official and individual capacity, BENNET & WESTON in its official capacity, MATTHEWS, CALTON, STEIN, SHIELS, PEARCE, DUNN & KNOTT in its official capacity, WOLFE, CLARK, HENDERSON & TIDELL in its official capacity, BRADY & COLE in its official capacity, GODWIN, WHITE & GRUBER in its official capacity, LEA & CHAMBERLAIN in its official capacity, BECKWORTH & CARRIGAN, LLP in its official capacity, SAYLES & LIDJI in its official capacity, WALD & ASSOCIATES in its official capacity, JACKSON & WALKER, LLP in its official capacity, JACKSON & WALKER, LLP in its official capacity, JENKINS & GILCHRIST in its official capacity, JENKINS & GILCHRIST in its official capacity, RHEA & RODMAN, LLP, in its official capacity, DECARLI & IRWIN in its official capacity, PAMELA MCGRAW in her individual and official capacity, CHARLES S. FRIGERIO in its official capacity, CHARLES S. FRIGERIO in his individual and official capacity, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF TEXAS in its official capacity, CLEMENS & SPENCER, PC in its official capacity, CLEMENS & SPENCER in its official capacity, KEITH A. KENDALL in his individual and official capacity, JONES, KURTH & ANDREWS, PC in its official capacity, MATTHEWS & BRANSCOMB, PC in its official capacity, AKIN, GUMP, STRAUSS, HAUER & FELD in its official capacity, STRASBURGER & PRICE, LLP in its official capacity, PAUL ANDREW DRUMMOND, SOUTHWESTERN BELL TELEPHONE, in its official capacity, THOMAS & LIBOWITZ, PA in its official capacity, VICTORIA VALERGA in her individual and official capacity, SOUTHERN ANIMAL RESCUE ASSOCIATION, INC., in its official capacity, ANGELA DICKERSON NOBLE in her individual and official capacity, ALLEN, STEIN, POWERS, DURBIN & HUNNICUTT in its official capacity, CHARLES B. GORHAM in his individual and official capacity, BRIN & BRIN in its official capacity, LEMLER & ASSOCIATES, PC in its official capacity, LAW OFFICES OF FERNANDO RAMOS in its official capacity, PASCO COUNTY ATTORNEY'S OFFICE in its official capacity, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF FLORIDA, CIVIL LITIGATION DIVISION in its official capacity, DEBOISE & POULTON, P.A. in its official capacity, HOLLAND & KNIGHT, LLP in its official capacity, LAW OFFICES OF JAMES RICHARD HOOPER, P.A. in its official capacity, FOWLER, WHITE, GILLEN, BOGGS, VILLAREAL & BANKER, PA in its official capacity, LAW OFFICE OF NANCY M. PARHAM in its official capacity, NIX, HOLTSFORD, GILLILAND, LYONS & HIGGINS, PC in its official capacity, LAW OFFICE OF JOSEPH M. DAVIS in its official capacity, CARRINGTON & CARRINGTON in its official capacity, HILLSBOROUGH COUNTY ATTORNEY'S OFFICE FOR THE STATE OF FLORIDA in its official capacity, OFFICE OF THE CITY ATTORNEY FOR THE CITY OF ANAHEIM in its official capacity, COUNTY COUNSEL FOR THE COUNTY OF ORANGE in its official capacity, CREASON & AARVIG, LLP in its official capacity, MARIA K. AARVIG in her official, individual, and corporate capacity, KINKLE, RODIGER & SPRIGGS in its official capacity, DONALD BEACHAM in his official capacity, DENTON COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE in its official capacity, McDONALD SANDERS, PC in its official capacity, CANTLEY & HANGER in its official capacity, GRIFFEN, WHITTEN & JONES in its official capacity, HOPKINS & SUTTER in its official capacity, CULLUM LAW FIRM, PC in its official capacity, KIRKPATRICK & LOCKHART in its official capacity, McHALE & CONNER in its official capacity, CHASE, ROTCHFORD, DRUKKER & BOGUST in its official capacity, FIELDS & CREASON in its official capacity, OFFICE OF THE CITY PROSECUTOR in its official capacity, ROBERT E. CHRISTIAN in his official capacity, JAMES L. KEE in his official capacity, TERRY A. GREEN in his official and individual capacity, ELVIRA R. MITCHELL in her official and individual capacity, COLEMAN A. SWART in his official and individual capacity, GEORGE W. LINDLEY in his official capacity, PAUL L. ABRAMS in his official capacity, ROSALYN M. CHAPMAN in her official capacity, CHARLES F. EICK in his official capacity, JEFFREY W. JOHNSON in his official capacity, VICTOR B. KENTON in his official capacity, JENNIFER T. LUM in her official capacity, MARGARET A. NAGLE, FERNANDO

M. OLGUIN in his official capacity, PATRICK J. WALSH in his official capacity, ROBERT N. BLOCK in his official capacity, RALPH ZAREFSKY in his official capacity, STEPHEN J. HILLMAN in his official capacity, JAMES W. McMAHON in his official capacity, CAROLINE TURCHIN in her official capacity, ANDREW J. WISTRICH in his official capacity, CARLA WOEHRLE in her official capacity, STEPHEN G. LARSON in his official capacity, MARC L. GOLDMAN in his official capacity, ARTHUR NAKAZATO in his official capacity, PERCY ANDERSON in his official capacity, WM. MATTHEW BYRNE, JR. in his official capacity, A. ANDREW HAUK in his official capacity, HARRY L. HUPP in his official capacity, WILLIAM D. KELLER in his official capacity, J. SPENCER LETTS in his official capacity, RONALD S.W. LEW in his official capacity, NORA M. MANELLA in his official capacity, CONSUELO B. MARSHALL in her official capacity, A. HOWARD MATZ in his official capacity, MARIANA R. PFAELZER in his official capacity, DEAN D. PREGERSON in his official capacity, EDWARD RAFEEDIE in his official capacity, WILLIAM J. REA, MANUAL L. REAL in his official capacity, CHRISTINA A. SNYDER in her official capacity, ROBERT M. TAKASUGI in his official capacity, JOHN F. WALTER in his official capacity, STEPHEN V. WILSON in his official capacity, LOURDES G. BAIRD in her official capacity, AUDREY B. COLLINS in her official capacity, FLORENCE-MARIE COOPER in her official capacity, ROBERT J. KELLEHER in his official capacity, GEORGE H. KING in his official capacity, MARGARET M. MORROW in her official capacity, DICKRAN TEVRIZIAN in his official capacity, ROBERT J. TIMLIN in his official capacity, LOURDES G. BAIRD in her official capacity, DAVID O. CARTER in his official capacity, GARY L. TAYLOR in his official capacity, ALICEMARIE H. STOTLER in her official capacity, ALESHIA M. WHITE in her official capacity, PAUL BROWN in his official and individual capacity, ORLANDO GARCIA in his official and individual capacity, RICHARD P. LAZARRA in his official and individual capacity, MAURICE M. PAUL in his official and individual capacity, TERRY J. HATTER in his official and individual capacity, WILLIAM B. SHUBB in his official and individual capacity, GARY A. FEES in his official and individual capacity, and DOES.

Defendants

FIRST AMENDED CIVIL RICO CLAIM FOR DAMAGES AND OTHER RELIEF FOR VIOLATION OF THE FALSE CLAIMS ACT, RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (RICO), RELATED FEDERAL LAWS, AND RELATED STATE LAWS

1. This is a first amended action brought by plaintiff Janet I. Fischer, who petitions for redress of grievances, and requests that the court hold defendants accountable for violations of Title 18 U.S.C. § 1962 et seq. (West 2001), clearly established law, other applicable federal statutes, and applicable state statutes, for fraud and swindle, for obstruction of justice, conspiring to obstruct justice for themselves and others for operating the courts as a racketeering enterprise, for the filing of false claims, and for obstructing justice on a qui tam.

DEMAND FOR TRIAL BY JURY

2. Plaintiff demands that the Federal Rules of Civil Procedure, Rule 1, Scope and Purpose of Rules, shall govern this action, and plaintiff shall preserve, inviolate, her **right of trial by jury** under Rule 38, and right of discovery disclosures without request prescribed under Rule 26, concurrent with defendant's Answer pursuant to Rule 7(a) and Rule 8(b), with no other pleadings allowed except upon Order of the Court under grounds provided by law. The **JURY** shall decide all issues including immunity, and shall decide upon all claims in this suit.

JURISDICTION AND VENUE

3. All procedures, rules and codes are taken from West's 2001 editions of Federal Civil Judicial Procedures and Rules, and Federal Criminal Code and Rules, hereinafter referred to by Title number, U.S.C. (United States Code), and § (section).

4. This Court has jurisdiction over this action pursuant to federal statutes, including Title 28 U.S.C. § 1331 (federal question), Title 28 U.S.C. § 1343 (civil rights and elective franchise), Title 28 U.S.C. § 1355 (federal fines, penalties and forfeitures), Title 31 U.S.C. §§ 3729 and 3730 et seq (false claims), Title 18 U.S.C. §§ 2, 3, 4, 43, 201, 241, 242, 891, 1001, 1341, 1505, 1506, 1719, 1920, 1962 (principals, accessories, obstruction of justice, animal enterprise terrorism, racketeering, fraud, embezzlement, perjury, fraudulent or false entries, mail fraud, violation of franking privileges, theft, alteration or destruction of federal records, fraud to obtain Federal employee's compensation, extortionate credit transactions, terrorism, conspiracy against civil rights, deprivation of civil rights under color), Title 15 U.S.C. §§ 1-7 (illegal restraint of trade), Title 7 U.S.C. § 2 (commodities-tampering), 42 U.S.C. § 1983 (civil rights), First Amendment (right to petition for redress of grievances), Seventh Amendment (right to trial by jury), Fourteenth Amendment (right to equal protection), and the USA PATRIOT Act (domestic terrorism).

5. Venue is proper under Title 28 U.S.C. § 84.

6. The United States is comprised of the federal government, and has sovereign standing to sue or be sued. Head offices for all branches of the federal government are located in Washington, DC, with branch offices/agencies in all states, which are created

under 28 U.S.C. § 124. State and private agencies contract with cities and/or counties, are directly or indirectly regulated by the federal government, and are subject to liability pursuant to 18 U.S.C. § 666.

OPPOSITION TO MAGISTRATE, 28 U.S.C. section 636(c)

7. Plaintiff hereby files this her OPPOSITION TO MAGISTRATE JUDGE'S unlawful JURISDICTION, 28 U.S.C. section 636, to prevent magistrate judge STEPHEN G. LARSON assignment by the Clerk on 7/2/02 prior to plaintiff's "return of the form to the Clerk" which provides the following NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE. The magistrate judge and the CLERK knew, or reasonable should have known, that assignment of a magistrate judge violated Article III and constitutes a violation of plaintiff's rights secured by law, 18 U.S.C. sections 241 and 242, and Article III of the Constitution for the United States and presents a claim cognizable under 42 U.S.C. section 1983 and conspiracy under section 1985(3). Defendants did "have a meeting of the minds" to conspire with co-conspirators after notice of their conduct and behavior to obstruct these proceedings in furtherance of their joint racketeering scheme or artifice as alleged in complaint, in direct or indirect conflict with statutory law subsequent to the decisions in *Hajek v. Burlington Northern Railroad Co.*, 186 F.3d 1105 (9th Cir. 1999); also *Sanders v. Union Pacific Railroad Co.*, 193 F.3d 1080 (9th Cir. 1999).

PLAINTIFF'S DEMAND FOR FULL DISCLOSURE PER TITLE 28 U.S.C. RULE 26

8. Plaintiff demands that all defendants fully disclose the following without delay, obstruction or "gamesmanship:"

Copy of their Oaths of Office

Copy of their Bond

Copy of their Insurance

Copy of their state licenses

Copies of appearance bonds on each case

Copy of a list of all their creditors

Copy of a list of all their debtors

Copies of all financial transactions

Memberships of all clubs, organizations, fraternities, groups

Treaties per limitations of the Constitution

Names, addresses and phone numbers of all witnesses for their defense

Names, addresses and phone numbers of any other entities pertinent to this case

Copies of any other papers pertinent to this case

PLAINTIFF'S NOTICE AND DEMAND FOR NON-NEGOTIABLE, PRIVATE CONTRACT WITH THE COURT AND WITH EACH DEFENDANT, FOR NO THIRD PARTIES

9. Plaintiff gives notice and demands that since titles of nobility were abolished by Article 1, section 9 of the United States Constitution, each defendant is required to answer Summons individually and separately without an attorney/esquire. Plaintiff demands no third-parties on this case, no third-party answers, and each line answered by each defendant.

PARTIES, F.R.C.P. RULE 17

10. Plaintiff Janet I. Fischer ("plaintiff") is a citizen of the United States residing within the State of California at 17954-A S. Euclid Ave., Chino, CA 91710.

11. The UNITED STATES OF AMERICA is hereby sued in its corporate capacity doing business from c/o JOHN ASHCROFT, 10th & Constitution Avenues, N.W., Washington, D.C. 20530.

12. JOHN ASHCROFT is hereby sued in his official and individual capacity doing business from 950 Pennsylvania Ave., N.W., Washington, D.C. 20530.

13. The ADMINISTRATIVE OFFICE OF THE U.S. COURTS ("OFFICE") is hereby sued in its official capacity doing business from 1 Columbus Circle, Washington, D.C. 20544. OFFICE directs training both at the Federal Judicial Center In-Court Programs Branch, One Columbus Circle N.E., Washington, D.C. 20002, and at other in-house training programs nation-wide in each of the 92 United States district courthouses.
14. LEONIDAS RALPH MECHAM ("MECHAM") is hereby sued in his official and individual capacity doing business from 1 Columbus Circle, Washington, D.C. 20544.
15. DAVID J. MALAND is hereby sued in his official and individual capacity doing business from 101 Pecan St., Room 112, Sherman, Texas 75090
16. WILLIAM G. PUTNICKI is hereby sued in his official and individual capacity doing business from 655 East Durango Blvd., San Antonio, Texas 78206
17. SHERYL L. LOESCH is hereby sued in her official and individual capacity doing business from Office of the Clerk, United States Courthouse, Tampa, Florida 33602.
18. SHERRI R. CARTER is hereby sued in her official and individual capacity doing business from 312 N. Spring St., No. G-8, Los Angeles, California 90012-4793.
19. JACK WAGNER is hereby sued in his official and individual capacity doing business from 501 "I" Street, Sacramento, CA 95814.
20. RACHEL INGRAM is hereby sued in her official and individual capacity doing business from 3470 12th St., Riverside, CA 92501.
21. Defendants DAVID J. MALAND, WILLIAM G. PUTNICKI, SHERRI R. CARTER, SHERYL L. LOESCH, and JACK WAGNER supervise, direct, and train all clerks in their districts including RACHEL INGRAM, and they, along with their deputy clerks and other court staff are herein collectively known and addressed as "CLERKS."
22. ROBERT D. McCALLUM is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, P.O. Box 261, Ben Franklin Station, Washington, D.C. 20044.
23. MICHAEL F. HERTZ is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, P.O. Box 261, Ben Franklin Station, Washington, D.C. 20044.
24. STEVE D. ALTMAN is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, P.O. Box 261, Ben Franklin Station, Washington, D.C. 20044.
25. ANDREW SKOWRONEK is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, P.O. Box 261, Ben Franklin Station, Washington, D.C. 20044.
26. JOHN S. GORDON is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, 300 North Los Angeles Street, Room 7516, Los Angeles, CA 90012
27. LEON W. WEIDMAN is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, 300 North Los Angeles Street, Room 7516, Los Angeles, CA 90012.
28. GARY PLESSMAN is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, 300 North Los Angeles Street, Room 7516, Los Angeles, CA 90012.
29. KRISTINE BLACKWOOD is hereby sued in her official and individual capacity doing business from c/o U.S. Attorneys Office, 300 North Los Angeles Street, Room 7516, Los Angeles, CA 90012.
30. MIKE BRADFORD is hereby sued in his official and individual capacity, doing business from c/o U.S. Attorneys Office, 350 Magnolia, Ste. 150, Beaumont, TX 77701.
31. WILLIAM BLAGG is hereby sued in his official and individual capacity, doing business from c/o U.S. Attorneys Office, 601 N.W. Loop 410, #600, San Antonio, TX 78216-5512
32. KIRSTEN SUDHOFF DOOR is hereby sued in her official and individual capacity, doing business from c/o U.S. Attorneys Office, 501 "I" Street, Ste. 10-100, Sacramento, CA 95814.
33. ANDREA HEDRICK PARKER is hereby sued in her official and individual capacity, doing business from c/o U.S. Attorneys Office, 350 Magnolia, Ste. 150, Beaumont, TX 77701.

34. HAROLD O. ATKINSON is hereby sued in his official and individual capacity, doing business from c/o U.S. Attorneys Office, 601 N.W. Loop 410, #600, San Antonio, TX 78216-5512
35. PAUL MICHAEL BROWN is hereby sued in his official and individual capacity, doing business from c/o U.S. Attorneys Office, P.O. Box 7146, Washington, D.C. 20044.
36. LEON W. WEIDMAN is hereby sued in his official and individual capacity, doing business from c/o U.S. Attorneys Office, 300 N. Los Angeles St., Room 7516, Los Angeles, CA 90012.
37. PATRICIA A. WILLING is hereby sued in her official and individual capacity, doing business from c/o U.S. Attorneys Office, 400 N. Tampa St., Ste. 3200, Tampa, FL 33602.
38. ROBERT D. McCALLUM is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, P.O. Box 261, Ben Franklin Station, Washington, D.C. 20044.
39. MICHAEL F. HERTZ is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, P.O. Box 261, Ben Franklin Station, Washington, D.C. 20044.
40. STEVE D. ALTMAN is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, P.O. Box 261, Ben Franklin Station, Washington, D.C. 20044.
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44. GARY PLESSMAN is hereby sued in his official and individual capacity doing business from c/o U.S. Attorneys Office, 300 North Los Angeles Street, Room 7516, Los Angeles, CA 90012.
45. KRISTINE BLACKWOOD is hereby sued in her official and individual capacity doing business from c/o U.S. Attorneys Office, 300 North Los Angeles Street, Room 7516, Los Angeles, CA 90012.
46. Defendants MIKE BRADFORD, WILLIAM BLAGG, KIRSTEN SUDHOFF DOOR, ANDREA HEDRICK PARKER, HAROLD O. ATKINSON, PAUL MICHAEL BROWN, LEON W. WEIDMAN, PATRICIA A. WILLING, ROBERT D. McCALLUM, MICHAEL F. HERTZ, STEVE D. ALTMAN, ANDREW SKOWRONEK, JOHN S. GORDON, LEON W. WEIDMAN, GARY PLESSMAN, and KRISTINE BLACKWOOD are all present or former U.S. Attorneys, Assistant U.S. Attorneys or Deputy U.S. Attorneys, who are sworn to protect the Constitution from foreign and domestic invasion, and are herein collectively known as "U.S. ATTORNEYS."
47. The law firm of BENNET & WESTON is hereby sued in its official capacity, doing business from 1750 Valley View Lane, Ste. 120, Dallas, TX 75234
48. The law firm of MATTHEWS, CALTON, STEIN, SHIELS, PEARCE, DUNN & KNOTT is hereby sued in its official capacity, doing business from 8131 LBJ Freeway, Ste. 700, Dallas, TX 75251.
49. The law firm of WOLFE, CLARK, HENDERSON & TIDELL is hereby sued in its official capacity, doing business from 123 North Crockett Street, Ste. 100, Sherman, TX 75090.
50. The law firm of BRADY & COLE is hereby sued in its official capacity, doing business from 900 Jackson St., Ste. 305, Dallas, TX 75202-4455.
51. The law firm of GODWIN, WHITE & GRUBER is hereby sued in its official capacity, doing business from 901 Main St., Ste. 2500, Dallas, TX 75231.
52. The law firm of LEA & CHAMBERLAIN is hereby sued in its official capacity, doing business from 301 Congress Ave., 18th Floor, Austin, TX 78701.
53. The law firm of BECKWORTH & CARRIGAN, LLP is hereby sued in its official capacity, doing business from 1001 Fannin St., 4600 First City Tower, Houston, TX 77002.
54. The law firm of SAYLES & LIDJI is hereby sued in its official capacity, doing business from 1201 Elm St., Ste. 4400, Renaissance Tower, Dallas, TX 75270.

