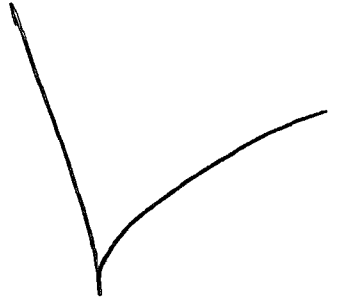


Exhibit



**JUDICIAL COUNCIL OF THE SIXTH CIRCUIT
COMPLAINT OF JUDICIAL CONDUCT OR DISABILITY**

MAIL THIS FORM TO: CIRCUIT EXECUTIVE OF THE SIXTH CIRCUIT
503 U.S. POST OFFICE & COURTHOUSE
CINCINNATI, OHIO 45202

MARK ENVELOPE "JUDICIAL MISCONDUCT COMPLAINT" OR JUDICIAL DISABILITY COMPLAINT. DO NOT PUT THE NAME OF THE JUDGE OR MAGISTRATE ON THE ENVELOPE.

SEE RULE 2 FOR THE NUMBER OF COPIES REQUIRED.

1. Complainant's Name: David Schied
Address: 20075 Northville Place Dr. North #3120 Northville, MI 48167

Daytime telephone: (248) 924-3129

2. Judge or Magistrate complained about:
Name(s):

LAWRENCE P. ZATKOFF

Court: Sixth Circuit Court of Appeals

3. Does this complaint concern the behavior of the judge or magistrate in a particular lawsuit or lawsuits?

Yes

If "yes" give the following information about each lawsuit
(use reverse side if there is more than one):

Court: U.S. District Court, Eastern District of Michigan, Southern Division – David Schied v. Martha Daughtrey, David McKeague, Gregory Van Tatenhove, Stephen Murphy (U.S. Attorney/Judge), Terrence Berg (U.S. Attorney); Rod Charles, Andrew Arena (FBI); Michael Mukasey, Marie O'Rourke, Shanetta Cutlar (USDOJ); Margaret Colgate Love (former USDOJ); Greg Abbott (Texas attorney general), and DOES; (Judge Lawrence Zatkoff); 2009

Docket number: 08-14944

Other Docket number: 08-1895; 08-1879

Are (were) you a party or lawyer in the lawsuit?

Party

If a party, give the following information:

Lawyer's Name: I am a "pro se" and "forma pauperis" litigant

Address: n/a

Telephone:

Docket number(s) of any appeals of above case(s) to the Sixth Circuit Court

of Appeals: Judge Zatkoff dismissed the case WITH open and admitted PREJUDICE to prevent me from filing an appeal

4. Have you filed any lawsuits against the judge or magistrate?

No

CONDUCT SUBJECT TO COMPLAINT

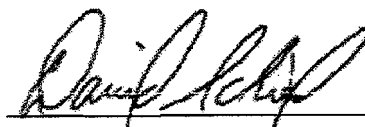
(Special treatment of peer group; Conduct prejudicial to litigant and business of the Court;
Criminal conduct)

1. The DISMISSAL of the case served to *discriminate* against me by **denying proper “service” to me** as Plaintiff David Schied;
2. The DISMISSAL of the case served to further the perpetuation of reported crimes by **providing “favorable treatment” to the Defendants** though they are criminals;
3. The DISMISSAL of the case WITH PREJUDICE served to perpetually delay and prevent an *“effective and expeditious administration of the business of the courts”*;
4. The DISMISSAL of the case served to perpetuate the familiar pattern of the Co-Defendant of **denying full faith and credit to Petitioner’s Texas clemency documents**; and of obstructing Petitioner’s free exercise of Constitutional rights, as otherwise guaranteed by Texas courts and the Texas Governor. It also **reflects and reinforces the pattern of Co-Defendants’ “exploitation of a vulnerable victim”**;
5. The DISMISSAL of the case served to provide favor to the government Defendants by criminally *“aiding and abetting”* them with continued *“cover”* for their wrongful crimes against me as the *“crime victim”* and civil rights *“litigant”*;
6. The DISMISSAL of the case served to **display a willful cover-up of allegations of criminal felony offenses**, inclusive of an offense of **“conversion” of government property** (i.e., an erroneous 2003 FBI report) **to personal use** (i.e., by public dissemination under the Freedom of Information Act in *“retaliation”* against a former *“whistleblower”* and employee) which itself constitutes felony offenses by the judges;
7. This judge has **displayed a refusal to execute his DUTY to take immediate action** under both state and federal statutes governing the rights of crime victims;
8. The DISMISSAL of the case served to display the familiar patterns of a government cover-up of **preferential treatment for government peers, an obstruction of justice, and a conspiracy against rights**;
9. The DISMISSAL of the case served to display the familiar pattern of the government Co-Defendants, of **corruptly misleading the public** by continuing to allow their predecessors and colleague judges to set forth *fraudulent* authentication features in what is otherwise the restricted interstate communication of criminal history identification information; *
10. The DISMISSAL of the case served to display the familiar pattern of the government Co-Defendants, of **continuing to allow their predecessor and colleague judges to corruptly mislead the public by libel**,