55. The law firm of WALD & ASSOCIATES is hereby sued in its official capacity, doing business from Ste. 215, Compass Bank Tower, 300 N. Coit Rd., Richardson, TX 75080-5400.
56. The law firm of JACKSON & WALKER, LLP is hereby sued in its official capacity, doing business from 901 Main St., Ste. 6000, Dallas, TX 75202-3797.
57. The law firm of JACKSON & WALKER, LLP is hereby sued in its official capacity, doing business from 112 East Pecan, Ste. 2100, San Antonio, TX 78205-1521.
58. The law firm of JENKINS & GILCHRIST is hereby sued in its official capacity, doing business from 1800 Frost Bank Tower, 100 W. Houston, San Antonio, TX 78205.
59. The law firm of JENKINS & GILCHRIST is hereby sued in its official capacity, doing business from 1445 Ross Ave., Ste. 320, Dallas, TX 75202-2799.
60. The law firm of RHEA & RODMAN, LLP, is hereby sued in its official capacity, doing business from 2003 N. Lamar, Ste. 100, Austin, TX 78705.
61. The Law Offices of DECARLI & IRWIN is hereby sued in its official capacity, doing business from 605 Brazos, Ste. 200, Austin, TX 78701.
62. PAMELA MCGRAW (McGRAW & ASSOCIATES) is hereby sued in her individual and official capacity, doing business from 200 N. Travis, Ste. 404, Sherman, TX 75090.
63. The Law Offices of CHARLES S. FRIGERIO is hereby sued in its official capacity, doing business from Commerce Plaza Building, 111 Soledad, Ste. 840, San Antonio, TX 78205.
64. CHARLES S. FRIGERIO is hereby sued in his individual and official capacity, doing business from Commerce Plaza Building, 111 Soledad, Ste. 840, San Antonio, TX 78205.
65. The OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF TEXAS is hereby sued in its official capacity, doing business from P.O. Box 12548, Capital Station, Austin, TX 78711.
66. The law firm of CLEMENS & SPENCER, PC is hereby sued in its official capacity, doing business from 112 East Pecan St., San Antonio, TX 78205.
67. The law firm of CLEMENS & SPENCER is hereby sued in its official capacity, doing business from 1500 NBC Bank Plaza, 112 East Pecan St., San Antonio, TX 78205-1517.
68. KEITH A. KENDALL is hereby sued in his individual and official capacity, doing business from 10100 Reunion, Third Floor, San Antonio, TX 78216.
69. The law firm of JONES, KURTH & ANDREWS, PC is hereby sued in its official capacity, doing business from 10100 Reunion Place, Ste. 600, San Antonio, TX 78216.
70. The law firm of MATTHEWS & BRANSCOMB, PC is hereby sued in its official capacity, doing business from 112 E. Pecan, Ste. 1100, San Antonio, TX 78205-1516.
71. The law firm of AKIN, GUMP, STRAUSS, HAUER & FELD is hereby sued in its official capacity, doing business from 300 Convent, Ste. 1500, San Antonio, TX 78205.
72. The law firm of STRASBURGER & PRICE, LLP is hereby sued in its official capacity, doing business from 300 Convent St., Ste. 900, San Antonio, TX 78205.
73. The law firm of PAUL ANDREW DRUMMOND, SOUTHWESTERN BELL TELEPHONE, is hereby sued in its official capacity, doing business from 1010 N. St. Mary's St., Ste. 1403, San Antonio, TX 78205.
74. The law firm of THOMAS & LIBOWITZ, PA is hereby sued in its official capacity, doing business from 100 Light St., Ste. 1100, Baltimore, MD 21202.
75. VICTORIA VALERGA is hereby sued in her individual and official capacity, doing business from 7300 Blanco Rd., Ste. 103, San Antonio, TX 78216.
76. The law firm of SOUTHERN ANIMAL RESCUE ASSOCIATION, INC., is hereby sued in its official capacity, doing business from 1050 Rawhide Rd., Seguin, TX 78155.

77. ANGELA DICKERSON NOBLE is hereby sued in her individual and official capacity, doing business from 312 W. Mountain St., Seguin, TX 78155.
78. The law firm of ALLEN, STEIN, POWERS, DURBIN & HUNNICUTT is hereby sued in its official capacity, doing business from 6243 IH 10 West, 7th Floor, P.O. Box 101507, San Antonio, TX 78201.
79. CHARLES B. GORHAM is hereby sued in his individual and official capacity, doing business from 1250 N.E. Loop 410, Ste. 710, San Antonio, TX 78209.
80. The law firm of BRIN & BRIN is hereby sued in its official capacity, doing business from Fountainhead One, 8200 I-10 West, Ste. 610, San Antonio, TX 78230.
81. The law firm of LEMLER & ASSOCIATES, PC is hereby sued in its official capacity, doing business from 8122 Datapoint Dr., Ste. 328, San Antonio, TX 78229.
82. The LAW OFFICES OF FERNANDO RAMOS is hereby sued in its official capacity, doing business from 800 Dolorosa, Ste. 117, San Antonio, TX 78207.
83. The law firm of PASCO COUNTY ATTORNEY'S OFFICE is hereby sued in its official capacity, doing business from West Pasco Government Center, 7530 Little Rd., Ste. 340, New Port Richey, FL 34654.
84. The OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF FLORIDA, CIVIL LITIGATION DIVISION is hereby sued in its official capacity, doing business from Century Plaza, Ste. 1100, 135 W. Central Blvd., Orlando, FL 32801.
85. The law firm of DEBOISE & POULTON, P.A. is hereby sued in its official capacity, doing business from Lakeview Office Park, Ste. 1010, 1035 S. Semoran Blvd., Winter Park, FL 32792.
86. The law firm of HOLLAND & KNIGHT, LLP is hereby sued in its official capacity, doing business from 400 N. Ashley Dr., Ste. 2300, P.O. Box 1288, Tampa, FL 33602-1288.
87. The LAW OFFICES OF JAMES RICHARD HOOPER, P.A. is hereby sued in its official capacity, doing business from 815 North Garland Ave., P.O. Box 540509, Orlando, FL 32854-0509.
88. The law firm of FOWLER, WHITE, GILLEN, BOGGS, VILLAREAL & BANKER, PA is hereby sued in its official capacity, doing business from 501 E. Kennedy Blvd., Ste. 1700, P.O. Box 1438, Tampa, FL 33601-1438.
89. The LAW OFFICE OF NANCY M. PARHAM is hereby sued in its official capacity, doing business from 210 N. Pierce St., Tampa, FL 33602-3597.
90. The law firm of NIX, HOLTSFORD, GILLILAND, LYONS & HIGGINS, PC is hereby sued in its official capacity, doing business from P.O. Box 4128, Montgomery, AL 36103-4128.
91. The LAW OFFICE OF JOSEPH M. DAVIS is hereby sued in its official capacity, doing business from 3333 W. Kennedy Blvd., Ste. 102, Tampa, FL 33609.
92. The law firm of CARRINGTON & CARRINGTON is hereby sued in its official capacity, doing business from 619 Turner St., Clearwater, FL 33756.
93. The HILLSBOROUGH COUNTY ATTORNEY'S OFFICE FOR THE STATE OF FLORIDA is hereby sued in its official capacity, doing business from 601 E. Kennedy Blvd., 27th Floor, P.O. Box 1110, Tampa, FL 33601-1110.
94. The OFFICE OF THE CITY ATTORNEY FOR THE CITY OF ANAHEIM is hereby sued in its official capacity, doing business from 200 S. Anaheim Blvd., Ste. 356, Anaheim, CA 92805.
95. The COUNTY COUNSEL FOR THE COUNTY OF ORANGE is hereby sued in its official capacity, doing business from 10 Civic Center Plaza, 4th Floor, P.O. Box 1379, Santa Ana, CA 92702-1379.
96. The law firm of CREASON & AARVIG, LLP is hereby sued in its official capacity, doing business from 3963 Eleventh Street, Riverside, CA 92501.
97. MARIA K. AARVIG is hereby sued in her official, individual, and corporate capacity, doing business from 3963 Eleventh Street, Riverside, CA 92501.
98. The law firm of KINKLE, RODIGER & SPRIGGS is hereby sued in its official capacity, doing business from 3333 Fourteenth St., Riverside, CA 92501.

99. DONALD BEACHAM is hereby sued in his official capacity, doing business from 42335 Washington St., Ste. F, Palm Desert, CA 92211.
100. DENTON COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE is hereby sued in its official capacity, doing business from 127 N. Woodrow Lane, Denton, TX 76205-6397.
101. The law firm of McDONALD SANDERS, PC is hereby sued in its official capacity, doing business from 777 Main St., Ste. 1300, Fort Worth, TX 76102.
102. The law firm of CANTLEY & HANGER is hereby sued in its official capacity, doing business from 801 Cherry St., Ste. 2100, Fort Worth, TX 76102.
103. The law firm of GRIFFEN, WHITTEN & JONES is hereby sued in its official capacity, doing business from 218 N. Elm, Denton, TX 76201.
104. The law firm of HOPKINS & SUTTER is hereby sued in its official capacity, doing business from 3700 Bank One Center, 1717 Main St., Dallas, TX 75201.
105. CULLUM LAW FIRM, PC is hereby sued in its official capacity, doing business from 8333 Douglas Ave., Ste. 1400, Dallas, TX 75225-6308.
106. The law firm of KIRKPATRICK & LOCKHART is hereby sued in its official capacity, doing business from 1717 Main St., Ste. 3100, Dallas, TX 75201.
107. ALESHIA M. WHITE is hereby sued in her official capacity, doing business from Attorney General's Office of the State of California, P.O. Box 944255, 1300 I St., Ste. 125, Sacramento, CA 94244-2550.
108. Law Office of McHALE & CONNER is hereby sued in its corporate capacity doing business from 600 Wilshire Blvd., Ste. 300, Los Angeles, CA 90017.
109. Law Office of CHASE, ROTCHFORD, DRUKKER & BOGUST is hereby sued in its corporate capacity doing business from 700 South Flower St., Ste. 500, Los Angeles, CA 90017.
110. Law Office of FIELDS AND CREASON is hereby sued in its corporate capacity doing business from 3993 Market St., Riverside, CA 92501.
111. OFFICE OF THE CITY PROSECUTOR is hereby sued in its municipal and corporate capacities doing business from 221 East Walnut St., Pasadena, CA 91101.
112. ROBERT E. CHRISTIAN is hereby sued in his official and individual capacities doing business from 121 South 11th, Duncan, OK 73533.
113. JAMES L. KEE is hereby sued in his official and individual capacities doing business from 1102 Maple, P.O. Box 1646, Duncan, OK 73534.
114. BENNET & WESTON, MATTHEWS CALTON STEIN SHIELS PEARCE DUNN & KNOTT, WOLFE CLARK HENDERSON & TIDELL, BRADY & COLE, GODWIN, WHITE & GRUBER, LEA & CHAMBERLAIN, BECKWORTH & CARRIGAN LLP, SAYLES & LIDJI, WALD & ASSOCIATES, JACKSON & WALKER LLP, JACKSON & WALKER LLP, JENKINS & GILCHRIST, JENKINS & GILCHRIST, RHEA & RODMAN LLP, DECARLI & IRWIN, PAMELA MCGRAW (MCGRAW & ASSOCIATES), CHARLES S. FRIGERIO, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF TEXAS, CLEMENS & SPENCER PC, CLEMENS & SPENCER, KEITH A. KENDALL, JONES KURTH & ANDREWS PC, MATTHEWS & BRANSCOMB PC, AKIN GUMP STRAUSS HAUER & FELD, STRASBURGER & PRICE LLP, PAUL ANDREW DRUMMOND SOUTHWESTERN BELL TELEPHONE, THOMAS & LIBOWITZ PA, VICTORIA VALERGA, SOUTHERN ANIMAL RESCUE ASSOCIATION INC., ANGELA DICKERSON NOBLE, ALLEN STEIN POWERS DURBIN & HUNNICUTT, CHARLES B. GORHAM, BRIN & BRIN, LEMLER & ASSOCIATES PC, LAW OFFICES OF FERNANDO RAMOS, PASCO COUNTY ATTORNEY'S OFFICE, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF FLORIDA, CIVIL LITIGATION DIVISION, DEBOISE & POULTON P.A., HOLLAND & KNIGHT LLP, LAW OFFICES OF JAMES RICHARD HOOPER P.A., FOWLER WHITE GILLEN BOGGS VILLAREAL & BANKER PA, LAW OFFICE OF NANCY M. PARHAM, NIX HOLTSFORD GILLILAND LYONS & HIGGINS PC, LAW OFFICE OF JOSEPH M. DAVIS, CARRINGTON & CARRINGTON, HILLSBOROUGH COUNTY ATTORNEY'S OFFICE FOR THE STATE OF FLORIDA, OFFICE OF THE CITY ATTORNEY FOR THE CITY OF ANAHEIM, COUNTY COUNSEL FOR THE COUNTY OF ORANGE, CREASON & AARVIG LLP, MARIA K. AARVIG, KINKLE RODIGER & SPRIGGS, DONALD BEACHAM, DENTON COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE, McDONALD SANDERS PC, CANTLEY & HANGER, GRIFFEN WHITTEN & JONES, HOPKINS & SUTTER, CULLUM LAW FIRM PC, KIRKPATRICK & LOCKHART, ALESHIA M. WHITE, McHALE & CONNER, CHASE, ROTCHFORD, DRUKKER & BOGUST, FIELDS AND CREASON, OFFICE OF THE

CITY PROSECUTOR, ROBERT E. CHRISTIAN and JAMES L. KEE are single-practice attorneys, corporations, partnerships, or associations comprised of licensed attorneys, who, as officers of the court, are sworn to protect the Constitution from foreign and domestic invasion. As members of the Bar Association, attorneys are governed by Judicial Canons, Oath of Office, Business and Professions Code, and West's Title 28 U.S.C. Rules of Court including Chief Justice White's directive in West's 2002 Title 28 CONGRESSIONAL ACTION ON PROPOSED RULES AND FORMS GOVERNING PROCEEDINGS, ORDER OF APRIL 29, 1980 "that the federal courts are subject to the injunction in Rule 1 that they 'be construed to secure the just, *speedy*, and *inexpensive* determination of every action. *Herbert v. Landau*, 441 U.S. 153, 177 (1979)." Defendant law firms, their agents and employees, are herein collectively known and addressed as "FIRMS."

115. VIRGINIA A. PHILLIPS ("PHILLIPS") is hereby sued in her official and individual capacity, doing business from 3470 12th St., Riverside, CA 92501.

116. PAUL BROWN is hereby sued in his official and individual capacity, doing business from 101 Pecan St., Room 112, Sherman, TX 75090.

117. ORLANDO GARCIA is hereby sued in his official and individual capacity, doing business from 655 East Durango Blvd., San Antonio, TX 78206.

118. RICHARD P. LAZARRA is hereby sued in his official and individual capacity, doing business from 801 North Florida Avenue, Tampa, Florida 33602.

119. MAURICE M. PAUL is hereby sued in his official and individual capacity, doing business from United States Courthouse, Tampa, Florida, 33602.

120. TERRY J. HATTER is hereby sued in his official and individual capacity, doing business from 312 N. Spring St., #G-8, Los Angeles, CA 90012-4724.

121. WILLIAM B. SHUBB is hereby sued in his official and individual capacity, doing business from 501 "I" Street, Sacramento, CA 95814.

122. GARY A. FEESS is hereby sued in his official and individual capacity, doing business from Edward R. Roybal Center & Federal Bldg., 255 E. Temple St., Los Angeles, CA 90012.

123. TERRY A. GREEN is hereby sued in his official and individual capacity, doing business from 210 W. Temple St., Los Angeles, CA 90012.

124. ELVIRA R. MITCHELL is hereby sued in her official and individual capacity, doing business from 200 N. Garfield Ave., Pasadena, CA 91101

125. COLEMAN A. SWART is hereby sued in his official and individual capacity, doing business from 200 N. Garfield Ave., Pasadena, CA 91101.

126. GEORGE W. LINDLEY is hereby sued in his official capacity, doing business from 121 South 11th, Duncan, OK 73533.

127. PERCY ANDERSON is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

128. WM. MATTHEW BYRNE, JR. is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

129. A. ANDREW HAUK is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

130. HARRY L. HUPP is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

131. WILLIAM D. KELLER is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

132. J. SPENCER LETTS is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

133. RONALD S.W. LEW is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

134. NORA M. MANELLA is hereby sued in her official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

135. CONSUELO B. MARSHALL is hereby sued in her official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

136. A. HOWARD MATZ is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

137. MARIANA R. PFAELZER is hereby sued in her official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
138. DEAN D. PREGERSON is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
139. EDWARD RAFEEDIE is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
140. WILLIAM J. REA is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
141. MANUAL L. REAL is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
142. CHRISTINA A. SNYDER is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
143. ROBERT M. TAKASUGI is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
144. JOHN F. WALTER is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
145. STEPHEN V. WILSON is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
146. LOURDES G. BAIRD is hereby sued in her official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
147. AUDREY B. COLLINS is hereby sued in her official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
148. FLORENCE-MARIE COOPER is hereby sued in her official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
149. ROBERT J. KELLEHER is hereby sued in his official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
150. GEORGE H. KING is hereby sued in his official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
151. MARGARET M. MORROW is hereby sued in her official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
152. DICKRAN TEVRIZIAN is hereby sued in his official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
153. ROBERT J. TIMLIN is hereby sued in his official capacity, doing business from 3470 12th St., Riverside, CA 92501.
154. LOURDES G. BAIRD is hereby sued in her official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
155. DAVID O. CARTER is hereby sued in his official capacity, doing business from 411 W. 4th St., Rm. 1053, Santa Ana, CA 92701-4516.
156. GARY L. TAYLOR is hereby sued in his official capacity, doing business from 411 W. 4th St., Rm. 1053, Santa Ana, CA 92701-4516.
157. ALICEMARIE H. STOTLER is hereby sued in her official capacity, doing business from 411 W. 4th St., Rm. 1053, Santa Ana, CA 92701-4516.
158. PAUL L. ABRAMS is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
159. ROSALYN M. CHAPMAN is hereby sued in her official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
160. CHARLES F. EICK is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
161. JEFFREY W. JOHNSON is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
162. VICTOR B. KENTON is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.

163. JENNIFER T. LUM is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
164. MARGARET A. NAGLE is hereby sued in her official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
165. FERNANDO M. OLGUIN is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
166. PATRICK J. WALSH is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
167. RALPH ZAREFSKY is hereby sued in his official capacity, doing business from 312 N. Spring St., Los Angeles, CA 90012.
168. ROBERT N. BLOCK is hereby sued in his official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
169. STEPHEN J. HILLMAN is hereby sued in his official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
170. JAMES W. McMAHON is hereby sued in his official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
171. CAROLINE TURCHIN is hereby sued in her official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
172. ANDREW J. WISTRICH is hereby sued in his official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
173. CARLA WOHRLE is hereby sued in her official capacity, doing business from 255 E. Temple St., Los Angeles, CA 90012.
174. STEPHEN G. LARSON is hereby sued in his official capacity, doing business from 3470 12th St., Riverside, CA 92501.
175. MARC L. GOLDMAN is hereby sued in his official capacity, doing business from 411 W. 4th St., Rm. 1053, Santa Ana, CA 92701-4516.
176. ARTHUR NAKAZATO is hereby sued in his official capacity, doing business from 411 W. 4th St., Rm. 1053, Santa Ana, CA 92701-4516.
177. Defendants VIRGINIA A. PHILLIPS, PAUL BROWN, ORLANDO GARCIA, RICHARD P. LAZARRA, TERRY J. HATTER, WILLIAM B. SHUBB, MAURICE M. PAUL, GARY A. FEESS, PERCY ANDERSON, WM. MATTHEW BYRNE, JR., A. ANDREW HAUKE, HARRY L. HUPP, WILLIAM D. KELLER, J. SPENCER LETTS, RONALD S.W. LEW, NORA M. MANELLA, CONSUELO B. MARSHALL, A. HOWARD MATZ, MARIANA R. PFAELZER, DEAN D. PREGERSON, EDWARD RAFFEDIE, WILLIAM J. REA, MANUAL L. REAL, CHRISTINA A. SNYDER, ROBERT M. TAKASUGI, JOHN F. WALTER, STEPHEN V. WILSON, LOURDES G. BAIRD, AUDREY B. COLLINS, FLORENCE-MARIE COOPER, ROBERT J. KELLEHER, GEORGE H. KING, MARGARET M. MORROW, DICKRAN TEVRIZIAN, ROBERT J. TIMLIN, LOURDES G. BAIRD, DAVID O. CARTER, GARY L. TAYLOR, and ALICEMARIE H. STOTLER are Article III judges; TERRY A. GREEN, ELVIRA R. MITCHELL, COLEMAN A. SWART, and GEORGE W. LINDLEY are state court judges; and PAUL L. ABRAMS, ROSALYN M. CHAPMAN, CHARLES F. EICK, JEFFREY W. JOHNSON, VICTOR B. KENTON, JENNIFER T. LUM, MARGARET A. NAGLE, FERNANDO M. OLGUIN, PATRICK J. WALSH, ROBERT N. BLOCK, RALPH ZAREFSKY, STEPHEN J. HILLMAN, JAMES W. McMAHON, CAROLINE TURCHIN, ANDREW J. WISTRICH, CARLA WOHRLE, STEPHEN G. LARSON, MARC L. GOLDMAN, and ARTHUR NAKAZATO are Magistrate judges, who are sworn to protect the Constitution from foreign and domestic invasion, with additional duties to preserve the public's belief in the integrity of the courts. Judges are required to perform all duties as prescribed by law, and are governed by judicial Canons, Oath of office, and West's Title 28 Rules of Court, including Chief Justice White's directive in West's 2002 Title 28 CONGRESSIONAL ACTION ON PROPOSED RULES AND FORMS GOVERNING PROCEEDINGS, ORDER OF APRIL 29, 1980 that "[t]he responsibility for control [of pretrial process] rests on both judges and lawyers. Where existing rules and statutes permit abuse, they must be changed. Where the power lies with judges to prevent or correct abuse and misuse of the system, judges must act." Defendant Judges and their staff are herein collectively known as "JUDGES."
178. Defendants DOES are unknown to plaintiff and will be named in their official, corporate and individual capacities as agents, officers or employees for entities acting in civil conspiracy, and are hereby sued as their identities become known through discovery.