slander, and by trespassing upon Petitioner's personal and professional reputation;

11. The action of this judge demonstrates his role in a continuum of government *racketeering*.

I declare under penalty of perjury that I have read rules 1 and 2 of the Rules of the Sixth Circuit Governing Complaints of Judicial Misconduct or Disability, and the statements made in this complaint are true and correct to the best of my knowledge.



9/14/2009

Attached submissions:

- Cover Letter inclusive of 15 pages of clarification and interpretation of the 8-page Statement of Facts;
- 8-page Statement of Facts;

* Note: Statutory procedure requires agency notification of correction or refusal within 10 days of receipt of this complaint.

** Petitioner notes that a full set of Exhibits referenced by this Complaint are already on file and readily accessible to the Court of Appeals. Petitioner is not sending additional copies of other related documents because the cost of copying those supporting pages would be too costly and a financial burden on this *forma pauperis* complainant.

David Schied
20075 Northville Place Dr. North #3120
Northville, MI 48167
248-924-3129
dschied@yahoo.com

9/14/2009

Attn: Judicial Council of the Sixth Circuit
Office of the Circuit Executive – Misconduct Petition
503 Potter Steward, U.S. Post Office and Courthouse Building
100 E. Fifth Street
Cincinnati, OH 45202
FAX: (513) 564-7210

Re: “Judicial Misconduct” Complaint(s) on Judge Lawrence P. Zatkoff (case No. 08-14944)

To Whom It May Concern on the Judicial Council of the Sixth Circuit:

Enclosed you will find my Complaint about Judge Lawrence P. Zatkoff stemming from his persistent dismissal of my various Complaints, motions, and petitions in the above-referenced civil and CRIMINAL matter.

Attachments to this narrative Complaint are the “Complaint Form” and “Statement of Facts” which I have submitted under penalty of perjury for truthfulness of the facts. Please note that while your form Complaint restricts my statements to only 5 pages, I do not believe that “*official corruption*” or “*patterns*” of official corruption can be encapsulated by description in such minute number of pages. Therefore, I will seek by this letter a proper clarification and interpretation of the “Statement of Facts” as they have been presented in the attached eight (8) pages of formalized “Statement of Facts”.

Additional documents being provided along with this cover letter, the “Complaint Form”, and the “Statement of Facts” include the following:

- a) Notarized “Sworn Affidavit of Earl Hocquard” dated 4/7/09, inclusive of all referenced exhibits of Evidence, as witness to the retaliatory crime perpetuated against me by the district administration and business office management of the Lincoln Consolidated Schools, occurring more recently in 2009;
- b) Notarized “Sworn Affidavit of Earl Hocquard” dated 2/10/09, inclusive of all referenced exhibits of Evidence, as witness to the retaliatory crime perpetuated against me by the district administration of the Northville Public Schools, occurring more recently in 2009;

Please also note that my Judicial Misconduct complaint is not about a “*wrong decision*”, a “*very wrong decision*”, or arguments “*directly related to the merits*” of case or the judge’s stated reasons for their decision for inaction upon my multiple “*motions*”, my civil rights “*appeal*”, and my continual reports about ongoing CRIMES being committed by Michigan government officials. This Complaint is not to call into question the correctness of an official judgment by this judge. **Though the Complaint does relate to the “*decision*” of Judge Zatkoff not to even have the Defendants address the issues I have presented to their collective group, my Complaint about Zatkoff goes beyond merely a challenge of the correctness of his decision based on the merits of the case.**

Instead, my Complaint attacks the propriety of this judge having arrived at a “DISMISSAL WITH PREJUDICE”, without his “*affirmative*” action to address or act upon the CRIMINAL allegations in my Complaint on my case. Given the context and content of this case, of my many “*motions*”, the “*Evidence*”, the sworn VICTIM “*Statements*”, and the sworn and notarized “*witness statements*” that I provided to this judge long ago about these ongoing crimes, the evidence of this case shows that Judge Zatkoff made a conscious decision to allow these CRIMES to continue against me while acting in an illicit manner *and* with an apparent improper motive.

In this case, the evidence of an improper motive lay in the “*context*” in which Judge Zatkoff has continuously “dismissed” my case, furthering the perpetual delay of the *effective and expeditious administration of the business of the courts* and resulting in a hindrance and gross “*miscarriage*” of justice. This “*continual delay*” falls within a “*PATTERN*” of criminal offenses perpetuated by the civil and criminal co-defendants named by the all of the previous State and Federal court cases referenced by this Complainant, by which a CONSPIRACY is proven to exist by a “*meeting of the minds*” on a “*common design*” that maintains the “*unity of purpose*” of “*concealing criminal conduct*” and “*thwarting government liability*” for the actions of other government authorities involved and/or referenced in the evidence about this case.

"Private persons, jointly engaged with state officials in the prohibited action, are acting 'under color' of law for purposes of the statute. To act 'under color' of law does not require that the accused be an officer of the State. It is enough that he is a willful participant in joint activity with the State or its agents," United States v. Price, 383 U.S. 787, 794 (1966)."

"If sufficient allegations appear of the acts of one defendant among the conspirators, causing damage to plaintiff, and the act of the particular defendant was done pursuant to the conspiracy, during its course, in furtherance of the objects of the conspiracy, with the requisite purpose and intent and under color of state law, then all defendants are liable for the acts of the particular defendant under the general principle of agency on which conspiracy is based." Hoffman v. Halden 268 F.2d 280 (1959)

My Complaint is about prejudicial conduct by Judge Zatkoff, who has blatantly demonstrated an egregious manner of treating me as a litigant, by his “*engaging in conduct outside the performance of his official Court duties*”, and while using his judiciary position as a means for “*aiding and abetting*” in the perpetuation of crimes and covering up for the crimes of others while acting “*under color of law*”. His actions, given proper public attention, would therefore lead to a “*substantial and widespread*” lowering of public confidence in the Courts, at least among *reasonable* people.

I should remind this Judicial Council that these charges, as proven by reason as true, are very serious and that this Sixth Circuit Court’s Judicial Council has a duty to the Constitution to protect the integrity of the courts. Plaintiff reminds this Council that its loyalties are to the People of the United States and not to the self interests of the Bar, or to their “*peer group*” of fellow judges, or to The Bar Plan company of liability insurance. The Plaintiff appreciates that it is difficult for a judge or council of judges to find and determine misconduct against his or her fellow judge(s). Complainant believes that it is unconstitutional for the judicial system to be self regulating, as this case is evidence as to why self regulation doesn’t work since Evidence already submitted to this U.S. Court of Appeals for the Sixth Circuit demonstrates that prior complaints have already been ignored by the State Bar of Michigan, Michigan’s Judicial Tenure Commission, and indeed, the Judicial Council for the Sixth Circuit. Nevertheless, the judiciary zealously defends its self regulation, so it has a DUTY to self-

regulation and self-policing. Therefore, **this Council, though presented with a *prima facie* conflict of interest, has a duty to protect the public perception of the integrity of this United States Court.**

Many preambles, forwards, and prefaces to judicial codes of ethics and responsibility are found to state some variation of the following:

"The judicial and legal professions' relative autonomy carries special responsibilities of self governance. These professions have the responsibility of assuring the public that its regulations are conceived enforced in the public interest and not in furtherance of parochial or self-interested concerns of their judicial officers. Every lawyer and judge is responsible for observance of the Rules of professional practice. Each should also aid in securing their observance by other lawyers and judges. Neglect of these responsibilities compromises the independence of the judiciary and the public interest which it serves."