BRIEF STATEMENT OF THE CASE, F.R.C.P. RULE 8

179. CLERKS, under the direction of MECHAM through OFFICE, took bribes and conspired with JUDGES, U.S. ATTORNEYS, FIRMS, their clients, and other defendants to use the courts as a racketeering enterprise by working in concert to fix certain cases to obstruct justice for certain classes of offenders and get them "off the hook" – case dismissed, no hearings, no jury trials. An interesting factor for the jury will be that the offenders were all state or federal government employees, their friends, and private

persons and corporations, who were charged with committing felonies. NOTE: No proof is required in a judicial bribery case other than the solicitation and completion of the act by a judge; "to do a favor" is the standard for "principals and accessories." See *Salinas v. United States*, 118 S.Ct. 469 (1997). ASHCROFT had this information for at least 60 days in a qui tam filed April 17, 2002, No. EDCV 02-334 VAP SGLx, failed to indict, which makes ASHCROFT an "accessory after the fact."

PLAINTIFF'S REPORT OF THE FRAUD FALLS ON DEAF EARS ...

180. In January 2000, plaintiff traveled to Washington, D.C. and hand-delivered a 100+ page report of defendants' corruption to the House Judiciary Committee, Department of Commerce, Department of Agriculture, and the Department of Justice, part of which is included, see EXHIBIT A. No action, investigation, or indictments were done on plaintiff's behalf by any person or agency, the fraud and swindle continues to date, and is being covered up by ASHCROFT, MECHAM, OFFICE, PHILLIPS, INGMAN, and DOE defendants.

BACKGROUND OF DEFENDANTS' FRAUDULENT SCHEMES...

181. The function of the court is not to decide issues, but rather to determine whether they exist. Rules of Evidence apply. All defendants knew that a crime had been committed, knew that an injured citizen had protested the crime by filing a lawsuit against "corrupt local government and their friends," and knew that a jury trial was demanded. Defendants had a "meeting of the minds," and did engage in prohibited pretrial actions to cover up these crimes by getting these types of cases dismissed in prohibited bench trials, dismissed with prejudice, not for publication, no hearings, so as to conceal from the public defendants' criminal "property-grab," racketeering schemes, obstruction of justice for the offenders, and vicious retaliation against citizens protesting crime by government employees and their agents. Plaintiff demands that each defendant provide proof that they were not participating on these particular cases, that hearings and jury trials were provided, that injured citizens got their injunctive relief, their property was returned and/or they were otherwise made whole, defaults were entered, and that the offenders on each case were prosecuted and incarcerated. The cases exist. Defendants were there. Defendants had "obligations and duties as prescribed by law." The jury will decide whether defendants performed these duties to ensure "just, speedy and inexpensive determination of every action," or whether they used their positions of public trust as officers of the court to needlessly increase the cost of litigation, conceal and obstruct justice for offenders engaged in robbery, extortion, racketeering, illegal search and seizure, fraud and swindle perjury, theft of property, transporting stolen property, laundering (fencing) stolen property, domestic terrorism, animal enterprise terrorism, perjury, and great bodily injury resulting in death. Plaintiff demands that each defendant explain how each of these crimes are not crimes when they are committed by a sheriff, justice of the peace, lawyer, judge, or any other government employee or agent.

182. Defendants had knowledge and ability to prevent these special threats to social well-being, yet did nothing, except aid the offenders and enrich themselves in the process. Defendants cheated the public out of the intangible right to honest services, obstructed justice for themselves and co-conspirators in the schemes, and committed more fraud and swindle by submitting false claims for work performed. The public was cheated out of their due process rights by defendants, and their lives and business were destroyed. The public was also cheated out of their court filing fees, as defendants' use of fraud and swindle denied "due process" so as to conceal crimes. Defendants acted in concert, and cheated the public out of unalienable rights, rights granted by Acts of Congress, hearings and trial by jury by right. All defendants must provide proof that they actually performed their duties as prescribed by law, jury trials were held in these and related cases, that the offenders were prosecuted and incarcerated, the victims were made whole, domestic terrorists were put out of business, that local corruption was stopped, and that defendants were not "cooking the books" as pertains CLERKS, JUDGES, MAGISTRATES' time cards, entries, and "who was authorized to do what work."

183. Defendants' and co-conspirators' criminal enterprise of fraud and swindle targeted older American citizens who owned property, that is, they all had something to steal. Baseless complaints and false charges were initiated against these "targets" by corrupt local government and private corporation or persons. The perpetrators committed criminal trespass and theft to extort fees and fines from their "targets/victims" on the pretext that the victim violated some city or county codes, while factually there was no jurisdiction, no crime, no indictment, and no verified complaint. This "regulatory takings without just compensation scheme" was used as a pretext to steal more property, file false charges against the victim, and sucker them into court. Defendants then used the courts to maintain this perjury as a "Ponzi scheme," enlisted more participants (FIRMS, U.S. ATTORNEYS, DOES), entered phony fees, phony costs, phony fines, phony sanctions, phony judgments, and false bail into court records to give these fake things the appearance of legally valid to benefit defendants and participants in the scheme. Defendants took bribes as in "did favors for co-conspirators," and obstructed justice by denying all hearings and trials, which aided, abetted, and comforted the offenders, prevented their trial or apprehension, which makes all defendants "principals" and "accessories after the fact" as defined by Title 18 §§ 2 and 3. Plaintiff demands that all defendants explain how A) private property ownership has been abolished in the United States, B) Supreme Court decisions requiring valid warrants and "just compensation for private property taken for public use" have been repealed in *United States v. United States District Court*, 407 U.S. 297 (1972), *See v. City of Seattle*, 387 US 541, 18 L.Ed.2d 943, 87 S.Ct. 1737, *Camara v. Municipal Court*, 387 US 523, 18 L.ed.2d 930, 87 S.Ct. 1727, *Overton v. Ohio*, 151 L.Ed 2d 317, *Palazzolo v. Rhode Island*, 533 U.S. ___, 150 L.E.d.2d 592, 121 S.Ct. ___ (2001), *Salinas v. United States*, 118 S.Ct. 469 (1997), *Steagald v. United States*, 451 U.S. 204, 68 L.Ed.2d 38, 101 S.Ct 1642 (1981), and C) that the Constitution, Title 18 U.S.C. and Title 28 U.S.C. have also been repealed.

184. Once in court, FIRMS and U.S. ATTORNEYS worked both sides of the case in the "false bail/attorney's fees" fraud and swindle. FIRMS falsely represented to the victims that the perpetrator/offenders in the scheme "had a right to violate the Fourth Amendment and carry off property and/or file charges against the victim," then suckered the victim into more fees and costs with honeyed words about how "you have a good case for an appeal, enough evidence has been preserved on your case for an appeal..." see EXHIBIT B. The record shows that FIRMS knew in advance that the case would never go to trial, and used fraud and deceit to string the victim along with the hope that his or her case would be heard and determined by a jury, when defendants factually used their illegal association and rigged the courts to get all cases against offenders dismissed with illegal bench trials in violation of *McKeever v. Block*, 932 F.2d 795, 797 (9th Cir. 1991), *Eldridge v. Block*, 832 F.2d 1132, 1137-1138 (9th Cir. 1987), *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 106 S.Ct. 2505 (1986):

"3. Federal Civil Procedure 2470.2. Credibility determinations, weighing of evidence, and drawing of legitimate inferences from the facts are jury functions, not those of the judge, whether his ruling is on motion for summary judgment or for directed verdict; evidence of the nonmovant is to be believed and all justifiable inferences are to be drawn in his favor. Fed. Rules Civ. Proc., Rules 50(a), 56(c), 28 U.S.C.A."

185. In cases involving pro se victims, CLERKS took filing fee under false pretenses, knowing that CLERKS, FIRMS, U.S. ATTORNEYS and JUDGES had the courts rigged and would dismiss the case with prejudice, not for publication, no hearings, no trial by jury so as to not have any of these fraud and swindle schemes exposed to the public. Plaintiff demands that CLERKS, U.S. ATTORNEYS, FIRMS and JUDGES produce the public notices and disclaimers that were posted in a prominent location at all FIRMS' offices, and at all state and federal courts that "NO DUE PROCESS, NO UNALIENABLE RIGHTS, NO RIGHTS GUARANTEED BY ACTS OF CONGRESS, AND NO CIVIL REMEDIES ARE AVAILABLE HERE – WE GRANT IMMUNITY TO ALL GOVERNMENT EMPLOYEES AND THEIR FRIENDS, NO MATTER WHAT CRIME THEY COMMIT."

186. In cases involving enforcement of city or county codes upon private residences or small businesses, there was no due process, no Notice and Hearings, no just compensation, no Bonds put up to indemnify the owner for the regulatory takings, and no due process. Plaintiff demands that defendants explain how cities and counties now own all property in the U.S.

187. In cases involving theft of valuable animals and/or livestock, these home-invasion robberies were perpetrated under the guise of "rescue and adoption," which was propaganda for "criminal trespass," "perjury," "grand theft under color of law," "malicious prosecution," "false bail," "false claim," "animal enterprise terrorism," and "laundering (fencing) of stolen property." This "false bail" scheme was upheld in both state and federal courts, which treated the victim as "guilty until proven innocent," after city or county agents confiscated the victim's private property, held it for ransom, used it against him or her to extort money, then stole, fenced, or laundered it after they were finished using it against the victim to generate false fees, fines, sanctions, and attorneys' fees made payable to each other. Plaintiff demands that defendants explain their interpretation of "regulatory takings," "due process," and "just compensation."

188. All defendants knew or should have known that all regulatory takings must be compensated, no matter how minute the intrusion, see *Palazzolo v. Rhode Island*, 533 U.S. ___, 150 L.E.d.2d 592, 121 S.Ct. ___ (2001); that animals are "property" as defined in Title 18 U.S.C. § 2311, "agricultural commodities" as defined in Title 7 U.S.C. § 2, and "war materials" and "national defense materials" as defined in Title 18 U.S.C. § 2152. Defendants knew or should have known that seizure of animals, birds and eggs was repealed since 1981, see Title 18 U.S.C. § 3112, was prohibited under the Animal Welfare Act, and strips the perpetrator of all immunity, see *Fuller v. Vines*, 36 F.3d 65 (9th Cir. 1994). Defendants knew or should have known that we are at war, and it is treason to interfere with lands which are used to produce war materials and national defense materials. Plaintiff demands an explanation from all defendants.

189. Two or more predicate acts were committed in each case and each courthouse, which constitutes a "pattern" of "racketeering activity." All defendants directly or indirectly participated in an "enterprise," which was their illegal association with each other and the courts, the activities of which affected interstate or foreign commerce, as their "targets" were injured in their businesses and livelihoods in violation of 18 U.S.C. § 1962 (a) – (c). Plaintiff demands that each defendant explain his or her interpretation of "injured in business," "stripped of livelihood," and "illegal restraint of trade."

190. Defendants used the courts and aided other participants in this racketeering scheme, such as private corporations, corrupt local officials, and corrupt attorneys by helping to set them up as phony "creditors," with phony "judgments" or "sanctions" against their "targets," to turn said "targets" into "debtors." Hearings and trials were deliberately not scheduled to obstruct prosecution of co-conspirator/offenders' initial crimes of false charges, theft under color of law, extortion, false bail, laundering stolen property, denial of due process, commodities-tampering, and criminal conversion of title. Thus, defendants "covered up" for each other. The conduct of all defendants as "principals" constitutes a direct violation of Title 18 U.S.C. § 201 dealing with bribery, graft, corruption, and conflict of interest. Plaintiff demands that defendants explain how American citizens have all become "debtors" to the courts and private corporations.

VICIOUS RETALIATION...

191. Defendants' co-conspirator's conduct of denial of due process and obstruction of justice for the offenders to cover up false charges and theft under color caused great bodily injury resulting in death in at least two cases, see EXHIBIT C suicide letter from

raid victim, and Brinkley docket and death certificate. Brinkley's cancer was in remission, but returned and resulted in his death after defendants' obstruction and delay of his hearings and jury trial increased Brinkley's stress level, Brinkley, et al v. Flagler County, et al, No. 99-CV-260 (Florida). Justice delayed is justice denied. Notice of Brinkley's situation was likewise sent to the court, all Brinkley's politicians and Senator Orrin Hatch, who likewise had "knowledge and ability to prevent," and who all did nothing to stop the local corruption, robbery of senior citizens, and denial of Brinkley's due process rights. Plaintiff demands that defendants explain how these things can happen in a "free country."

KICKBACKS AND FAVORS...

192. In exchange for providing protection for the offenders, defendants were given promotions, kickbacks, public money, and job security. Plaintiff reported "racketeering and grand theft," see EXHIBIT D, which was acknowledged in a letter from defendant LARSON, see EXHIBIT E. LARSON had "knowledge and ability to prevent," yet LARSON aided and abetted the offenders by not prosecuting. Offenders are "still in business," and victim Marlene Peterson was stripped of her assets and livelihood. For his role in protecting "animal enterprise terrorism," "grand theft under color, transporting and fencing stolen property," LARSON received a "kickback" in the form of a promotion from U.S. ATTORNEY to MAGISTRATE JUDGE. Plaintiff demands that LARSON explain "racketeering and grand theft," and give proof that he investigated, the offenders were prosecuted and incarcerated, and that victim Marlene Peterson got her stolen property back and was made whole.

PLAINTIFF'S STANDING...

193. Plaintiff has standing to bring this complaint pursuant to *Rotella v. Wood*, 528 US ___, 145 LEd 2d 1047, 120 S.Ct. ___, at page 1049:

Extortion, Blackmail, and Racketeering § 1 – civil RICO litigation

3. Both the Racketeer Influenced and Corrupt Organizations Act (RICO) (18 USCS §§ 1961 et seq.) and the Clayton Act (15 USCS § 15b) share a common congressional objective of encouraging civil litigation to supplement government efforts to deter and penalize prohibited practices; the object of civil RICO actions is thus not merely to compensate victims, but to turn them into prosecutors dedicated to eliminating racketeering activity.

194. Plaintiff has been paying taxes since 1972, and as such, has a reasonable expectation of the intangible right to honest government services.

195. From 1968 to 1992, plaintiff engaged in product development, which was finalized between the years 1983 and 1992. The "units" or products plaintiff researched, developed and perfected, were displayed at national and local trade shows, garnered Awards, which generated the desired public interest in both sales of the products and public speaking tours. In January 1993, Plaintiff's life work (and life's dream) was wiped out when all products were stolen "under color of law" by corrupt local and state agencies, who initiated a malicious prosecution against plaintiff's business partner in order to steal the products. Plaintiff lost over 9 years of hard work and over \$100,000.00 of property, when it was converted to public use without just compensation by GREEN, MITCHELL, SWART, McHALE & CONNER, CHASE, ROTCHFORD, DRUKKER & BOGUST, FIELDS AND CREASON, and AARVIG, who operated the courts as a racketeering enterprise for conversion of title, after plaintiff filed a Claim with OFFICE OF CITY PROSECUTOR FOR THE CITY OF PASADENA. Plaintiff filed a lawsuit in state court, which was dismissed. As a result of this "takings without Notice, due process or just compensation," and "laundering of plaintiff's stolen property," plaintiff lost her business, customer base, house, car, health, and reputation. The stress and shock of the losses, and destruction of faith in the judiciary, has resulted in plaintiff being unable to work since 1997. This gives plaintiff standing under RICO, as defendants' predicate acts resulted in interference in commerce (loss of plaintiff's \$100,000.00 property), interference with ability to work, ultimate loss of business (\$15-\$17,000/year), lost income (dropped to zero after 1997), lost \$127,000 house to foreclosure, and lost \$16,500.00+ car to repossession. Plaintiff demands that defendants explain that these losses totaling over \$453,000.000 "did not affect commerce," see *Guerrero v. Gates*, CV-00-07165-WILLIAM J. REA, August 28, 2000.

196. Plaintiff was denied redress of grievances since 1993 as a result of the conspiracy of all defendants to use the courts to do fraud and swindle. Plaintiff demands that defendants prove that this never happened, that plaintiff got all her stolen property back, was made whole, that the offenders were prosecuted, incarcerated, and the racketeering activity was stopped.

197. Between May and August, 1999, the same pattern of racketeering, predicate acts, fraud and swindle was perpetrated upon plaintiff's husband, Richard Fischer, which was another attack upon plaintiff's marital property. The participants initiated false charges against plaintiff's husband, and attempted to use the state courts to convert marital property \$17,000 Ford Econoline van to their own use without just compensation. Plaintiff's husband paid \$150.00 and filed a Civil RICO case in federal court in *Fischer v. Stewart, et al*, No. 99-CV-7890. Defendants OFFICE OF THE CITY ATTORNEY FOR THE CITY OF ANAHEIM and COUNTY COUNSEL FOR THE COUNTY OF ORANGE violated and abused the pre-trial process, bribed the federal employees DOE CLERKS, TIMLIN and TEVRIZIAN, who "did the favor" and dismissed the case, no hearings and no jury trial, which obstructed justice. HATTER had knowledge and ability to prevent, and aided and abetted the offenders by not prosecuting crimes in the record. This attack upon marital property in excess of \$100 gives plaintiff standing, as both plaintiff and husband's ability to work was interfered with by taking time off to go to court, preparation of the case, and mental anguish from no longer feeling safe or secure at home or on the road. Plaintiff demands that defendants explain how they can make their own rules and circumvent due process.

Plaintiff also demands defendants explain where all the money given to California state courts in SB 33 went, if it was supposed to abolish all municipal courts, consolidate them into Superior Courts and make them courts of record.

198. In July 1 and 2 of 2002, plaintiff was denied rights secured by acts of Congress under Title 31 when DOE CLERK, INGRAM and PHILLIPS delayed and refused to unseal plaintiff's False Claim qui tam complaint, and refused to issue Summons. In this qui tam complaint, no. **EDCV 02-334 VAP SGLx**, plaintiff reported conduct which injured the United States, was continuing to injure the United States, injured citizens to the point where some of them died, injured their business, and, gauging from the number of phone calls plaintiff receives every day relating to the injuries, such as suicides, lost businesses, devastated families, etc., required immediate "just, speedy and inexpensive" prosecution, which has been denied, thus giving plaintiff standing. PHILLIPS' and INGMAN's delay and obstruction is admissible to extend plaintiff's statute of limitations on "prosecution of qui tam." Plaintiff demands that PHILLIPS and INGMAN explain that EXHIBIT F Minute Order was not intended to cause delay to run out the statute of limitations of 120 days from April 17 to August 17, 2002 to expire so that they could "dismiss the qui tam against them for non-prosecution." Plaintiff also demands that INGMAN and PHILLIPS explain their interpretation of "rights under Title 31 U.S.C."

"OH, BUT ALL GOVERNMENT EMPLOYEES ARE IMMUNE...."

199. Congress states there is no such thing as "judicial immunity" for the plainly incompetent or those who knowingly violate clearly established law. The Rule 9(a) and Rule 17 defendants' sovereign immunity, Eleventh Amendment, absolute or qualified immunity, or good faith immunity was vacated by stares decisis in *Dennis v. Sparks*, 101 S. Ct. 183 (1980). Defendants shall be subject to title 18 U.S.C. §§ 1621-1623 for any materially false representations of fact or law alleging such immunity in any pleading or document filed in the above-entitled action under the Anti-Corruption Act of 1988, 18 U.S.C. § 1346; *see also Salinas v. United States*, 118 S.Ct. 469 (1997), *United States v. Frega*, 179 F. 3d 793 (9th Cir. 1999), *Carey v. Piphus*, 435 U.S. 247 (1978); *Smith v. Wade*, 461 U.S. 30, 51 (1983); *Martinez v. California*, 444 U.S. 277, 284 (1980); *Felder v. Casey*, 487 U.S. 131 (1988); *Howlett v. Rose*, 469 U.S. 356, 377-378 (1990); *Gutierrez de Martinez v. Lamagno*, 417 U.S. ___ (1995); also *Kalina v. Fletcher*, 118 S. Ct. 502 (1997). Immunity issues are also decided by the jury, *see Lalonde v. County of Riverside*, 204 F.3d 947 (9th Cir. 2000). Plaintiff demands that defendants produce the Clause in their Bonds, License and Insurance that exempts them from liability for racketeering or covering up racketeering.

DEFENDANTS FRAUDULENT SCHEME – "WE'RE ABOVE THE LAW AND THE COURTHOUSE IS JUST OUR LITTLE PLAYGROUND..."

200. In 1999, plaintiff examined over thirty federal court case dockets available on PACER, and perceived the same pattern of judicial corruption and bribery centering around CLERKS, who altered federal records including Dockets and other papers in suits against corrupt local government, state or federal employees, and who acted with FIRMS, U.S. ATTORNEYS and JUDGES to get all suits against said corrupt government employees dismissed without any hearings or public exposure. Nine of these dockets are detailed in this claim:

Brewer, et al v. Collin County, et al, No. 99-CV-256 (Texas)

Brown, et al v. Wilson County, et al, No. 97-CV-1473 (Texas)

Hardin v. Adams, et al, No. 00-CV-2443 (Florida)

Keim v. Cintra, et al, No. 00-CV-764 (Florida)

Fischer v. Stewart, et al, No. 99-CV-7890 (Southern California)

Hazlett v. County of Riverside, et al No. 99-CV-12982 (Southern California)

Martin v. Sandlin, No. 00-CV-97 (Central California)

Hoog v. Frio County, et al, No. 00-CV-640 (Texas), and

Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182 (Texas)

201. Said dockets revealed the pattern of the racketeering enterprise: U.S. ATTORNEYS and FIRMS submitted illegal motions to dismiss, motions for sanctions, and other pleadings, which CLERKS entered into the record in violation of Title 28 U.S.C. Rule 7 which states, "there shall be a complaint...and an answer...no other pleadings are allowed" and Rule 26 Amendment "claims to dismiss for insufficiency shall not be used..." Plaintiff demands that defendants explain how a third-party answer without an affidavit is really an answer, and explain their interpretation of *In re Grand Jury Proceedings*, 87 F.3d 377 (9th Cir. 1996).

202. Instead of Answering the complaint pursuant to title 28 F.R.C.P. Rule 7, FIRMS' and U.S. ATTORNEYS' documents entered by CLERKS motioned JUDGES to issue Orders or Judgments to dismiss the case and/or grant sanctions against the party bringing

the suit, which obstructed FIRMS' client government employees and their co-conspirators from Answering the complaint or otherwise being held "accountable." JUDGES "did a favor" and did issue such Orders dismissing claims against U.S. ATTORNEYS' and FIRMS' clients, which effectively evaded jury trials and pre-trial hearings and obstructed justice. Defendants abused and misused the system and got motions to dismiss into the record instead of, or before, answers; covered-up the initial fraud and swindle on the local government level, got fabricated bills, costs, sanctions and fees into the record without any hearings or jury trials, then got these costs, fees and sanctions payable to each other! Defendants' abuse evaded prosecution for other government employees and their co-conspirators doing fraud and swindle. Ultimately, these cases were dismissed with prejudice, not for publication, not for the public. **NOTE:** Bribery offense does not require proof that payments are made in exchange for, or to influence specific official acts, *People v. Frederick Gaio, Jr.*, No. B125769, 2000 Daily Journal D.A.R. 6709 (June 26, 2000). The aforesaid constitutes a pattern of racketeering activity by defendants. Plaintiff demands that defendants explain how them working together to get all these illegal debts and entries into the record as a "Ponzi scheme" to turn innocent people into "debtors" is not racketeering.

203. The pattern shows that defendants achieved their goal, which was to use the courts to protect each other and their co-conspirators doing theft, fraud, swindle and racketeering, and to prevent or obstruct citizens from obtaining civil remedies set forth by Article III, Acts of Congress, statutes, the Constitution, and clearly established law. That goal was achieved in the nine cases plaintiff presents as admissible evidence in this case. There are many more cases like this in the record once you know what to look for.

204. The procured Orders and Judgments dismissing these cases against government employees with prejudice, gave, as their basis for dismissal, the JUDGES' determination that FIRMS' and U.S. ATTORNEYS' illegal motions were correct in stating that civil remedies, statutes, etc., claimed in the case, "did not exist," were "unintelligible gibberish," "too verbose and confusing," "failed to state a claim," were "concocted figments of the imagination," "vexatious," etc. This violated the 7th Amendment, because the **jury** determines these issues. Since a 12(b)(6) motion to dismiss admits the truth of a complaint's allegations, it cannot be used to test a plaintiff's credibility. The record shows that CLERKS entered these motions into the record on behalf of FIRMS and U.S. ATTORNEYS as procurements for JUDGES to "do a favor" and dismiss the case, which JUDGES did in every instance. Plaintiff demands that defendants explain how all civil remedies became void in cases involving racketeering and misconduct by any and all government employees, their friends and co-conspirators.

205. By abusing the pretrial process, defendants manipulated Title 28 U.S.C. Rule 39(a)(2) to make state and federal laws and the Constitution void, which evaded accountability and criminal prosecution for their co-conspirators and each other. Plaintiff demands that defendants show plaintiff all the civil remedies available after one has been injured by another's commission of the crimes of robbery, extortion, racketeering, illegal search and seizure, fraud and swindle perjury, theft of property, transporting stolen property, laundering (fencing) stolen property, domestic terrorism, animal enterprise terrorism, perjury, extortionate credit transactions, impersonating an officer, false bail, and great bodily injury resulting in death. An interesting point for the jury will be that defendants did not consider that any of these were crimes, as long as these acts were done by a government employee, his or her friends, a lawyer, court clerk, or a judge.

206. The pattern that plaintiff experienced and observed in the courts was: if an American citizen ("target") sued after being defrauded by a government employee or any private person in conspiracy with government employees, defendants violated due process and the rules of court to get said government employee and his or her co-conspirators dismissed from the case. Illegal Motions were allowed to be filed, with the end result that Orders and Judgments were issued, declaring that the government employees and their co-conspirators were absolutely immune from suit, did not have to answer Summons, all civil remedies against them were void, so the case was dismissed with prejudice, no hearings, no jury trials, not for publication. The pattern in the dockets shows that defendants abused and misused the pre-trial process, government employees and their co-conspirators named in these suits factually ignored Summons to answer, submitted documents labeled "Answers" that were factually either motions to dismiss, claims for absolute judicial immunity, motions to declare the "target" a "vexatious litigant," or motions for costs and sanctions. FIRMS' and U.S. ATTORNEYS' illegal documents, false fines, fees and costs, and violations of due process were entered into the record by CLERKS, and granted by JUDGES in violation of Title 28 U.S.C. and Title 18 U.S.C. Plaintiff demands that defendants explain their interpretation of title 28 F.R.C.P.s Rules of Court.

207. Another interesting point for the jury will be defendants' use of their illegal association to operate a scheme or artifice to defraud the United States and United States' citizens of their intangible right to honest services by obstructing the due administration and proper functioning of the courts. The record shows that this obstruction prevented the underlying thefts under color of law, frauds and swindles, local corruption, malicious prosecution, bribery, great bodily injury resulting in death, and civil rights violations from being exposed to accountability and/or exposed to the public, which aided and abetted defendants' very sophisticated, prohibited fraud, swindle, and racketeering scheme to continue both in and out of the courthouses.

208. Defendants' conduct effectively denied access to the courts for almost all, especially "pro se litigants," bringing suits against corrupt city, county or state officials and their attorneys, for theft under color, racketeering, extortion, impersonating an officer, laundering stolen property, tax and insurance fraud, commodities-tampering, bribes, fraud and swindle, Sherman Anti-Trust, extortionate credit transactions, and other prohibited criminal activity.

209. Defendants, knowing that an offense against the United States had been committed, relieved, comforted, and assisted the offender to hinder or prevent his or her apprehension, trial, or accountability in violation of Title 18 § 3, which makes all defendants

"accessories after the fact."

CO-CONSPIRATORS START THINGS OFF – TYPICAL CASE OF EXTORTION, CORRUPTION, AND RACKETEERING
BEGUN ON THE LOCAL LEVEL...

-

210. Senior citizen Louise Holt, her WWII veteran husband J.V., and their son, Jack, a Vietnam veteran, live 13 miles outside Duncan, Oklahoma on 10 acres they paid \$130,000.00 for in 1999. Louise has been breeding and raising small dogs for the past 30 years. Around Christmas, 2001, based upon an anonymous complaint that the Holts "had too many dogs," a raid was perpetrated upon the Holts by the local Humane Society, who filed cruelty charges against all three Holts (People v. J.V. Holt, CF 2001-402). Louise was told that unless she got her husband, J.V., to sign her dogs over to the "Humane" Society, her son Jack (People v. Jackie R. Holt, CF 2001-401) would go to jail. Defendants LINDLEY, KEE CHRISTIAN, and DOES conspired to use the state court, and did use fear, threats, coercion, and intimidation to divest senior citizen Holts out of over \$400,000.00 worth of property. The Holt family is now scattered and destroyed: son Jack lost his job over "the dog thing," and moved to Dallas to find work. J.V. was sentenced to 5 years' probation; he cannot come near a dog for 5 years, is getting "taxed twice" by having to pay \$40.00 per month to a probation officer who is already receiving pay and benefits from the state, and, out of fear, has moved to Tulsa, Oklahoma. Louise is still in Duncan, all alone, also living in fear. Plaintiff demands that defendants LINDLEY, KEE and CHRISTIAN explain the following:

- A) Explain how "grand theft of dogs having a value of \$100 or more," "transporting stolen property," "laundering stolen property," "forced veterinary/boarding/attorney 'services' totaling over \$45,000.00 liened against Holts without a contract" could be O.K. as long as it was called "rescue and adoption,"
- B) Explain their interpretation of "Notice and Hearing," "posting a Bond," "just compensation," and "due process,"
- C) Explain "anonymous complaint," and explain how the Humane Society became a branch of government that could file charges "in the name of the People,"
- D) Explain their participation in the Humane Society's "vested interest" in getting "convictions for something" as evidenced by EXHIBIT G, FIRM'S recommendation on how "rescue groups" can avoid getting sued for invasion of privacy and theft of property by "getting a conviction for something, then get (the victim) on probation, etc.,"
- E) Explain that "having too many or too much property" is a crime, and explain their theories to the Federal Trade Commission and the Internal Revenue Service, as "raising dogs, cats, and other animals" is listed on IRS Form 1040 Schedule C "small business," and other business or property owners are not yet prosecuted for "having too many," such as Bill Gates having and producing "too many computers," and Zacky Farms having and producing "too many frying chickens,"
- F) Explain how the Animal Welfare Act does not apply to them or to the state of Oklahoma,
- G) Bring forward their Treaty with the Humane Society and S.P.C.A.,
- H) Explain how the Humane Society could still be operating in their county, when it was declared a "domestic terrorist group" by the FBI in 1993 in the "FBI Report to Congress on Animal Enterprise Terrorism" available online under "Department of Justice Reports" for having its "own due process" and "Contract for transporting and laundering stolen property (animals) to overthrow the United States Constitution, see EXHIBIT H,
- I) Explain how "theft of dog" is not a crime, and
- J) Explain their interpretation of Title 18 U.S.C. 2311 definition of "stolen property."

THOUSANDS MORE LIKE THIS . . . COVERED UP...

211. Plaintiff incorporates by reference all like cases having the same set of circumstances – illegal search and seizure, denial of due process, perjury, racketeering, extortion, false personation, illegal association, corruption, bribery, and use of the courts by DOE defendants to obstruct justice and cover up crimes. Plaintiff demands that defendants and 5,000 DOES explain to the jury how all these things are not crimes.

BEHIND-THE-SCENES DETAILS...

212. CLERKS, under the direction of MECHAM through OFFICE in conspiracy with FIRMS, U.S. ATTORNEYS and JUDGES, routinely altered or destroyed records, and entered illegal motions into the record to give fraudulent and false charges, false debts, bills and liens, Judgments and Orders the appearance of "legally valid." Docket entries were either omitted or added in, and dates, numbers, and sequences were altered by CLERKS. Defaults against parties failing to answer were denied by CLERKS and

JUDGES, who, in conspiracy with U.S. ATTORNEYS, FIRMS and their clients, used their corrupt association to deny pre-trial hearings, deny jury trials, enter illegal orders and motions such as 12(b)(6) in direct violation of F.R.C.P. Rule 7(a) and Rule 12 as amended in 1966, and do whatever else that would effect denial of due process and dispensing of justice as to suits against government employees in direct violation of F.R.C.P. Rule 301.

213. CLERKS "did favors" by not entering Defaults as required by law after government employees named in these suits failed to Answer. U.S. ATTORNEYS and FIRMS provided fabricated fines, fees, costs, sanctions, or motions to dismiss that CLERKS couldn't have filed and entered, but did, and which JUDGES granted. Plaintiff demands that defendants explain what an answer is, and what a default is.

214. The targets' lives, livelihoods and businesses were ruined, which affected interstate commerce. For instance, in Brown, et al v. Wilson County, et al, No. #97-CV-1473, tax returns showed that the Browns' income dropped over \$40,000.00 for years after they were maliciously prosecuted in state court, and their business was injured by corrupt local government in conspiracy with private parties who maliciously prosecuted the Browns and slandered them in the media. The Browns sued in federal court, and submitted evidence of this corruption. The Browns' Docket shows that in five years, the Browns received no hearings, no jury trial, and defendants intentionally abused the pretrial process and denied Browns' federal claims. The Browns' default judgments were denied by CLERKS, which affected interstate commerce, as the underlying crimes continued unpunished and damaged other "targets," the United States continued to pay defendants' salaries, and was denied taxes paid on defaults. The Defaults of all the other "targets" were likewise denied, their businesses and livelihoods likewise suffered, and they got the same abuse in the state and federal facilities. The Browns' 70+ acre farm is gone, fields in waist-high weeds, as "animal activist/domestic terrorists," aided and abetted by local sheriff and county, put the Browns out of business – no more cattle or horses on their ranch. The United States suffered from lost business, diminished economy, taxes not paid on Defaults, and federal defendants' salaries – paid to defendants participating on Brown, et al v. Wilson County, et al, to do work that the record shows was never done.

215. By way of threatening and intimidating any "targets" who dared to fight back in court, CLERKS used their illegal association to fraudulently assert that the "targets" were not welcome unless they could afford several hundred thousand dollar FIRMS. Defendants thus aided and abetted FIRMS and other participants to get kickbacks in the scheme to convert "targets'" title of property ownership, evade prosecution, and get sanctions, "vexatious litigant" orders and other judgments against the "targets" as a bonus. Plaintiff demands that defendants explain "equal access to justice for rich and poor alike."

216. To add insult to injury, while FIRMS and U.S. ATTORNEYS racked up the fraudulent fees, converted targets' property, and wrote illegal Orders and Judgments for JUDGES to sign that factually voided all statutes and the Constitution, MECHAM, OFFICE, CLERKS, JUDGES and DOES entered them into the record, then submitted false claims to the United States for "doing duties as prescribed by law!" ASHCROFT had this information for at least 60 days, and failed to indict. Plaintiff demands that defendants show that they performed "duties as prescribed by law," which resulted in hearings, jury trials, and prosecution of the offenders.

217. MECHAM committed fraud pursuant to 18 U.S.C. § 1920 when he appeared before the Senate Budget Committee on March 5, 2002, knowing that he was never going to perform any duties as prescribed by law in furtherance of the scheme to obstruct all due process and deny all citizens civil remedies by right.

218. CLERKS and JUDGES further failed to perform duties as prescribed in Clerks Manual, such as "Answer Dockets" and "Tickler Reports." The record shows that pre-trial hearings and jury trials never happened, which constitutes CLERKS' and JUDGES' "false compensation request" in violation of 18 U.S.C. § 1920. ASHCROFT failed to indict the other defendants after he had this information for at least 60 days.

AND THE FRAUD GOES ON....

219. Defendants failed to do duties as prescribed by law, which defrauded both the United States and the paying public out of the intangible right to honest services. For instance, by not entering defaults, by entering motions to dismiss as "answers," by entering prohibited pre-trial motions, or by altering the sequence of events (numbers and entry dates) while supposedly "correctly docketing a case," CLERKS obstructed justice and made opportunity for, and encouraged, organized crime and corruption both in and out of court as well as denied the United States of its share of taxes on the default judgments. JUDGES, U.S. ATTORNEYS and FIRMS gave "protection" by "failing to report" as required pursuant to 18 U.S.C. §§ 2, 3 and 4. The United States was defrauded out of:

a. salaries and federal benefits paid to MECHAM, OFFICE, CLERKS, U.S. ATTORNEYS,

JUDGES and DOES, who submitted false claims for work they did not do as prescribed

by law,

b. income derived from taxes due on default judgments,

c. accountability for criminal activity both in and out of court,

d. the intangible right to honest services from all defendants,

- e. the economic benefit of free flow of commerce and trade, and
- f. domestic security and economic stability.

Defendants likewise defrauded the paying public out of:

- a. filing fees,
- b. due process, such as jury trials and federal questions getting answered,
- c. a sympathetic and knowledgeable forum for the vindication of their federal rights
- d. rights secured by the Constitution and Acts of Congress,
- e. tax dollars for defendants' salaries,
- f. the intangible right to honest services,
- g. the economic benefit of free flow of commerce and trade, and
- h. domestic security and economic stability.

220. CLERKS thus obstructed justice and prevented "accountability" for both themselves, the other defendants, and co-conspirators engaged in a pattern of racketeering, extortion, malicious prosecution, theft under color, extortionate credit transactions, fraud and swindle, and collection of fabricated debt. This allowed other serious crimes against the United States to go unexposed, as what would happen in a jury trial, and unpunished, as CLERKS' alterations and omissions aided other defendants and participants to both avoid default judgments against them, and avoid subsequent criminal prosecution. As part of the cover-up, CLERKS entered "Demand: \$0,000" on the front of some of the dockets to conceal the real Demand in the suits, which was several million dollars. Plaintiff demands that CLERKS explain their interpretation of "duties as prescribed by law."

221. MECHAM, OFFICE, CLERKS, JUDGES, U.S. ATTORNEYS, and DOES' racketeering and false claims have defrauded the United States, and, in conspiracy with FIRMS, have injured society, threatened economic stability and national security, and have violated the public's trust in our state and federal courts. Our beautiful judicial system has been undermined and violated by defendants who, by their own papers, motions, Orders and Judgments, have declared that the Constitution, Acts of Congress, Amendments, and statutes are void. Since defendants have acted in concert to void all civil remedies and the Constitution, plaintiff demands that defendants bring forth what has replaced it, so that the American people can have full disclosure, know what to expect, know what kind of government they are paying for, and know how to conduct their lives and businesses.

222. Defendants knowingly committed offenses against the United States, aided, abetted, and procured others to do so, and used their positions in and out of the courthouses to relieve, comfort, and assist the offenders to prevent their apprehension and trial. For instance, all defendants have had at least two years of law school, and know that the jury is the "trier of fact," and it is the jury that decides if civil remedies, statutes, Articles and Amendments to the Constitution, or Acts of Congress are "unintelligible gibberish," "too verbose and confusing," "fail to state a claim," or are "concocted figments of the ("target's") imagination." Yet defendants knowingly abused the pre-trial process to void jury trials. Plaintiff demands that defendants explain how Titles 7, 15, 18, 28, 31, and the Constitution are "unintelligible gibberish," "too verbose and confusing," "concocted figments of the imagination," and "fail to state a claim."

BRAINWASHING THE PUBLIC...

223. Defendants participated with the media to spread negative and false information about the justice system with the intended goal of intimidating and coercing the entire civilian population into believing that "due process" consists of anonymous complaints, warrantless searches and seizures, huge retainer fees for attorneys, star-chamber justice, and bench trials. This had the target goal of neutralizing public resistance to theft under color of law, fraud and swindle, criminal conversion of title, bribery, operating the courts as a racketeering enterprise (*ala United States v. Frega*, 179 F.3d 793 (9th Cir. 1999)), tax fraud, and overthrow of our form of government from within. It's an old con – dumb-down the people, then defraud them out of their rights and property, as paraphrased by Phillips Payson in 1778: "It will always be as easy to rob an ignorant people of their liberty as to pick the pockets of a blind man."

224. Today, defendants' control of the media has lead the public to believe that "terrorists," "criminals," or "bad guys" are always foreigners, gangsters, "fringe groups" or "wackos," never judicial officers, court staff, big law firms, or non-profit corporations. This carefully cultivated perception has allowed defendants to position themselves to profit from the spread of negative and false information, as the public is kept in ignorance of defendants' real activities of voiding U.S. statutes and Constitution in order to defraud American citizens under color of official right, obstruct justice for each other and their co-conspirators, destroy our form of government, fabricate huge fees, fines, costs, liens and sanctions, and submit false claims for federal benefits – all of which has injured the United States.

225. This pattern has increased in recent years, mainly due to defendants "rigging" the pretrial process so that government employees committing theft, fraud and swindle, and treason don't have to worry anymore – their co-conspirator FIRMS, U.S. ATTORNEYS and JUDGES simply declare that the perpetrators have "absolute immunity," dismiss all charges against them, so the theft, fraud and swindle, corruption, and insurrection against the United States goes on draining the U.S. economy, destroying lives and business, and destroying the American public's faith that any legal remedies can be obtained in court.

THREATS AND INTIMIDATION:

"THESE CIVIL REMEDIES DON'T EXIST, EITHER, NOT AGAINST
ANY FEDERAL EMPLOYEES, BECAUSE WE'RE ALL ABOVE THE LAW!"

(BUT THIS **MAKES** PLAINTIFF'S CASE....)

226. On April 17, 2002, plaintiff filed a qui tam claim under seal. DOE 1 CLERK altered a federal record by demanding that plaintiff file a "Rule 26 Disclosure," altered the record and destroyed the confidentiality of "filed under Seal" by demanding that plaintiff write name, address and phone number on the front of the complaint, by demanding that the complaint be "blue-backed," by giving plaintiff's qui tam the same case number as three other cases in violation of Title 28 F.R.C.P.s, Title 18 U.S.C. §§ 1506 and 223, see EXHIBIT I, and in violation of the Clerks Manual, *see* EXHIBIT J. Plaintiff demands an explanation of "handling of special cases under seal."

227. Sometime between April 17 and May 14, 2002, defendant DOE CLERK broke the Seal in violation of 18 U.S.C. § 223, and divulged plaintiff's Sealed qui tam complaint to one or more of the defendants, who conspired with U.S. ATTORNEYS JOHN S. GORDON, LEON W. WEIDMAN, GARY PLESSMAN, KRISTINE BLACKWOOD, ROBERT D. McCALLUM, MICHAEL F. HERTZ, STEVE D. ALTMAN, and ANDREW SKOWRONEK to use the U.S. mail to send a letter threatening to dismiss plaintiff's claim, along with a fraudulent Notice that the "Seal was still intact," *see* EXHIBIT K. Both letter and Notice admit that DOE 1 CLERK broke it, and as "standard practice," forwarded it to a U.S. ATTORNEY for the admitted purpose of having him or her act as DOE 1 and 2 CLERKS' defense counsel. Plaintiff demands that GORDON, WEIDMAN, PLESSMAN, BLACKWOOD, McCALLUM, HERTZ, ALTMAN, and SKOWRONEK explain how the qui tam is "still under seal," when they and DOE CLERKS violated the Seal, their very correspondence with plaintiff is proof of that violation; demands proof of what gave them seniority over JOHN ASHCROFT to commandeer the case without his delegation, and demands that they provide the law permitting "suggestion to dismiss" when nobody has been served!