The United States is a government of the people, by the people, and for the people. The judicial system's function is to serve the public by providing a means by which disputes may be resolved and justice may be served. This can only be done in an environment where honesty, integrity, and high moral standards are strictly enforced. The Courts therefore use disciplinary proceedings to protect the courts and the public from the official ministrations of judges and lawyers unfit to conduct legal proceedings in the practice of law.

Bad judges and lawyers hurt good ones. When a lawyer or a judge is allowed to abuse the judicial process for his own personal gain, or to provide gain or cover-up to the gain of others, it taints the image of the court and that of all lawyers and judges. As officers and officials of the court, judges and lawyers must be held to a higher standard of honesty and moral character, not a lower standard. It is therefore in the best interest of all judges and lawyers to determine who is failing to uphold that standard and therefore needs further retraining and knowledgeable support. Any organization that fails to take responsibility to *properly* police itself will eventually lose its autonomy from government regulation. If the courts allow judges and lawyers to use the court's power to abuse the people, the people will eventually find themselves without any further recourse except to rise up with contempt against the courts; to challenge and to strip them of their autocratic authority.

In the case of ELKINS ET AL. v. UNITED STATES, 364 U.S. 206, 80 S. Ct. 1437, 4 L. Ed. 2d 1669 the court in speaking about the imperative of judicial integrity stated:

*"In a government of laws...existence of the government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. **If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy.**"*

Judge Zatkoff has not so cleverly exhibited his disdain for ethics and honesty by his persistent decision(s) to continue "*dismissing*" any sort of address of these crime reports. His contempt of the Rules of proper judiciary conduct is glaringly obvious by his having intentionally contributed to an ongoing CONSPIRACY TO COVER UP CRIMES against this litigant. **His "decision(s)", when placed in contrast with the content of my various Complaint and Motion pleadings, serves *not* to underscore the "*merits*" of the pleadings themselves, but to underscore this judge's willingness to SUSTAIN and SANCTIFY ONGOING CRIMES against the plaintiff. The manner in which this**

judge has blatantly refused to provide any sort of “affirmative action” on this case is itself demonstrative Evidence of conduct that was willful, deliberate and inexcusable.

In a society where professional attorneys become professional judges and judges go back to being lawyers, it would seem natural for the rule of law and “*justice*” to simply give way to the old idiom, “*You have to go along to get along*”. It is likely that is what has happened in this case. (Note that a ruling by judges Martha Craig Daughtrey, David William McKeague, and Gregory Van Tatenhove served as the basis for a formal Complaint I filed about former U.S. Attorney Stephen Murphy, to whom I had reported federal crimes to a year and a half ago in Detroit, and who thereafter thwarted his duty to prosecute those crimes or to remand the case to a Grand Jury for indictments; and who just shortly afterwards changed careers to become a federal judge for the Eastern District of Michigan.) Judges are not above the law, however. It is illegal to conspire with lawyers and/or other judges to cover up for each other and while simultaneously making a mockery of “*justice*” and the public. All of these judges (including Judge Zatkoff) and U.S. Department of Justice employees have the DUTY to serve the public in the name of the law and the duty to serve justice, not themselves.

Gross Negligence, Incompetence, and Intentional Malfeasance of Duty is outside the Scope of “Official Judiciary Duty”

One need not consider the “*merits*” of Judge Zatkoff’s ruling as weighed against the legal arguments to rationalize his willful “*Judgment*” omission of the FACT that I had received a “*set aside*” in 1979, and that “*set aside*” would have precluded the ability to even qualify for a “*pardon*” in 1983 for a “*lack of an object to pardon*”. (See Texas AG Opinion DM-349 in 1995). Similarly, one need not consider the “*merits*” of Judge Zatkoff’s ruling as weighed against the legal arguments to rationalize his willful refusal to even have the government co-defendants address the Arguments and the Evidence presented by the case brought before him.