228. On May 14, 2002, plaintiff received letter and Notice through the U.S. mail – admissible evidence of felonies committed by DOE 1 and DOE 2 or more CLERKS of the United States District Courts, and a conspiracy to deny plaintiff the economic benefit of relator's reward, and a conspiracy to cover-up such actual felonies by U.S. ATTORNEYS in Los Angeles, California, and Washington, D.C., who "appeared" not as JOHN ASHCROFT'S delegates, but as "counsel for corrupt CLERKS violating Seal and needing representation." EXHIBIT K is admissible evidence to establish the "existence of a conspiracy" to threaten and intimidate a witness/victim in any official proceeding, and to obstruct justice for government employees committing crimes against American citizens and the United States, *see* West 2002 Federal Rules of Evidence, Rule 801, as amended in 1997.

229. U.S. ATTORNEY JOHN S. GORDON was required to report his knowledge of the actual commission of a felony – DOE CLERK breaking the Seal, divulging contents to DOE CLERKS – in writing pursuant to 18 U.S.C. § 4. This "document" must be produced pursuant to Federal Rules of Civil Procedure, Rule 26(a) without request. Failure to do so requires mandatory sanctions against JOHN S. GORDON pursuant to Rule 37. These laws are "written" by Congress, and effective against "whoever." See 18 U.S.C. §§ 2 and 4, also USA PATRIOT ACT of 2001 at H.R. 3162-22, quoting:

SEC. 223. CIVIL LIABILITY FOR CERTAIN UNAUTHORIZED DISCLOSURES.

(a) section 2520 of title 18, United States Code, is amended—

(1) in subsection (a), after "entity," by inserting, "other than the United States,";

(2) by adding at the end of the following:

"(f) ADMINISTRATIVE DISCIPLINE.— If a court or appropriate department or agency determines that the United States or any of its departments or agencies has violated any provisions of this chapter, and the court or appropriate department or agency finds that the circumstances surrounding the violation raise serious questions about whether or not an officer or employee of the United States acted willfully or intentionally with respect to the violation, the department or agency shall, upon receipt of a true and correct copy of the decision and findings of the court or appropriate department or agency promptly initiate a proceeding to determine whether disciplinary action against the officer or employee is warranted. If the head of the department or agency involved determines that disciplinary action is not

warranted, he or she shall notify the Inspector General with jurisdiction over the department or agency concerned and shall provide the Inspector General with the reasons for such determination;" and

(3) by adding a new subsection (g), as follows:

"(g) **IMPROPER DISCLOSURE IS VIOLATION.** – Any willful disclosure or use by an investigative or law enforcement officer or governmental entity of information beyond the extent permitted by section 2517 is a violation of this chapter for the purposes of section 2520(a),"

(b) Section 2707 of title 18, United States Code, is amended –

(1) in subsection (a), after "entity," by inserting, "other than the United States,";

(2) by striking subsection (d) and inserting the following:

(d) **ADMINISTRATIVE DISCIPLINE.** – If a court or appropriate department or agency determines that the United States or any of its departments or agencies has violated any provision of this chapter, and the court or appropriate department or agency finds that the circumstances surrounding the violation raise serious questions about whether or not an officer or employee of the United States acted willfully or intentionally with respect to the violation, the department or agency shall, upon receipt of a true and correct copy of the decision and findings of the court or appropriate department or agency promptly initiate a proceeding to determine whether disciplinary action against the officer or employee is warranted. If the head of the department or agency involved determines that disciplinary action is not warranted, he or she shall provide the Inspector General with the reasons for such determination.", and

(3) by adding a new subsection (g), as follows:

(g) **IMPROPER DISCLOSURE.** – Any willful disclosure of a 'record,' as that term is defined in section 552a(a) of title 5, United States Code, obtained by an investigative or law enforcement officer, or a governmental entity, pursuant to section 2703 of this title, or from a device installed pursuant to section 3123 or 3125 of this title, that is not a disclosure made in the proper performance of the official functions of the officer or governmental entity making the disclosure, is a violation of this chapter. This provision shall not apply to information previously lawfully disclosed (prior to the commencement of any civil or administrative proceeding under this chapter) to the plaintiff in a civil action under this chapter."

(c)(1) Chapter 121 of title 18, United States Code, is amended by adding at the end of the following:

"Section 2712. Civil actions against the United States

230. U.S. Attorneys JOHN S. GORDON, LEON W. WEIDMAN, GARY PLESSMAN, KRISTINE BLACKWOOD, ROBERT D. McCALLUM, MICHAEL F. HERTZ, STEVE D. ALTMAN, and ANDREW SKOWRONEK impersonated the authority of the Attorney General when they conspired to send letter and Notice without "delegation from U.S. Attorney General John Ashcroft." ASHCROFT had Notice of these U.S. ATTORNEYS' conduct, and failed to indict. The provisions of the Anti-Corruption Act of 1988, 18 U.S.C. § 1341, as defined in § 1346 factually apply to CLERKS, ATTORNEYS, and any other "federal actors or employees of federal entities, including other defendants," who **are liable** pursuant to 28 U.S.C. § 2679 (West 2002) **effective date November 18, 1988.** The Supreme Court of the United States has previously prescribed that the "statute prohibits delegation to a U.S. Attorney of any prescribed duties of the Attorney General," *see Guitierrez, de Martinez v. Lamagno*, 515 U.S. ___, 132 L.Ed.2d 375, 115 S.Ct. 2227 (1995). EXHIBIT K provides evidence of GORDON, WEIDMAN, PLESSMAN, BLACKWOOD, McCALLUM, HERTZ, ALTMAN, and SKOWRONEK's "materially false representations of fact or law" in violation of 18 U.S.C. §§ 1621, 1622, and 1623, and constitutes "perjury" in a federal record pursuant to 18 U.S.C. § 1623:

"NOTICE OF EVENTS RELEVANT TO THE SEAL OF QUI TAM COMPLAINT

The United States of America submits this filing to notify the Court of the following events relating to the above-captioned suit:

Relator filed this complaint under seal with the District Court on April 17, 2002. Unusually, this particular suit named the Clerk of the Courts for the Eastern Division, as well as the Administrative Office of the United States Courts, as defendants in the suit. The Clerks of Courts, in the normal course of her duties, looked at the sealed complaint and thus became aware that she and her office had been named as putative defendants. Pursuant to standard practice, she or her staff then forwarded the complaint to an Assistant United States Attorney who routinely acts as defense counsel in suits directed against the federal judiciary."

(2nd para.) "The Clerk of Courts, in the normal course of her duties, looked at the sealed complaint and thus became aware that she and her office had been named as putative defendants..."

231. DOE CLERKS violated the CLERKS MANUAL, Chapter 10, section 10.02. Initial Processing:

b. Specific Cases

Some civil cases require additional documents and special handling. The clerk should be familiar with these cases to ensure that the required documents are collected prior to opening the case. The following are the specific cases and what they require:

3. Suits Under the Federal Civil False Claims Act

Private citizens may sue on behalf of the United States of America under the qui tam provisions of the federal Civil False Claims Act. Refer to 31 U.S.C. sections 3729-32 for more information. The clerk should be aware of the following requirements prior to opening this type of action:

- ? These cases are submitted under seal and will not be made public record until unsealed by the court;
- ? Summonses are not issued to the defendants at the time of filing. The complaint will be served only on the Attorney General of the United States;
- ? Although the plaintiff is filing on behalf of the United States, the \$150.00 filing fee will be collected by the clerk.

232. Assistant Attorney General ROBERT D. McCALLUM, JR. committed "perjury" in stating, under penalty of perjury, that "the Clerk of Courts, in the normal course of her duties, **looked at the sealed complaint** and thus became aware that she and her office had been named as putative defendants." McCALLUM knew that the law required such documents to be under Seal to be seen and read only by the confirmed Attorney General of the United States, now JOHN ASHCROFT. McCALLUM'S cover-up of CLERKS' conduct in breaking the Seal, reading the "document under Seal," and divulging the contents to one or more of the defendants **proves** plaintiff's claims against defendants for "failure to perform duties as required by law," "conspiracy to obstruct justice," and "using their positions of public trust to evade prosecution and obstruct justice for themselves and others committing crimes against the United States."

233. DOE CLERK is an employee of a federal entity, and did willfully and intentionally deliver the **secret documents to defendants**, which endangered the life of plaintiff.

234. Plaintiff reasonably believes that the Attorney General is John Ashcroft, not ROBERT D. McCALLUM, JR. *Gutierrez de Martinez, supra*, clarifies this at 115 S.Ct. pgs. 2228-2229 that only the Attorney General can certify scope of employment in order so that no one should be a judge in his own cause (*Gutierrez* was about certifying federal employee Lamagno's scope of employment when a U.S. ATTORNEY appeared on his behalf as private counsel and claimed "immunity" for him after he was sued for causing a traffic injury accident while driving drunk with a prostitute in the middle of the night). It is the duty of the Attorney General, **NOT** GORDON, WEIDMAN, PLESSMAN, BLACKWOOD, McCALLUM, HERTZ, ALTMAN, or SKOWRONEK to certify defendants' "scope-of-employment/office." And since ASHCROFT failed to "delegate" or "certify" anybody, all defendants are "dumped" and have to Answer Summons by themselves.

235. U.S. ATTORNEYS GORDON, WEIDMAN, PLESSMAN, BLACKWOOD, McCALLUM, HERTZ, ALTMAN, and SKOWRONEK, entered into the conspiracy to obstruct justice and declare all civil remedies against corrupt government employees to be void, and have become "perpetrators," see *Salinas v. United States*, 118 S.Ct. 469 (1997), pursuant to the Congressional definition of "any scheme or artifice to defraud any citizens of their intangible right to honest services," 18 U.S.C. § 1346, see **EXHIBIT K's "materially false representations of fact and law:"**

"[P]ursuant to standard practice, she or her staff then forwarded the complaint to an Assistant United States Attorney who routinely acts as defense counsel in suits directed against the federal judiciary."

236. U.S. ATTORNEYS are prohibited from participation in private practice, cannot "routinely act as defense attorneys" for those they are sworn to prosecute pursuant to the Accountability Act of 1994, 18 U.S.C. § 2, 18 U.S.C. § 1001, and *Gutierrez de Martinez, supra*. See also EXHIBIT J, "CHAPTER 1 OF CLERKS MANUAL" at Section 1.02c, with its own Exhibit 2, pages 14-21, penalties for CLERKS' violation of prohibitions against practicing law, violating judicial canons, codes of conduct, professional standards, appearance of impropriety, **restraint against disclosure of confidential information**, conflicts of interest, material witness in a proceeding, personal prejudice, outside activities, compliance with disclosure requirements, use of the office in the solicitation of funds (or "doing favors"), Ethics Reform Act of 1989, 5 U.S.C. § 7353, 5 U.S.C. § 7351 (gifts to superiors), 5 U.S.C. app. 6, §§ 101 to 111 (Ethics Reform Act financial disclosure provisions), 18 U.S.C. § 203 (representation in matters involving the United States); 18 U.S.C. § 205 (claims against the United States); 28 U.S.C. § 955 (restriction on clerks of court practicing law), and inappropriate political activity.

237. U.S. ATTORNEYS entered into a conspiracy to threaten and intimidate plaintiff, see letter: **U.S. Department of Justice, Civil Division, May 14, 2002, signed by Andrew Skowronek**, which is an admission of intent to obstruct justice by an attorney in "Commercial Litigation Branch, U.S. Department of Justice." This constitutes "mail fraud" and "threat" alluding to the "criminal

intent to file an unlawful motion to dismiss with prejudice" in participation with the "cover-up of the conspiracy to declare all civil remedies void as pertains any government employees committing crimes in the record" in direct violation of 18 U.S.C. 1505, and the Civil Antitrust Reform Act of 1990, and it was done in the name of Attorney General John Ashcroft. The letter and Notice are admissible to establish the existence of a civil conspiracy to violate plaintiff's constitutional rights pursuant to the Federal Rules of Evidence, 1997 Amendment (West 2002).

238. SKOWRONEK states the following "admissions of conduct and behavior in furtherance of the scheme or artifice to deprive citizens of their intangible right to honest services" in violation of 18 U.S.C. § 1341 Fraud and swindles:

"Dear Ms. Fisher [sic]"

The *relator's* identity is required to be "DOE" and under Seal for a period of 60 days, therefore, an actual felony occurred when SKOWRONEK received and read a "Sealed document" in violation of law, see *In re Grand Jury Proceedings*, 87 F.3d 377 (9th Cir. 1996). SKOWRONEK continues the fraud:

"This is a courtesy letter intended to apprise you of the status of your recently filed *qui tam* suit. As you will see from the attached Notice of Events, your complaint was seen by one of the defendants. This was an inadvertence consequent to the day-to-day operations of the clerks office, and we do not consider that the seal has been violated. To the contrary, we consider that the seal remains in place with full force and effect."

As an officer of the Court, SKOWRONEK is subject to 18 U.S.C. § 4, had "knowledge of the commission of an actual felony" with the obligation to notify the Court of the "criminal conduct of federal employees DOES 1 and more CLERKS" as soon as possible. The **jury** will determine if the Seal was violated, not a mere employee of the "Commercial Litigation Branch." The national news currently attests to the "factual criminal conduct" involved with corruption, cover-up and other events surrounding plaintiff's *qui tam*, see EXHIBIT L.

239. SKOWRONEK appears to believe that the citizens are "unaware of the corruption in federal agencies and departments." The issue will be put to the **jury**, the **trier of fact**, as required by the Seventh Amendment and Federal Rules of Civil Procedure, Rule 38 (West 2002). SKOWRONEK continues the perjury:

"With regard to the substance of your suit, however, it is our current assessment that your complaint fails to articulate a cognizable claim under the False Claims Act. First, a False Claims Act suit cannot be maintained against an entity of the federal government, and, as a consequence, your *qui tam* claims against the Administrative Office of the United States and its employees in their official capacities must fail."

240. How predictable! In keeping with the "custom and policy" of corrupt U.S. ATTORNEYS to obstruct justice for other corrupt government employees by declaring that all laws, statutes and civil remedies are "unintelligible gibberish," "do not apply in this case," and "fail to state a claim," SKOWRONEK made a materially false representation of law as a threat to obstruct the civil prosecution of claims against federal actors pursuant to the Anti-Corruption Act of 1988, 18 U.S.C. § 1341, also 18 U.S.C. § 1962 (RICO). First, Congress declared that "federal actors are subject to suit." Title 28 U.S.C. § 2679 provides that the United States shall be substituted as a defendant; and the **jury** will determine if the claims "have merit." Motions to dismiss were abolished in the year 1948 by Federal Rules of Civil Procedure Rule 7(c) (West 2002), and failure to Answer individual Summons will result in default, see Rule 12, 1966 Amendment. Any attempt to plead "insufficiency," abolished by written law Rule 7(c), will result in Rule 37 "mandatory amplified sanctions" against SKOWRONEK acting in the name of the United States pursuant to Rule 11 and Rule 37 as amended. See West 2002 Edition F.R.C.P. Rule 12, 2000 Amendment at page 99:

"Rule 12(a)(3)(B) is added to complement the addition of Rule 4(i)(2)(B). The purposes that underlie the requirement that service be made on the United States in an action that asserts individual liability of a **United States officer or employee for acts occurring in connection with the performance of duties on behalf of the United States also require that the time to ANSWER be extended to 60 days.** Time is needed for the United States to determine whether to PROVIDE REPRESENTATION to the defendant officer or employee. If the United States provides representation, the need for an extended ANSWER PERIOD is the same as in actions against the United States, a **United States agency, or a United States officer sued in an official capacity.**

An action against a former officer of the United States is covered by subparagraph (3)(B) in the same way as an action against a present officer or employee. Termination of the relationship between the individual defendants and the United States does not reduce the need for additional time to ANSWER.

GAP Report

No changes are recommended for Rule 12 as published.

241. Had Congress enacted an immunity from summons, suit or obligation to answer complaint, it would not have amended existing law as written – remember: "everything that GORDON, WEIDMAN, PLESSMAN, BLACKWOOD, McCALLUM, HERTZ,

ALTMAN, and SKOWRONEK do or say will be used in evidence against such public servants. SKOWRONEK's continuing "perjury" is:

"[S]econd, you lack knowledge sufficient to gain standing to bring your parallel allegations against each defendant in his or her "personal capacity." For example, you do not provide any facts that tie the defendants to the wrongful acts alleged in the complaint, which themselves are based solely on your speculations that a series of apparent clerical errors are part of some fraudulent scheme. This is mere guesswork, and is insufficient to meet False Claims Act requirements."

242. SKOWRONEK must answer the Complaint pursuant to Rule 8(b) within 60 days, relating to his assertion that plaintiff/*relator* is "merely guessing." See *Salinas v. United States*, 118 S.Ct. 469 (1997). As an attorney, defendant SKOWRONEK knows well that the United States Supreme Court declared that "Conspiracy is a distinct evil, dangerous to the public, and punishable in itself," and **any attempt to re-litigate any Supreme Court decision on a point of law will result in disbarment in the same manner as former attorney William J. Clinton.**

243. SKOWRONEK continues his obstruction of justice, and commits perjury again:

"[T]hird, your complaint contains numerous allegations based on other criminal and civil statutes that you cannot rely upon to bring this suit...This is mere guesswork..."

SKOWRONEK made a materially false statement of fact and law, see F.R.C.P. Rule 2 (West 2002) at page 36:

Rule 2. One Form of Action

There shall be one form of action to be known as "civil action."

244. SKOWRONEK, in keeping with the custom and policy of voiding all civil remedies against corrupt government employees, used federal facilities and his position to threaten plaintiff/*relator* and solicit kickbacks for his co-conspirators:

"We suggest that you retain private counsel so that you can discuss your allegations with him or her. In addition, please be advised that the United States intends to file promptly a suggestion that the Court dismiss this case with prejudice to the relator."

245. SKOWRONEK impersonated the Attorney General JOHN ASHCROFT, made materially false statements of fact and law, and sent a threat through the U.S. mail. GORDON, WEIDMAN, PLESSMAN, BLACKWOOD, McCALLUM, HERTZ, SKOWRONEK and ALTMAN are all "principals" and "accessories after the fact" as defined by Title 18 §§ 2 and 3. ASHCROFT failed to indict GORDON, WEIDMAN, PLESSMAN, BLACKWOOD, McCALLUM, HERTZ, SKOWRONEK and ALTMAN after plaintiff sent him notice of their conduct on June 10, 2002.

MORE RETALIATION....

246. Since the filing of plaintiff's qui tam complaint, defendant SHERRI R. CARTER legislated and re-wrote Title 31 in direct conflict of F.R.C.P.s, and issued an Order, see EXHIBIT M. This violated the prohibitions against CLERKS practicing law, and the 2000 Amendment to Title 28 Rule 26, which abolishes all local rules that are in direct conflict with F.R.C.P.s. SHERRI R. CARTER's Order voids Congress and abolishes "filed under Seal" without CLERKS' approval. Plaintiff demands that SHERRI CARTER explain her interpretation of "filed-under-Seal," and bring forward evidence that she was granted legislative powers to repeal or amend Title 31 U.S.C.

247. Defendants RACHEL INGRAM and DOE CLERKS are continuing the obstruction of justice, as they have refused plaintiff's demands to unseal and issue Summons on First Amended Qui Tam Claim, no. **EDCV 02-334 VAP SGLx**. Plaintiff drove to the Riverside courthouse twice on July 1 and 2, and in spite of presenting evidence that the 60 days have passed and nobody was served or appeared, nobody intervened as ASHCROFT's delegate, DOE CLERKS, INGRAM and PHILLIPS caused more delay and refused to issue Summons.

THE WHOLE ENCHALADA...

248. Defendants used the court facilities, resources and personnel, and stole over \$100,000.00 worth of property from plaintiff in 1993 without due process—all plaintiff's claims denied, and attempted to use the courts again to steal \$17,000.00 worth of plaintiff's marital property in 1999. Defendants and co-conspirators' same pattern of abuse of the pre-trial process was used against other "targets." Defendants and co-conspirators generated and granted false charges, bills, liens, fees, fraudulent judgments, orders, costs and other extortionate credit transactions against these "targets," made void all civil remedies against government employees doing fraud and swindle in these and other cases, voided accountability on behalf of co-conspirators, destroyed our judicial system in the process, then submitted false claims to the United States for "duties as performed by law." Each of these conducts and behavior establishes a pattern of predicate acts in furtherance of operating the courts as a racketeering enterprise. Plaintiff demands that defendants produce any civil remedies that are not void against corrupt government employees.

249. Defendants are members and associates of a "racketeering enterprise" as defined in Title 18 U.S.C § 1961(4); and did commit the prohibited conduct described in section 1961(1)(B) – sections 201 (relating to bribery), sections 891-894 (relating to extortiate credit transactions), 1341 and 1343 (mail fraud, "any scheme or artifice to defraud"), 1503 (obstruction of justice), 1513 (retaliation against a witness, victim or informant), 1951 (interference with commerce, robbery and extortion); committed more prohibited conduct described in Title 18 U.S.C. § 1506 (theft or alteration of record), 241 (conspiracy against rights), 242 (deprivation of rights under color), 1341 (fraud and swindle), 1920 (false statement or fraud to obtain federal employee's compensation), 1001 (making materially false, fictitious, or fraudulent statement or entry), Title 28 U.S.C. Rule 79 (entry of judgment), Title 28 U.S.C. § 955 (practice of law), and committed prohibited activities as defined in Title 18 U.S.C. § 1962.

FACTS APPLICABLE TO ALL CLAIMS – ONE HAND WASHES THE OTHER.....

250. Plaintiff reported the fraud, it has been covered up and not prosecuted, and it is continuing to date.

251. Defendants' predicate acts are evident in nine Dockets from the states of Florida, Texas, and California: Brewer, et al v. Collin County, et al, No. 99-CV-256, Brown, et al v. Wilson County, et al, No. 97-CV-1473, Hardin v. Adams, et al, No. 00-CV-2443, Keim v. Cintra, et al, No. 00-CV-764, Fischer v. Stewart, et al, No. 99-CV-7890, Hazlett v. County of Riverside, et al No. 99-CV-12982, Martin v. Sandlin, No. 00-CV-97, Hoog v. Frio County, et al, No. 00-CV-640, and Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182. JUDGES' and CLERKS' failure to do duties as prescribed by Title 28 F.R.C.P.s as an aid to evade prosecution on behalf of other defendants and their associates is evident in each Docket, and any reasonable person would know the "fix was in" when he or she saw any of the following appear on the docket:

- a. NO "answers due by ___" computed by CLERKS (omitted),
- b. Associates in the scheme permitted to evade answering Summons,
- c. Entry numbers and dates altered and out of sequence (some grossly so),
- d. Attorneys' motions entered with NO Appearance Forms in the record (omitted),
- e. Prohibited motions and pleadings entered before an Answer,
- f. Prohibited third-party or consolidated answers by U.S. ATTORNEYS or FIRMS entered by CLERKS,
- g. Entries altered - "Motions to Dismiss" or "Motions for Costs and Sanctions" labeled "Answers" by CLERKS, "Requests to Enter Defaults" labeled "Motions," etc.,
- h. Defaults against parties failing to Answer not entered (omitted) by CLERKS after the 21 days,
- i. In some cases, Applications for Default by Clerk were denied by CLERKS and sent back through the U.S. mail, which constitutes destruction of a federal record in violation of Title 28 U.S.C. Rule 79 and Clerks Manual Chapter 21,
- j. Magistrates' rulings appeared in the record without consent of all parties (another omission by CLERKS in violation of 28 U.S.C. § 636(c)),
- k. Directed verdicts appeared in the record (abolished over 50 years ago in Galloway v. United States, 319 U.S. 372 (1943)),
- l. Fraudulent and false bills, liens, orders and judgments entered into the record with no jury trials/abstract of judgments (CLERKS omitted that one, too,
- m. CLERKS impersonated Chief Judges and did judicial and case transfers,
- n. NO Rule 16 pre-trial hearings scheduled (omitted) by CLERKS, and

o. NO jury trials scheduled (omitted) by CLERKS.

252. CLERKS did all this, even though Title 18 U.S.C. and Chapter 1 of the Clerks Manual states they go to jail for 30 years if they do just one of these things. MECHAM and OFFICE failed to audit like MECHAM *testified* he was doing (I-am-overworked-and-I-need-more-money) during his March 5, 2002 Senate Budget Hearing, which makes all defendants "principals" as defined by Title 18 U.S.C. §§ 2, 3 and 4, and "conspirators" as defined in *Salinas v. United States*, 118 S.Ct. 469 (1997):

17. Conspiracy 41

If conspirators have plan which calls for some conspirators to perpetrate crime and others to provide support, supporters are as guilty as perpetrators.

18. Conspiracy 28(1)

It is possible for person to conspire for commission of crime by third person.

253 Plaintiff demands that MECHAM explain that he was not lying to Congress when he said he needed more money for CLERKS doing duties, when the record shows that CLERKS, JUDGES, and OFFICE were collecting paychecks, yet no work was being done – no jury trials, no hearings on these and many other cases, no dockets were getting audited, and no offenders were getting prosecuted for crimes in the record, see *Brewer, et al v. Collin County, et al*, No. 99-CV-256, docket entry no. 289 on 4/14/00: "Plaintiffs' Admissible Evidence of \$100,000 Bribe in Related RICO Action by Pro Se Deft Paul C Walter's Law Firm Jenkins & Gilchrist, a Professional Corporation, to Aid and Abet Conspirators Evade Criminal Prosecution by Bribing Magistrate Caroline Malone on April 6, 2000 (t/s) [Entry date 04/17/00]." Plaintiff demands that MECHAM explain to plaintiff and Congress how this one got missed.

254. Defendants' **only affirmative defense**, is to Rule 26 disclose and provide admissible evidence to plaintiff, by a **preponderance of the evidence**, that their conduct consisted **solely of lawful conduct** pursuant to duties prescribed by law in Title 28 U.S.C., their Oaths, and the Clerks Manual; that the defendants' sole intention was to perform duties lawfully prescribed in Title 28 by Congress, and to encourage, induce, or cause the Rule 1 "*just, speedy and inexpensive* determination of every action" in getting injured parties vindication of their federal rights, and that the "targets" were vindicated in court.

255. Defendants must Rule 26 produce the following to prove they did the work, and that "due process" (Rule 16 hearings and jury trials) happened:

- a. Form 33s, Form 34s and Form 35s (Title 28 U.S.C.)
- b. Tickler Reports (Clerks Manual, Chapter 11, Exhibit 6),
- c. Answer Dockets (Clerks Manual, Chapter 11, Exhibit 7),
- d. [Judges'] Calendar Reports (Clerks Manual, Chapter 11, Exhibits 8 and 9),
- e. Civil Inventory/Scheduling Reports (Clerks Manual, Chapter 11, Exhibit 10),
- f. Case Index Reports (Clerks Manual, Chapter 11, Exhibit 11),
- g. Pending and Terminated Cases Report" (Clerks Manual, Chapter 11, Exhibit 3),
- h. JS-5 Reports (Clerks Manual, Chapter 11, Exhibit 4),
- i. Pending Motions Reports (Clerks Manual, Chapter 11, Exhibit 5),
- j. Application for [attorney] Admission forms (Clerks Manual, Chapter 20, Exhibit 1),
- k. National Discipline Data Bank Report Forms (Clerks Manual, Chapter 20, Exhibit 2),
- l. Juror's Evaluation Forms and Report on Operation of the Jury Selection Plan (Clerks Manual Ch. 23),
- m. Exhibit and Witness Lists (Clerks Manual, Chapter 14, Exhibit 3),
- n. Civil Minutes - Trial (Clerks Manual, Chapter 14, Exhibit 8),
- o. Monthly Report of Trials & Other Court Activity (Clerks Manual, Ch. 14, Exhibit 9),

- p. U.S. Magistrate Judge Monthly Reports (shows Part IV. Consent Cases – Clerks Manual, Chapter 14, Exhibit 10),
- q. Judgment on Jury Verdict (Clerks Manual, Ch. 14, Exhibit 1 in the very back), and
- q. Abstracts of Judgment (Clerks Manual, Chapter 15, Exhibit 1), and
- r. Proof plaintiff's \$100,000.00 worth of products and property were returned.

These reports will indicate who actually did what job, the identity of the perpetrators, which dockets were audited by MECHAM pursuant to Title 28 section 604, and which jobs were never completed as prescribed by law. Defendants must produce evidence they performed their duties pursuant to Title 28 U.S.C., F.R.C.P.s and Clerks Manual, Chapter 4, Exhibit 1 "Progression of Civil Litigation in United States District Court."

DEFENDANTS' PATTERN OF CORRUPTION AND RACKETEERING ACTIVITY COAST-TO-COAST: CLAIMS FOR EACH DEFENDANT, FOR EACH PREDICATE ACT, DECIDED BY THE JURY

CLAIMS for Violation of Title 18 U.S.C. § 1962(d) Prohibited activities

256. The allegations set forth in paragraphs 46, 114, 177, and 179 to 255 are incorporated herein by reference.

257. Under the direction of MECHAM through OFFICE, CLERKS, DOES, JUDGES, U.S. ATTORNEYS, FIRMS, and their clients, met, conspired and engaged in the same pattern and practice of violating rules of court, abusing the pre-trial process, generating costs, fees, sanctions, fines and Orders for each other, denying due process, and obstructing justice to operate the United States District Courts as racketeering enterprises in the following Districts:

- A. Eastern District of Texas – Sherman Division, 101 Pecan St., Room 112, Sherman, TX 75090, in Brewer, et al v. Collin County, et al, No. 99-CV-256. Defendants/participants in the scheme: ASHCROFT, MECHAM, OFFICE, DAVID J. MALAND, DOE CLERKS "tm," "sxs," "tls," "im," and "lw;" PAUL BROWN, MIKE BRADFORD, ANDREA HEDRICK PARKER, BENNET & WESTON, MATTHEWS CALTON STEIN SHIELDS PEARCE DUNN & KNOTT, WOLFE CLARK HENDERSON & TIDELL, BRADY & COLE, GODWIN WHITE & GRUBER, LEA & CHAMBERLAIN, BECKWORTH & CARRIGAN LLP, SAYLES & LIDJI, WALD & ASSOCIATES, JACKSON & WALKER LLP and JENKINS & GILCHRIST;
- B. Western District of Texas – San Antonio Division, 655 East Durango Blvd., San Antonio, Texas 78206, in Brown, et al v. Wilson County, et al, No. 97-CV-1473. Defendants/participants in the scheme: ASHCROFT, MECHAM, OFFICE, WILLIAM G. PUTNICKI, DOE CLERKS "wg," "pjr," "rg," "tr," "eb," "cw," "kcl," "lp," "sj," ORLANDO GARCIA, WILLIAM BLAGG, HAROLD O. ATKINSON, JACKSON & WALKER LLP, JENKINS & GILCHRIST, RHEA & RODMAN LLP, DECARLI & IRWIN, PAMELA MCGRAW, CHARLES S. FRIGERIO, LAW OFFICE OF CHARLES S. FRIGERIO, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF TEXAS, CLEMENS & SPENCER PC, CLEMENS & SPENCER, KEITH A. KENDALL, JONES KURTH & ANDREWS PC, MATTHEWS & BRANSCOMB PC, AKIN GUMP STRAUSS HAUER & FELD, STRASBURGER & PRICE LLP, PAUL ANDREW DRUMMOND SOUTHWESTERN BELL TELEPHONE, THOMAS & LIBOWITZ PA, VICTORIA VALERGA, SOUTHERN ANIMAL RESCUE ASSOCIATION INC., ANGELA DICKERSON NOBLE, ALLEN STEIN POWERS DURBIN & HUNNICUTT, CHARLES B. GORHAM, BRIN & BRIN, LEMLER & ASSOCIATES PC, and LAW OFFICES OF FERNANDO RAMOS;
- C. Middle District of Florida (Tampa), Office of the Clerk, United States Courthouse, Tampa, Florida 33602, in Hardin v. Adams, et al, No. 00-CV-2443. Defendants/participants in the scheme: ASHCROFT, MECHAM, OFFICE, SHERYL L. LOESCH, DOE CLERKS "plk," "ctc," "bls," "jlh," "cdm," "mrh," "ch," "dlg," "jab," "wlb," RICHARD LAZARRA, PASCO COUNTY ATTORNEY'S OFFICE, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF FLORIDA CIVIL LITIGATION DIVISION, DEBOISE & POULTON P.A., HOLLAND & KNIGHT LLP, LAW OFFICES OF JAMES RICHARD HOOPER, P.A.;
- D. Middle District of Florida (Tampa), Office of the Clerk, United States Courthouse, Tampa, Florida 33602, in Keim v. Cintra, et al, No. 00-CV-764. Defendants/participants in the scheme: ASHCROFT, MECHAM, OFFICE, SHERYL L. LOESCH, DOE CLERKS "jlg," "ag," "smb," "eec," "bls," "seal," "jlh," "plk," "dlg," MAURICE M. PAUL, PAUL MICHAEL BROWN, PATRICIA A. WILLING, FOWLER WHITE GILLEN BOGGS VILLAREAL & BANKER PA, LAW OFFICE OF NANCY M. PARHAM, NIX HOLTSFORD GILLILAND LYONS & HIGGINS PC, LAW OFFICE OF JOSEPH M. DAVIS, CARRINGTON & CARRINGTON, HILLSBOROUGH COUNTY ATTORNEY'S OFFICE FOR THE STATE OF FLORIDA;

E. Central District of California (Western Division), 312 N. Spring St., No. G-8, Los Angeles, California 90012-4793, in Fischer v. Stewart, et al No. 99-CV-7890. Defendants/participants in the scheme: ASHCROFT, MECHAM, OFFICE, SHERRI R. CARTER, DOE CLERKS "bg," "pj," "yc," "rn," "ca," "pjap," "bp," "kc," "fvap," "lk," "weap," "ghap," "cbr," TERRY J. HATTER, OFFICE OF THE CITY ATTORNEY FOR THE CITY OF ANAHEIM, COUNTY COUNSEL FOR THE COUNTY OF ORANGE;

F. Central District of California (Western Division), 312 N. Spring St., No. G-8, Los Angeles, Calif. 90012-4793, in Hazlett v. County of Riverside, et al No. 99-CV-12982. Defendants/participants in the scheme: ASHCROFT, MECHAM, OFFICE, SHERRI R. CARTER, DOE CLERKS "la," "lk," "mrgo," "am," "bp," "kg," "sm," "step," "lc," "jj," "pbap," GARY A. FEESS, LEON W. WEIDMAN, CREASON & AARVIG LLP, MARIA K. AARVIG, KINKLE RODIGER & SPRIGGS, DONALD BEACHAM;

G. Eastern District of California (Sacramento), 501 "I" Street, Sacramento, CA 95814, in Martin v. Sandlin, No. 00-CV-97. Defendants/participants in the scheme: MECHAM, OFFICE, JACK WAGNER, DOE CLERKS "ljr," "rb," "rw," "mll," "pb," "ndd," "hk," "dc," "kdc," "ak," "pw," "sk," WILLIAM B. SHUBB, KIRSTEN SUDHOFF DOOR, ALESHIA M. WHITE;

H. Western District of Texas (San Antonio), 655 East Durango Blvd., San Antonio, Texas 78206, in Hoog v. Frio County, et al No. 00-CV-640. Defendants/participants in the scheme: MECHAM, OFFICE, WILLIAM G. PUTNICKI, DOE CLERKS "wg," "sj," "tr," "lp," ORLANDO GARCIA;

I. Eastern District of Texas – Sherman Division, 101 Pecan St., Room 112, Sherman, TX 75090, in Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-18282. Defendants/participants in the scheme: MECHAM, OFFICE, DAVID J. MALAND, DOE CLERKS "tm," "sxs," "sxh," PAUL BROWN, DENTON COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE, McDONALD SANDERS PC, CANTLEY & HANGER, GRIFFEN WHITTEN & JONES, HOPKINS & SUTTER, CULLUM LAW FIRM PC, KIRKPATRICK & LOCKHART.

258. The pattern is the same: FIRMS and U.S. ATTORNEYS knowingly presented fraudulent motions on behalf of their clients to evade prosecution for initiating malicious suits in order to convert title of ownership. CLERKS, under the direction of MECHAM and OFFICE, accepted them into the record, JUDGES issued Orders granting them, thus voiding due process, statutes, the Constitution, Amendments, and Acts of Congress as pertains to suits against corrupt government employees and their co-conspirators doing fraud and swindle. Plaintiff demands that each defendant explain his or her participation in the above-named cases.

259. By way of fabricating "false bail," JUDGES issued Orders on behalf of co-conspirators to illegally collect on attorneys' fees without any hearings in violation of Title 28 U.S.C. Rules 7, 11 (sanctions are only for defendants' attorneys), Rule 68, the Supreme Court's directive in Heinz v. Jenkins, 115 S.Ct. 1489 (1995) (attorneys cannot engage in any debt-collection practices), and due process, which requires that attorneys' fees are to be decided by the jury. After defendants had milked the case dry, JUDGES got rid of it by dismissing it with prejudice, not for publication. The "targets" of this scheme were injured in their businesses, defrauded out of their money, property, livelihoods, reputations, and due process rights by defendants, who injured the "targets," the economy, and the United States. Plaintiff demands that defendants explain how H.R. Rep. No. 91-1549, 91st Cong., 2d Sess. 58, 187 (1970) *reprinted in* 1970 U.S. Code Cong. & Admin. News, 4007, 4081. ("The full House rejected a proposal to create a complementary treble damages remedy for those injured by being named as defendants in malicious private suits. 116 Cong. Rec. 35342 (1970).") does not apply to them.

260. Defendants defrauded both the paying public under color of official right including plaintiff, and defrauded the United States by submitting false claims for doing duties as prescribed by law. The abuse and "racketeering pattern" is the same coast-to-coast:

A) Brewer, et al v. Collin County, et al, No. 99-CV-256 –

1) CLERKS violated Rule 7 by entering 87 prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS from persons in default at Docket numbers 31, 33, 57, 59, 61, 64, 65, 66, 67, 68, 70, 71, 72, 73, 88, 90, 91, 92, 93, 94, 167, 168, 169, 170, 175, 203, 204, 205, 206, 209, 211, 207, 208, 211, 207, 208, 256, 257, 261, 262, 265, 266, 284, 288, 286, 287, 293, 295, 294, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315, 316, 318, 319, 320, 321, 322, 323, 324, 325, 331, 333, 336, 337, 344, 346, 347, 347, 348, 352, 353 and 358;

2) U.S. ATTORNEYS and FIRMS submitted 87 prohibited motions and third-party answers;

3) CLERKS did 2 magistrate assignments with no consents in the record between nos. 169 and 170;

4) CLERKS entered 21 illegal magistrate JUDGES' Orders with no consents in the record at numbers 57, 59, 60, 283, 282, 290, 317, 326, 327, 328, 329, 332, 334, 335, 340, 341, 349, 350, 351, 357 and 359;

5) JUDGES entered 21 Orders, Judgments, Findings and Recommendations on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "targets;"

6) CLERKS failed to enter 22 Defaults as required by law on parties who failed to Answer;

7) CLERKS altered the numerical sequence of 8 Docket entries after numbers 170, 206, 211, 281, 285, 287, 293 and 294;

8) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute 7 crimes in the record on Docket nos.: 289 (Plaintiffs' Admissible Evidence of \$100,000 Bribe in Related RICO Action by Pro Se Deft Paul C Walter's Law Firm Jenkins & Gilchrist, a Professional Corporation, to Aid and Abet Conspirators Evade Criminal Prosecution by Bribing Magistrate Caroline Malone on April 6, 2000), no. 291 (MOTION by Brenda Brewer, Claude Brewer to vacate [282-1] order Issued by Magistrate in Return for "Bribes" from Defendants Stoler and LaPorte to Unlawfully Stay Discovery to Evade Criminal Indictment Pursuant to 42 USC Section 636, Repealed in 1988), no. 308 (MOTION by Brenda Brewer, Claude Brewer to vacate all Magistrate' orders and order #296 by Judge Folsom as unlawful and committed in conspiracy with non-party John T Gerhart by bribe of federal actors on April 6th, April 11th and April 18th), no. 317 (overturning the First Amendment of the Constitution), 354 (Order granting \$29,439.67 attorneys' fees without an abstract of judgment from the jury) and no. 357 (Order granting \$30,137.17 attorneys' fees without an abstract of judgment from the jury), JUDGE in Sherman, Texas, unlawfully issuing an Order at no. 210, referring case to a magistrate in Texarkana, Texas without consents in the record, in violation of Title 28 §124: cases filed in Sherman, Texas "shall be held at Sherman.";

9) ASHCROFT failed to prosecute other defendants for crimes in the record after he had this information for at least 60 days;

10) Achieved goal: Dismissed with no hearings, no jury trial.

B) Brown, et al v. Wilson County, et al, No. 97-CV-1473 –

1) CLERKS altered the record 97 times by not computing "Answers Due by" at Docket numbers 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 421, 422, 423, 424, 425, 426, 427, 431, 432, 433, 434, 435, 436, 437, 439, 440, 441, 442, 464, 465, 466, 480;

2) CLERKS did 2 assignments of a magistrate to the case between nos. 82 and 83, and at 223 with no consents in the record;

3) CLERKS entered 277 prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS on behalf of their clients in default at Docket numbers 27, 180, 181, 182, 183, 184, 185, 186, 187, 188, 201, 202, 210, 211, 212, 213, 214, 216, 217, 218, 219, 220, 221, 222, 224, 226, 227, 228, 382, 383, 386, 387, 388, 397, 398, 399, 402, 405, 408, 417, 438, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453 (CLERK omitted "return of service" for the Gossetts), 454, 455, 456, 457, 458 (agreement with who?), 461, 462, 467, 468, 481, 482, 488, 489, 490, 491, 492, 494, 495, 496, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 524, 525, 531, 534, 535, 536-537, 538, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 554, 555, 559, 560, 567, 568, 572, 575, 576, 577, 578, 579, 580, 584, 585, 588, 590, 592, 593, 594, 595, 597, 599, 600, 601, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 626, 630, 631, 633, 636, 648, 649, 650, 651, 652, 653, 654, 655, 657, 661, 665, 666, 667, 668, 669, 670, 673, 676, 677, 678, 679, 680, 681, 683, 684, 685, 686, 687, 688, 689, 690, 690, 694, 696, 697, 706, 708, 714, 726, 727, 732, 733, 734, 738, 751, 753, 761, 766, 783, 784, 787, 788, 789, 791, 792, 793, 794, 795, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 810, 811, 812, 813, 816, 817, 818, 819, 820, 822, 824, 843, 846, 847, 848, 849, 850, 851, 852, 853, 854, 857, 860, 863, 871, 872, 873, 876, 878, 881, 886, 887, 888, 889, 898, 912, 913, 919, 921, 927, 928, 929, 931, 933, 931, 933, 936, and 937. NOTE: No other filings could have been entered after case was on appeal after no. 915;

4) U.S. ATTORNEYS and FIRMS submitted 277 prohibited motions and third-party answers;

5) CLERKS did 182 omissions – omitted Docket number for Third Amended Complaint between nos. 586 and 587, omitted "Answers Due By" for 83 defendants; omitted docket numbers for entries after nos. 606, 613, 614, 615, 616, 619, 620, 621, 648, 656, 672, 687, 697, 788 (CLERK practiced law and wrote this one himself or herself), 804, 805, 821 (also written by CLERK), 822, 854, 856, 857, 865, 923, 927, 929, 933 and 939, and 569; CLERK omitted magistrate consents in the record at Docket numbers 385, 390, 400, 407, 459, 487, 527, 530, 561, 569 574, 581, 582, 623, 624, 625, 626, 640, 641, 642, 643, 644, 645, 646, 662, 663, 674, 699, 700, 701, 702, 704, 705, 715, 731, 739, 741, 748, 759, 769 (jury decides), 770, 772, 773, 774, 814, 815, 821, 823, 826, 845 (jury decides), 868, 874, 882, 883, 884, 885, 890, 891, 892, 893, 907, 908, 909, 910, 911, 926, 930, 932, 935, 938 and 939;

6) CLERKS entered 71 illegal JUDGES' Orders at 385, 390, 400, 407, 459, 487, 527, 530, 561, 569 (CLERK omitted magistrate consent forms in the record, even though many other parties had objected earlier at Docket numbers 495, 496, 500, 508, 509, 512), 574, 581, 582, 623, 624, 625, 626, 640, 641, 642, 643, 644, 645, 646, 662, 663, 674, 699, 700,

701, 702, 704, 705, 715, 731, 739, 741, 748, 759, 769 (jury decides), 770, 772, 773, 774, 814, 815, 821, 823, 826, 845 (jury decides), 868, 874, 882, 883, 884, 885, 890, 891, 892, 893, 907, 908, 909, 910, 911, 926, 930, 932, 935, 938 and 939;

7) JUDGES entered 71 Orders, Judgments, Findings and Recommendations on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "targets;"

8) CLERKS did 4 alterations of the numerical sequence of Docket entries after numbers 81, 394, 427 and 663;

9) CLERKS failed to enter 83 Defaults as required by law;

10) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;

11) ASHCROFT failed to prosecute other defendants for crimes in the record after he had this information for at least 60 days;

12) Achieved goal: Dismissed with no hearings, no jury trial.

C) Hardin v. Adams, et al, No. 00-CV-2443 –

1) CLERKS unlawfully performed Article III JUDGE'S function by assigning magistrate right after Docket number 1;

2) CLERKS altered the record 2 times at Docket numbers 4 and 5, calling them "answers" when they were not;

3) CLERKS entered 13 prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS from persons in default at Docket numbers 38, 40, 41, 42, 45, 46, 47, 48, 49, 50, 52, 60 and 61;

4) U.S. ATTORNEYS and FIRMS submitted 13 prohibited motions and third-party answers;

5) CLERKS failed to enter 39 Defaults as required by law;

5) CLERKS entered 2 JUDGES' illegal Orders at 64, 71;

6) JUDGES entered 2 Orders, Judgments, Findings and Recommendations on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "target;"

7) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;

8) ASHCROFT failed to prosecute other defendants for crimes in the record after he had this information for at least 60 days;

9) Achieved goal: Dismissed with no hearings, no jury trial.

D) Keim v. Cintra, et al, No. 00-CV-764 –

1) Right after Docket number 1 – CLERKS assumed duties of Chief JUDGE, and assigned magistrate, no consents in the record;

2) CLERKS entered 28 prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS from persons in default at Docket numbers 13, 14, 16, 17, 22, 23, 24, 32, 33, 34, 41, 42, 43, 47, 48, 49, 50, 53, 54, 55, 56, 66, 67, 68, 69, 71, 72, and 75;

3) U.S. ATTORNEYS and FIRMS submitted 28 prohibited motions and third-party answers;

4) CLERKS failed to enter 20 Defaults as required by law;

5) CLERKS entered JUDGES' illegal Order at no. 70;

6) JUDGES entered 1 Order on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "target;"

7) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;

8) ASHCROFT failed to prosecute other defendants for crimes in the record after he had this information for at least 60 days;

9) Achieved goal: Dismissed by MAURICE M. PAUL, no hearings, no jury trial.

E) Fischer v. Stewart, et al No. 99-CV-7890 –

- 1) CLERKS entered JUDGES' illegal Orders at Docket numbers 2 and 3 – JUDGE Tevrizian overturned F.R.C.P.s to legislate, CLERKS put it into the record;
- 2) CLERKS failed to compute 8 "Answers Due By" as part of their "duties prescribed by law" at Docket numbers 4, 5, 6, 7, 8, 9, 10, and 11;
- 3) CLERKS entered 4 prohibited motions and third-party answers submitted by FIRMS from persons in default at Docket numbers 12, 16, 17, 18;
- 4) CLERKS accepted 3 alterations at Docket numbers 13, 14 and 15 as Rule 26 disclosures from FIRMS when they were not;
- 5) FIRMS submitted 7 prohibited motions and third-party answers;
- 6) CLERKS entered JUDGE'S illegal Order at Docket number 22 – recusals are assigned by Chief JUDGE, not by another judge;
- 7) CLERKS failed to perform duties as prescribed by law, which was to enter 8 Default Judgments on the court's own motion against defendants, who failed to answer the complaint;
- 8) CLERK entered prohibited "directed verdict" at Docket number 23;
- 9) CLERKS did 23 alterations of the numerical sequences of Docket from number 23 on through 46;
- 10) CLERKS entered 6 illegal JUDGES' Orders at 22, 23, 30 (changed case number), 36, 37 and 45;
- 11) JUDGES entered 8 Orders, Judgments, Findings and Recommendations on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "target;"
- 12) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;
- 13) ASHCROFT failed to prosecute other defendants for crimes in the record after he had this information for at least 60 days;
- 14) Achieved goal: Dismissed with no hearings, no jury trial.

F) Hazlett v. County of Riverside, et al No. 99-CV-12982 –

- 1) CLERK altered Docket by putting number 52 before number 1;
- 2) CLERK violated the prohibition against practicing law, and struck "target's" First Amendment speech at Docket number 3;
- 3) CLERKS failed to compute 30 "Answer Due By" as part of CLERKS' "duties prescribed by law" at Docket numbers 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 48, 49 and 50;
- 4) CLERKS entered 7 prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS from persons in default at Docket numbers 33, 34, 43, 44, 47, 56 and 59;
- 5) U.S. ATTORNEYS and FIRMS submitted 7 prohibited motions and third-party answers;
- 6) CLERKS did 45 alterations of the numerical sequence of Docket from number 37 on through 82;
- 7) CLERKS file-stamped Defaults by plaintiff dated Dec. 20 at the same time plaintiff filed other documents at Docket numbers 53, 54, and 55, but failed to enter 28 Defaults into the record as required by law,
- 8) CLERKS destroyed federal records by returning 28 defaults to plaintiff via the U.S. Mail between Docket numbers 56 and 57;
- 9) CLERKS entered 13 illegal JUDGES' Orders at nos. 35 (no Rule 16 hearing), 37, 42, 46 (changed case number), 57, 60, 61, 62, 63, 70 (JUDGE FEES committed perjury on this Order), 80, 81 and 82;

10) JUDGES entered 13 Orders, Judgments, Findings and Recommendations on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "target;"

11) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;

12) ASHCROFT failed to prosecute other defendants for crimes in the record after he had this information for at least 60 days;

13) Achieved goal: Dismissed with no hearings, no jury trial.

G) Martin v. Sandlin, No. 00-CV-97 –

1) CLERKS altered Docket and failed to compute "Answers Due By" as part of their "duties prescribed by law" at Docket numbers 3 and 4;

2) CLERKS entered 16 prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS at Docket numbers 5, 6, 7, 9; entered prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS from persons in default at Docket numbers 10, 11, 12, 14, 15, 22, 23, 26, 27, 28, 29, 30;

3) U.S. ATTORNEYS and FIRMS submitted 16 prohibited motions and third-party answers;

4) CLERKS entered 6 illegal JUDGES' Orders at Docket nos. 16, 21, 24, 36, 38 and 39;

5) JUDGES entered 6 Orders, Judgments, Findings and Recommendations on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "target;"

6) DOE CLERK "ljr" falsified the record at Docket no. 22, labeling it "JOINT STATUS REPORT" when it factually was not "joint," as in "between all parties in front of a judge in a courtroom;" was factually an admission of intent to file motions to dismiss as regards "government employees" and deny pre-trial settlement conference, while spelling out Martin's claims to be dismissed as: "1st, 7th & 14th Amendments, Article III of U.S. Constitution, Title 18 U.S.C. §§ 1341, 1962 and 1964, Title 28 U.S.C. §§ 1343, and Title 42 U.S.C. §§ 1983 and 1985(3) relating to the Anti-Conspiracy Act of 1988." JUDGES aided and abetted, dismissed with prejudice Martin's civil remedies at Docket no. 38, no hearings, no jury trial, not for publication. FIRMS told the JUDGE at Docket nos. 15 and 30, that Martin's claims are should be dismissed because they are "too verbose and confusing," "all federal defendants are immune," retired, senior-citizen, property-owner Martin "does not belong to a class that entitles her to Title 42 rights," and Martin's "concocted theories regarding (1st, 7th & 14th Amendments, Article III of U.S. Constitution, Title 18 U.S.C. §§ 1341, 1962 and 1964, Title 28 U.S.C. §§ 1343, and Title 42 U.S.C. §§ 1983 and 1985(3)) are "figments of her imagination." Martin was defrauded out of her money and rights;

7) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;

8) ASHCROFT failed to indict other defendants;

9) Achieved goal: Dismissed with no hearings, no jury trial.

H) Hoog v. Frio County, et al, No. 00-CV-640 –

1) CLERK practiced law, did Article III JUDGE's duties, and assigned case to a magistrate;

2) CLERK entered illegal JUDGE'S Order at number 3, which dismissed this case in its entirety before any of the 68 defendants were served, appeared, or replied;

4) JUDGE entered 1 Order on behalf of government employees named in this suit;

5) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;

6) ASHCROFT failed to indict other defendants;

7) Achieved goal: Dismissed with no hearings, no jury trial.

I) Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-18282 –

1) CLERK solicited participation with magistrate after Docket number 1;

2) CLERKS entered 9 prohibited motions and third-party answers submitted by U.S. ATTORNEYS and FIRMS from persons in default at Docket numbers 10, 11, 12, 13, 14, 20, 37, 45, 52;

- 3) U.S. ATTORNEYS and FIRMS submitted 9 prohibited motions and third-party answers;
- 4) CLERKS omitted to enter 6 Defaults into the record as required by law;
- 5) CLERKS entered 13 illegal JUDGES' Orders at Docket nos. 17, 22, 24, 25, 26, 27, 28, 39, 53, 55, 56, 57, and 58,
- 6) JUDGES entered 13 Orders, Judgments, Findings and Recommendations on behalf of FIRMS' and U.S. ATTORNEYS' clients and none for "targets;"
- 7) MECHAM and OFFICE failed to audit, failed to investigate, and failed to prosecute for waste, misuse, and abuse;
- 8) ASHCROFT failed to indict other defendants;
- 9) Achieved goal: Dismissed with no hearings, no jury trial.

261. Defendants took money and received federal benefits under false pretenses while actively participating in a racketeering enterprise, which functioned to give false costs, fees, fines, judgments and sanctions the *appearance* of legally valid, and obstructed justice for the other participants doing theft under color of law, fraud and swindle. Plaintiff demands that defendants explain their roles in betraying the trust placed in them by depriving the citizens of the United States of the honest services of a public official, which has destroyed business, hindered commerce, injured the U.S. economy, and which constitutes a highly sophisticated, widespread, consistent pattern of racketeering activity including the illegal use of force, fraud, and corruption.

262. Two or more predicate acts were committed in each case and each courthouse, which constitutes a "pattern" of "racketeering activity." Defendants directly or indirectly participated in an "enterprise," which was their illegal association with each other and the courts, the activities of which affected interstate or foreign commerce, as their "targets" were injured in their businesses and livelihoods. 18 U.S.C. § 1962 (a) – (c).

263. Plaintiff demands that defendants ASHCROFT, MECHAM, OFFICE, DAVID J. MALAND, PAUL BROWN, MIKE BRADFORD, ANDREA HEDRICK PARKER, BENNET & WESTON, MATTHEWS CALTON STEIN SHIELDS PEARCE DUNN & KNOTT, WOLFE CLARK HENDERSON & TIDELL, BRADY & COLE, GODWIN WHITE & GRUBER, LEA & CHAMBERLAIN, BECKWORTH & CARRIGAN LLP, SAYLES & LIDJI, WALD & ASSOCIATES, JACKSON & WALKER LLP and JENKINS & GILCHRIST, WILLIAM G. PUTNICKI, ORLANDO GARCIA, WILLIAM BLAGG, HAROLD O. ATKINSON, JACKSON & WALKER LLP, JENKINS & GILCHRIST, RHEA & RODMAN LLP, DECARLI & IRWIN, PAMELA MCGRAW, CHARLES S. FRIGERIO, LAW OFFICE OF CHARLES S. FRIGERIO, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF TEXAS, CLEMENS & SPENCER PC, CLEMENS & SPENCER, KEITH A. KENDALL, JONES KURTH & ANDREWS PC, MATTHEWS & BRANSCOMB PC, AKIN GUMP STRAUSS HAUER & FELD, STRASBURGER & PRICE LLP, PAUL ANDREW DRUMMOND SOUTHWESTERN BELL TELEPHONE, THOMAS & LIBOWITZ PA, VICTORIA VALERGA, SOUTHERN ANIMAL RESCUE ASSOCIATION INC., ANGELA DICKERSON NOBLE, ALLEN STEIN POWERS DURBIN & HUNNICUTT, CHARLES B. GORHAM, BRIN & BRIN, LEMLER & ASSOCIATES PC, LAW OFFICES OF FERNANDO RAMOS, SHERYL L. LOESCH, RICHARD LAZARRA, PASCO COUNTY ATTORNEY'S OFFICE, OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF FLORIDA CIVIL LITIGATION DIVISION, DEBOISE & POULTON P.A., HOLLAND & KNIGHT LLP, LAW OFFICES OF JAMES RICHARD HOOPER, P.A., MAURICE M. PAUL, PAUL MICHAEL BROWN, PATRICIA A. WILLING, FOWLER WHITE GILLEN BOGGS VILLAREAL & BANKER PA, LAW OFFICE OF NANCY M. PARHAM, NIX HOLTSFORD GILLILAND LYONS & HIGGINS PC, LAW OFFICE OF JOSEPH M. DAVIS, CARRINGTON & CARRINGTON, HILLSBOROUGH COUNTY ATTORNEY'S OFFICE FOR THE STATE OF FLORIDA, SHERRI R. CARTER, GARY A. FEESS, LEON W. WEIDMAN, CREASON & AARVIG LLP, MARIA K. AARVIG, KINKLE RODIGER & SPRIGGS, DONALD BEACHAM PAUL BROWN, DENTON COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE, McDONALD SANDERS PC, CANTLEY & HANGER, GRIFFEN WHITTEN & JONES, HOPKINS & SUTTER, CULLUM LAW FIRM PC, KIRKPATRICK & LOCKHART, TERRY A. GREEN, ELVIRA R. MITCHELL, and COLEMAN A. SWART explain the following:

- A) Explain "anonymous complaint," and explain how the Humane Society and the Society for the Prevention of Cruelty to Animals (S.P.C.A.) became the fourth branch of government that could file charges "in the name of the People,"
- B) Explain their interpretation of "writs of assistance,"
- C) Explain how "grand theft of livestock," "transporting stolen property," "laundering stolen property," "forced veterinary/boarding services without a contract" is O.K. as long as it is called "rescue and adoption,"
- D) Explain "their interpretation" of Notice and Hearing, posting a Bond, just compensation, and due process,
- E) Explain their participation in the Humane Society's "vested interest" in getting "convictions for something" as evidenced by EXHIBIT G, FIRM'S recommendation on how "rescue groups" can avoid getting sued for invasion of privacy, theft of property, transporting stolen property, impersonating an officer, charities-fraud, racketeering, extortion,

Sherman Anti-Trust, and commodities-tampering (all animals, their food, and their manure as defined in Title 7 U.S.C § 2)

F) Explain that "having too many or too much property" is a crime, and explain their theories to the Federal Trade Commission and the Internal Revenue Service, as "raising dogs, cats, and other animals" is listed on IRS Form 1040 Schedule C "small business," and other business or property owners are not yet prosecuted for "having too many," such as Bill Gates having and producing "too many computers," and Zacky Farms having and producing "too many frying chickens,"

G) Explain how the Animal Welfare Act does not apply to them or to the states,

H) Bring forward their Treaty with the Humane Society and S.P.C.A.,

I) Explain how the Humane Society could still be operating in their county, when it was declared a "domestic terrorist group" by the FBI in 1993,

J) Explain that they did not know that "theft of livestock and pets" was a crime as long as it was labeled "rescue and adoption," and

K) Explain their interpretation of Title 18 U.S.C. § 2311 "stolen property/livestock,"

L) Explain their interpretation of Title 18 U.S.C. § 2331 "international terrorism means activities that - (A) involve violent acts...; (B) appear to be intended - (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion;"

M) Explain that they did not know we are at war, and explain their interpretation of Title 18 U.S.C. § 2152 "The words 'war material' include arms, armament, ammunition, livestock, forage, forest products and standing timber, stores of clothing, air, water, food...The words 'war premises' include all buildings, grounds, mines, or other places wherein such war material is being produced... The words 'national-defense material' include arms, armament, ammunition, livestock, forage, forest products and standing timber, stores of clothing, air, water, food...The words 'national-defense premises' include all buildings, grounds, mines, or other places wherein such war material is being produced..." and

N) Explain non-prosecution of the Humane Society, which was declared a "domestic terrorist group," see EXHIBIT H,

264. Plaintiff demands that defendants ASHCROFT, MECHAM, OFFICE, SHERRI R. CARTER, TERRY J. HATTER, OFFICE OF THE CITY ATTORNEY FOR THE CITY OF ANAHEIM, COUNTY COUNSEL FOR THE COUNTY OF ORANGE, JACK WAGNER, WILLIAM B. SHUBB, KIRSTEN SUDHOFF DOOR, and ALESHIA M. WHITE explain the following:

A) Explain their interpretation of "false charges,"

B) Explain their interpretation of "bribe,"

C) Explain their interpretation of "perjury,"

D) Explain their interpretation of "jury trial demanded,"

E) Explain their interpretation of "racketeering and extortion."

**CLAIMS for Violation of Title 18 U.S.C. § 1506 Theft or
alteration of record or process; false bail.**

265. The allegations set forth in paragraphs 46, 114, 177, and 179 to 264 are incorporated herein by reference.

266. CLERKS knowingly and willfully changed dates, numbers and sequences on Docket entries, entered illegal JUDGES' orders, illegal FIRMS' and U.S. ATTORNEYS' documents, and other pre-trial actions. CLERKS mailed Defaults and other records out of the building which is "destruction of a federal record," and omitted duties prescribed by law in furtherance of the racketeering enterprise in violation of Title 18 U.S.C. § 1506, Title 28 U.S.C. Rules 7 and 12. As part of the scheme, CLERKS entered abolished and prohibited pleadings and demurrers as "solicitations" by FIRMS and U.S. ATTORNEYS, which procured Orders from JUDGES, that voided due process, evaded prosecution for others, and/or granted collection of fraudulent judgments for costs/unlawful debt in furtherance of the racketeering enterprise. Defendants knowingly did it after H.R. Rep. No. 91-1549, 91st Cong., 2d Sess. 58, 187 (1970) reprinted in 1970 U.S. Code Cong. & Admin. News, 4007, 4081 (in which the full House rejected a proposal to create a complementary treble damages remedy for those injured by being named as defendants in malicious private [RICO] suits).

CLAIMS for Violation of Title 28 § 955

Practice of law restricted and UNITED STATES DISTRICT COURT CLERKS MANUAL (hereinafter referred to as CLERKS MANUAL, Chapter 1 Statutes Governing Court Officers and Employees, § 1.02 c. Restriction on Practice of Law

267. The allegations set forth in paragraphs 46, 114, 177, and 179 to 266 are incorporated herein by reference.

268. CLERKS violated restrictions against practicing law in CLERKS MANUAL, Chapter 1, § 1.02 c and Title 28 USC § 955, by violating Article III and making judicial determinations that illegal "papers or documents" complied with F.R.C.P.s, which were erroneously filed, in furtherance of the racketeering enterprise.

269. CLERKS made judicial determinations that certain documents or papers "complied with F.R.C.P.s and Rule 8(b)" and entered them into the record, when they were factually not answers, in furtherance of the racketeering enterprise. CLERKS "practiced law" and made "judicial determinations" that their duties as prescribed by law did not include scheduling hearings and jury trials or entering Defaults, but were to do favors for FIRMS, U.S. ATTORNEYS and their clients in furtherance of the racketeering enterprise. CLERKS violated restrictions against practicing law in CLERKS MANUAL, Chapter 1, § 1.02 c and Title 28 USC § 955, and knowingly and willfully violated 28 U.S.C. Rule 7 "There shall be a complaint and an answer . . . no other pleadings are allowed."

270. JUDGES, U.S. ATTORNEYS and FIRMS had responsibility for control of the pretrial process, let the CLERKS violate court procedures and rules, and failed to prevent or correct abuse and misuse of the system in furtherance of the racketeering enterprise. ASHCROFT failed to indict after he had this information for at least 60 days.

271. MECHAM and OFFICE had the duty and responsibility for auditing all Dockets to prevent or correct abuse and misuse of the system, and failed to perform duties as prescribed by law in furtherance of the scheme or artifice to defraud and the racketeering enterprise.

CLAIMS for Violation of Title 18 U.S.C. § 241 Conspiracy.

272. The allegations set forth in paragraphs 46, 114, 177, and 179 to 271 are incorporated herein by reference.

273. CLERKS conspired with magistrates, JUDGES, U.S. ATTORNEYS, FIRMS and their clients, who all misused and abused the pretrial process to injure, oppress, threaten, and intimidate United States citizens ("targets") in the free exercise and enjoyment of rights and privileges secured to them by the Constitution and laws of the United States. Defendants increased the misuse and abuse against "targets" for exercising these rights and privileges by suing corrupt city, county and state officials, see *Salinas, supra* (conspiracy is a distinct evil, dangerous to the public and punishable in itself). No proof is required.

274. MECHAM encouraged CLERKS' falsifications, fraud, and omissions by not auditing the dockets, and by not getting CLERKS prosecuted for crimes in the record. JUDGES, U.S. ATTORNEYS and FIRMS encouraged these predicate acts by failing to report the conduct. The pattern is same coast-to-coast, and is prima faciae evidence of defendants' conspiracy. ASHCROFT failed to indict after he had this information for at least 60 days.

275. CLERKS conspired with other defendants' abuse of the pretrial process, and denied "targets" of their rights granted by Congress by entering illegal documents, failing to enter defaults or schedule hearings and trials, in furtherance of the conspiracy to operate the courts as a racketeering enterprise in violation of title 18 U.S.C. § 241 in *Brewer, et al v. Collin County, et al*, No. 99-CV-256, *Brown, et al v. Wilson County, et al*, No. 97-CV-1473, *Hardin v. Adams, et al*, No. 00-CV-2443, *Keim v. Cintra, et al*, No. 00-CV-764, *Fischer v. Stewart, et al*, No. 99-CV-7890, *Hazlett v. County of Riverside, et al*, No. 99-CV-12982, *Martin v. Sandlin*, No. 00-CV-97, *Hoog v. Frio County, et al*, No. 00-CV-640, and *Phelps, et al v. Denton County Sheriff's, et al*, No. 94-CV-182. (more to come). See *United States v. Frega*, 179 F.3d 793 (9th Cir. 1999), footnote 21:

"We agree with the dissent that under *Salinas* and *Tille* each individual defendant need not "commit or agree to commit the two or more predicate acts requisite to the underlying offense." *Salinas v. United States*, 522 U.S. 52, __S.Ct. 469, 478 L.Ed.2d 352 (1997) (emphasis added); dissent at 821. In other words, in order to convict a defendant on a RICO conspiracy charge, our case law "does not require proof that [he] participated personally, or agreed to participate personally, in two predicate offenses." *United States v. Tille*, 729 F.2d 615, 619 (9th Cir. 1984); dissent at 821. Rather, as the dissent acknowledges, the conspiracy must contemplate the commission of two predicate acts by one or more of its members. Dissent at 820. Thus, the principles recited by the dissent are correct but irrelevant to the present dispute, which involves not whether each defendant agreed to participate personally in each predicate act, but what predicate acts the jury could properly find had been agreed to by the conspirators, regardless of which member might perform them."

276. The record shows, and any jury could easily find, that defendants conspired and committed a minimum of two predicate acts each.

CLAIMS for Violation of Title 18 U.S.C. § 242

Deprivation of rights under color.

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277. The allegations set forth in paragraphs 46, 114, 177, and 179 to 276 are incorporated herein by reference.

278. CLERKS and DOES, under the direction of MECHAM through OFFICE, conspired with JUDGES, U.S. ATTORNEYS, FIRMS and their clients to misuse and abuse the pretrial process to deny due process and commit deprivation under color of law of rights, privileges, and immunities secured or protected by the Constitution or laws of the United States in furtherance of the racketeering enterprise. The record shows the deprivation of hearings, trials and other rights in Brewer, et al v. Collin County, et al, No. 99-CV-256, Brown, et al v. Wilson County, et al, No. 97-CV-1473, Hardin v. Adams, et al, No. 00-CV-2443, Keim v. Cintra, et al, No. 00-CV-764, Fischer v. Stewart, et al, No. 99-CV-7890, Hazlett v. County of Riverside, et al, No. 99-CV-12982, Martin v. Sandlin, No. 00-CV-97, Hoog v. Frio County, et al, No. 00-CV-640, and Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182. ASHCROFT failed to indict after he had this information for at least 60 days.

279. Plaintiff's rights were violated by defendants in the three predicate acts in 1993, 1999, and 2002.

CLAIMS for Violation of CLERKS MANUAL, Chapter 9, Exhibit 4

280. The allegations set forth in paragraphs 46, 114, 177, and 179 to 279 are incorporated herein by reference.

281. CLERKS violated Chapter 9, Exhibit 4 of Clerks Manual ORDER STRIKING PLEADINGS by failing to do duties as prescribed by law by not striking improper pleading under "Other" for not being an Answer, for incomplete service list, for solicitation of judgment or collection on unlawful debt, in furtherance of the racketeering enterprise.

282. CLERKS violated 18 U.S.C. § 241 by entering illegal documents, and denying victims/targets' rights granted by Congress in furtherance of the racketeering enterprise in Brewer, et al v. Collin County, et al, No. 99-CV-256, Brown, et al v. Wilson County, et al, No. 97-CV-1473, Hardin v. Adams, et al, No. 00-CV-2443, Keim v. Cintra, et al, No. 00-CV-764, Fischer v. Stewart, et al, No. 99-CV-7890, Hazlett v. County of Riverside, et al, No. 99-CV-12982, Martin v. Sandlin, No. 00-CV-97, Hoog v. Frio County, et al, No. 00-CV-640, and Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182. ASHCROFT failed to indict after he had this information for at least 60 days.

CLAIMS for Violation of Title 28 USC F.R.C.P. Rule 26. General Provisions Governing Discovery; Duty of Disclosure as amended 2000.

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283. The allegations set forth in paragraphs 46, 114, 177, and 179 to 282 are incorporated herein by reference.

284. CLERKS knowingly participated, and willfully aided and abetted defendants' evasion of prosecution by entering illegal orders limiting and exempting disclosures in furtherance of the racketeering enterprise in order to void Title 28 U.S.C. Rule 26, Subdivision (a)(1), 2000 Amendment disclosure requirements in Brewer, et al v. Collin County, et al, No. 99-CV-256, Brown, et al v. Wilson County, et al, No. 97-CV-1473, Hardin v. Adams, et al, No. 00-CV-2443, Keim v. Cintra, et al, No. 00-CV-764, Fischer v. Stewart, et al, No. 99-CV-7890, Hazlett v. County of Riverside, et al, No. 99-CV-12982, Martin v. Sandlin, No. 00-CV-97, Hoog v. Frio County, et al, No. 00-CV-640, and Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182. ASHCROFT failed to indict after he had this information for at least 60 days.

CLAIMS for Violation of Title 18 U.S.C. § 1341 as

defined in § 1346. Definition of "scheme or artifice to defraud."

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285. The allegations set forth in paragraphs 46, 114, 177, and 179 to 284 are incorporated herein by reference.

286. CLERKS took money from plaintiff and "targets" filing suit for state and federal crimes with knowing intent to deprive them of the intangible right of honest services/F.R.C.P. Rules 7(a), 8(b), 16(b), 26, and 38 hearing/jury trials in furtherance of the racketeering enterprise in Brewer, et al v. Collin County, et al, No. 99-CV-256, Brown, et al v. Wilson County, et al, No. 97-CV-1473, Hardin v. Adams, et al, No. 00-CV-2443, Keim v. Cintra, et al, No. 00-CV-764, Fischer v. Stewart, et al, No. 99-CV-7890, Hazlett v. County of Riverside, et al, No. 99-CV-12982, Martin v. Sandlin, No. 00-CV-97, Hoog v. Frio County, et al, No. 00-CV-640, and Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182.

287. JUDGES, FIRMS, U.S. ATTORNEYS, MECHAM and OFFICE encouraged the conduct by failing to prosecute crimes in the record as part of their duties, and by concealing evidence of criminal wrongdoing by using prohibited pre-trial actions to obstruct justice. ASHCROFT failed to indict after he had this information for at least 60 days.

CLAIMS for Violation of Title 18 U.S.C. § 1341 Frauds and swindles.

288. The allegations set forth in paragraphs 46, 114, 177, and 179 to 287 are incorporated herein by reference.

289. CLERKS used the U.S. mail to "solicit and procure" participation with "bribed magistrate," knowing that no magistrate consents, FORM 33 pursuant to Title 28 U.S.C. § 636(c), were in the record. "Magistrate participation" was just one part of the scheme or artifice to defraud, and for obtaining money or property by means of false or fraudulent pretenses and representations in furtherance of the racketeering enterprise in violation of Title 18 U.S.C. § 1341. NOTE: Magistrate jurisdiction is a nullity sans consent of all parties – *Galloway, supra, Barnett v. General Electric Capital Corp.*, 147 F.3d 1321, (11th Cir. 1998).

290. JUDGES, MECHAM, CLERKS and OFFICE, in conspiracy with U.S. ATTORNEYS and FIRMS, covered up state crimes by abusing the pretrial process, and used the federal facilities to uphold phony costs, sanctions, bills and judgments against their "targets" – American citizens who were defrauded out of rights, money, assets, and the intangible right to honest services. Defendants submitted false claims to the United States for performing duties as prescribed by law, while the record shows they failed to perform these duties. State and local government received federal money, also committed fraud and swindle, and are liable, title 18 U.S.C. § 666. ASHCROFT failed to indict after he had this information for at least 60 days.

291. Defendants' predicate acts and racketeering enterprise resulted in severe economic, financial, health and job loss to plaintiff.

**CLAIMS for Violation of Title 28 USC Rule 79 and
CLERKS MANUAL), Chapter 15, § 15.03 Books and Record Keeping**

292. The allegations set forth in paragraphs 46, 114, 177, and 179 to 291 are incorporated herein by reference.

293. CLERKS failed to keep books and records and entries therein as prescribed by law and, as an aid to other defendants, altered sequences, omitted entries, or gave FIRMS' and U.S. ATTORNEYS' documents or pleadings a different name or title in violation of Title 28 USC Rule 79 and CLERKS MANUAL, CHAPTER 15, § 15.03, and in furtherance of the racketeering enterprise in *Brewer, et al v. Collin County, et al*, No. 99-CV-256, *Brown, et al v. Wilson County, et al*, No. 97-CV-1473, *Hardin v. Adams, et al*, No. 00-CV-2443, *Keim v. Cintra, et al*, No. 00-CV-764, *Fischer v. Stewart, et al*, No. 99-CV-7890, *Hazlett v. County of Riverside, et al*, No. 99-CV-12982, *Martin v. Sandlin*, No. 00-CV-97, *Hoog v. Frio County, et al*, No. 00-CV-640, and *Phelps, et al v. Denton County Sheriff's, et al*, No. 94-CV-182.

294. JUDGES, FIRMS, U.S. ATTORNEYS, MECHAM and OFFICE encouraged the conduct by failing to audit, and failing to prosecute crimes in the record as part of their duties. ASHCROFT failed to indict after he had this information for at least 60 days.

**CLAIMS for Violation of District Court Clerks Manual,
Chapter 20, § 20.01 Attorney Admissions Procedures.**

295. The allegations set forth in paragraphs 46, 114, 177, and 179 to 294 are incorporated herein by reference.

296. CLERKS failed to use the UNIX ICMS system or otherwise verify in the record that attorney was (1) on the roll as being admitted to the bar, (2) was in good standing, (3) had a photo I.D. card, (4) had paid the admission fee, (5) had a certificate of good standing, and (6) actually represented that party. The record shows CLERKS' "failure to do duties and obligations required by law," as most "attorney appearance forms in the record" are missing, indicating that CLERKS let anybody walk in, purport to be an attorney, and file erroneous or fraudulent papers and documents in furtherance of the racketeering enterprise. CLERKS violated District Court Clerks Manual, Chapter 20, § 20.01 Attorney Admissions Procedures in *Brewer, et al v. Collin County, et al*, No. 99-CV-256, *Brown, et al v. Wilson County, et al*, No. 97-CV-1473, *Hardin v. Adams, et al*, No. 00-CV-2443, *Keim v. Cintra, et al*, No. 00-CV-764, *Fischer v. Stewart, et al*, No. 99-CV-7890, *Hazlett v. County of Riverside, et al*, No. 99-CV-12982, *Martin v. Sandlin*, No. 00-CV-97, *Hoog v. Frio County, et al*, No. 00-CV-640, and *Phelps, et al v. Denton County Sheriff's, et al*, No. 94-CV-182.

297. JUDGES, FIRMS, U.S. ATTORNEYS, MECHAM and OFFICE encouraged the conduct by failing to prosecute crimes in the record as part of their duties prescribed by law. ASHCROFT failed to indict after he had this information for at least 60 days.

CLAIMS for Violation of Title 18 U.S.C. § 1920. False statement or fraud to obtain Federal employee's compensation:

298. The allegations set forth in paragraphs 46, 114, 177, and 179 to 297 are incorporated herein by reference.

299. The record shows that ASHCROFT, MECHAM, OFFICE, CLERKS, JUDGES, U.S. ATTORNEYS, and DOES did not do their jobs, yet did submit false claims for doing jobs. ASHCROFT failed to indict after he had this information for at least 60 days. Defendants will have to dispute plaintiff's claims by bringing forth proof they did their jobs – Rule 16 hearings were scheduled and held, jury trials were held, Dockets were audited, "whoever" violated the law was prosecuted and incarcerated, and that the Clerk's Manual and Title 28 U.S.C. F.R.C.P.s were followed in Brewer, et al v. Collin County, et al, No. 99-CV-256, Brown, et al v. Wilson County, et al, No. 97-CV-1473, Hardin v. Adams, et al, No. 00-CV-2443, Keim v. Cintra, et al, No. 00-CV-764, Fischer v. Stewart, et al, No. 99-CV-7890, Hazlett v. County of Riverside, et al, No. 99-CV-12982, Martin v. Sandlin, No. 00-CV-97, Hoog v. Frio County, et al, No. 00-CV-640, and Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182. State and local governments receive federal money, also committed fraud and swindle, and are liable, title 18 U.S.C. § 666.

CLAIMS for Violation of CLERKS MANUAL CH. 1, EXH. 2 Codes of Conduct - Title 18 USC § 1001. Statements or entries generally:

300. The allegations set forth in paragraphs 46, 114, 177, and 179 to 299 are incorporated herein by reference.

301. CLERKS accepted and entered materially false, fictitious, or fraudulent papers, motions and orders from FIRMS, U.S. ATTORNEYS and JUDGES. CLERKS and DOES, under the direction of MECHAM through OFFICE, used false entries to obstruct justice for their "friends," cover up both their own criminal activity and the crimes of FIRMS, U.S. ATTORNEYS and their clients doing racketeering, extortion, fraud and swindle under color in Brewer, et al v. Collin County, et al, No. 99-CV-256, Brown, et al v. Wilson County, et al, No. 97-CV-1473, Hardin v. Adams, et al, No. 00-CV-2443, Keim v. Cintra, et al, No. 00-CV-764, Fischer v. Stewart, et al, No. 99-CV-7890, Hazlett v. County of Riverside, et al, No. 99-CV-12982, Martin v. Sandlin, No. 00-CV-97, Hoog v. Frio County, et al, No. 00-CV-640, and Phelps, et al v. Denton County Sheriff's, et al, No. 94-CV-182.

302. JUDGES, FIRMS, U.S. ATTORNEYS, MECHAM and OFFICE encouraged the conduct by failing to prosecute crimes in the record as part of their duties, and concealed evidence of criminal wrongdoing by using prohibited pre-trial actions to obstruct justice and conceal it from the public. ASHCROFT failed to indict after he had this information for at least 60 days.

303. This pattern of predicate acts caused a total \$453,000.00 loss by plaintiff, and caused untold loss, including loss of life, with the other victims of defendants' scheme.

CONCLUSION

304. The law as written says that none of these things could have happened if defendants really had been "doing duties as prescribed by law." Defendants used the courts to violate clearly established law, submitted false claims, defrauded the American people, defrauded the United States, obstructed justice for others participating in tax fraud, corporate fraud, charities fraud, malicious prosecution, and other illegal criminal activity, which, taken as a whole, constitutes a highly sophisticated "racketeering enterprise" and a "domestic invasion against the United States." NOTE: Hitler likewise took over the courts, then punished (sanctioned) anybody who complained about Third Reich employees.

305. The overall pattern shows that defendants' scheme is consistent in these and many other cases. Another interesting note for the jury is defendants' blanket granting of "immunity" to corrupt local government employees and each other in knowing violation of the very laws defendants take Oaths to protect. Congress states that defendants do not have the option to "pick and choose" which laws they feel like enforcing, or to "make it up as they go along" to get each other "off the hook" after committing robbery, fraud and swindle "under color of official right."

306. Defendants have conspired to deny plaintiff of the economic benefit of qui tam relator's reward, by falsely asserting that Title 31 is also void in suits against corrupt government.

307. There must be accountability. No matter how many laws get passed, such as Federal Employee Accountability Act, Anti-Corruption Act, Anti-Kickback Act, National Uniformity Act, the problem just gets worse. Sooner or later, the American people will find out that here is yet another federal agency, OFFICE, which has just been taking money under false pretenses, and not doing their job, like the INS (the 911 attacks), SEC (Enron, Anderson Accounting) and FBI (missing palm pilots, guns sold to criminals, agents indicted for stock fraud, etc.). But none of this would have happened if Congress's beautiful laws had been enforced as written with no cover-ups, and with accountability for all criminal activity. Congress's legislative intent in Title 28 U.S.C., the F.R.C.P.s, Title 18 U.S.C., Title 31 U.S.C. or Title 41 U.S.C. is to hold defendants "accountable as prescribed by law." Defendants cannot have it both ways. If defendants and co-conspirators had "absolute judicial immunity," they would not be required to be Bonded and Insured. Either the laws must be enforced as written to deter "organized crime" and corrupt conduct committed by "whoever," to reclaim our wonderful civic institutions and form of government, or else we can just shut down all state and federal courts, the Department of Justice, the Federal Bureau of Investigation, and the Administrative Office of the United States Courts, as nothing happens there except bribery and corruption. Defendants have gotten each other to issue determinations in the federal records that the Constitution, statutes, Amendments, and Acts of Congress are "unintelligible gibberish," "figments of the imagination," "fail to state a claim," "do not apply in this case," "vexatious," or are "too verbose and confusing." So those courthouses should be closed, save the American people's money, and put big signs on the doors: "**No Civil Remedies Available Here!**"

RELIEF DEMANDED

WHEREFORE, plaintiff prays for judgment, awarding her:

- A. Immediate indictment and prosecution of all defendants, co-conspirators, and offenders.
- B. Immediate restraint of all prohibited racketeering activity pursuant to Title 18 U.S.C. Section 1964(a) Civil remedies by issuance of the appropriate orders, including, but not limited to: ordering any person to divest himself or herself of any interest, direct or indirect, in any enterprise; imposing reasonable restrictions on the future activities or investments of any person, including, but not limited to, prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect interstate or foreign commerce; or ordering dissolution or reorganization of any enterprise, making due provision for the rights of innocent persons.
- C. Relief for plaintiff and the other victims ("targets") pursuant to Title 18 U.S.C. § 1512, Section 2 of Pub.L. 97-291(b) and Section 6 of Pub.L. 98-473 consisting of arrest of the accused persons, return of property belonging to the victims ("targets"), and due process, jury trials, and injunctive relief for all the victims ("targets") as demanded in their Complaints;
- D. Civil penalties in the amount of one million dollars (\$1,000,000.00) for each wrongful act of the defendants;
- E. Treble damages, by multiplying the total awarded damages by three;
- F. An award to plaintiff of 15% to 25% of the proceeds of qui tam action under Title 31 U.S.C. § 3730(d);
- G. An award and relief to plaintiff for defendants' wrongful use of federal facilities for criminal profiteering, and for obstruction of justice;
- H. Punishment of defendants under the USA PATRIOT Act of 2001;
- I. An award and relief to plaintiff for defendants' violation of the Anti-Corruption Act of 1988, 18 U.S.C. § 1341, against plaintiff;
- J. Costs of this action under Title 31 U.S.C. § 3729;
- K. Reasonable costs, attorneys fees, expenses to plaintiff including Title 31 § 3730(d);
- L. A damn good explanation for all this from each defendant;
- M. Such other relief as is just and proper.

CERTIFICATION OF ADMISSIBILITY, RULE 801

308. I, plaintiff Janet I. Fischer, plaintiff in the above entitled action, do swear under penalty of perjury under the laws of the United States of America, that the foregoing is of my personal knowledge, being true and correct, and admissible against all defendants to establish the "existence of a civil conspiracy to use the courts as a racketeering enterprise, to use the courts to establish and collect fraudulent liens, debts and judgments, to obstruct justice in order to evade prosecution for co-conspirators doing fraud and swindle, to submit false claims, to deny qui tam relator's reward, and to deny citizens due process rights pursuant to the 1997 Amendment of Federal Rules of Evidence, Rule 801 et seq.

DATED this 1st day of August, 2002

Respectfully submitted,

Janet I. Fischer, plaintiff

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