Neither does one need to consider the “*merits*” to reasonably prove that Judge Zatkoff’s *continual dismissal – WITH openly admitted PREJUDICE* – of Plaintiff’s 19-page “*Complaint*” submitted with *eighty (80) exhibits of Evidence*, his “*Amended Complaint*”, his “*Motion for Disqualification of Judge*”, his “*Motion for Order for Criminal Grand Jury Investigation*”, his “*Motion to Claim and Exercise Constitutional Rights, and Require the Presiding Judge to Rule Upon This Motion for All Public Officers of This Court to Uphold Said Rights*”, and Plaintiff’s “*Motion to Demand This Court Read All Pleadings Plaintiff Files With This Court, and to Adhere Only to Constitutionally Compliant Law and Case Law, and More Particularly, the Bill of Right, in Its Rulings*”demonstrated repeated “*decisions*” made with “*prejudicial bias*” toward the government co-defendants and against the plaintiff even though he claimed to be a CRIME VICTIM. One need only look at the surface features here, in comparison of the pleadings and the judge’s “*response(s)*” to those pleadings via his decision(s) to continually dismiss the proceedings and “*justice*” in this case. **The decision to incessantly dismiss these proceedings, itself follows the same criminal pattern about which the petitioner complains needs to investigated, and in which the petitioner continually asserts needs to have indictments issued, in order to stop ongoing victimization of the petitioner/plaintiff and his family.**

This Judicial Council of the Sixth Circuit Court of Appeals should note that the Rules barring the review of a “*dismissal*” decision that is “*directly related to the merits of the named judges’ decision*” does not preclude a petitioner’s right to have his or her petition considered and granted on the basis that the “*named judge’s decision*” is “*meritless*” given the “*context*” and “*conditions*” under which that decision is derived. In this case, the “*decision*” of this judge follows

the “*same pattern*” of criminal behavior (by members of their “*peer group*” of government “*officials*”) about which the Sixth Circuit Court judges of Martha Craig Daughtrey, David W. McKeague, and Gregory Van Tatenhove were earlier petitioned to review and decide upon *against* their “*peer group*” of other government officials. The crimes they too committed in the process of their committing “*gross negligence*” in “*malfeasance*” of their judicial duties in order to “*aid and abet*” their government co-conspirators, does not serve as the proper basis for determining that the petitioner’s allegations against these judges are also “*meritless*”, or that the petitioner’s claims should be dismissed because they are “*directly related to the decision*” of these judges (i.e., to “*dismiss*” and/or “*delay*” the Plaintiff’s claims and case against those other government co-defendants).

Therefore, this Judicial Council should grant the review of this “*Petition*”, as well as grant proper sanctions against Judge Zatkoff, for his gross negligence and malfeasance of duty to consider and rule upon the “*merits*” of the pleadings before him, and for their having followed the recurring criminal “*pattern*” of **dismissing the merits, and depriving me (Plaintiff/Petitioner David Schied) of the actual “merits” that I had presented straightforwardly in FACTS, in LAWS, and in EVIDENCE...**as I am now similarly presenting facts, laws, and evidence to this Judicial Council.

Additional documents that I am sending now along with this Petition include the ones listed below in support of what I have been continuously claiming for the past nearly six (6) years in State and Federal courts, about my being continuously criminally violated by the co-Defendants and their State government peers. Those claims were placed in all of the above-referenced “*Motions*”, as well as in other pleadings embedded in a parallel “*Civil Rights*” case now on Appeal (No. 08-1879), after my attorney’s “*original complaint*” to the U.S. District Court was also dismissed by another U.S. District Court judge PAUL D. BORMAN. Essentially, I have been waiting for and DEMANDING “*justice*” for well over a year since first notifying BOTH levels of U.S. Courts about these crimes. It has been nearly two years since that other case was first filed by my attorney in U.S. District Court.

Nearly immediately after my filing that previous case in the Sixth Circuit Court of Appeals, the tribunal of judges **Martha Craig Daughtrey, David W. McKeague, and Gregory Van Tatenhove** ruled with a dismissal of my “*Petition for Writ of Mandamus*” and my “*Motion for Criminal Grand Jury Investigation*” of these reported CRIMES. (See “*Complaint of Judicial Misconduct*” No’s 06-08-0900 58 / 59 / 60). Subsequently, a year later and as recently as 7/13/09, Judge Danny Boggs dismissed that Complaint about those judges. (Again, see “*Complaint of Judicial Misconduct*” No’s 06-08-0900 58 / 59 / 60) despite my inclusion by reference to these the very same support documents I had provided to all the other State and Federal judges. All of these documents served a substantive PROOF that these crimes were continuing to be committed – repeatedly – against me.

Moreover, the documents I have filed with these judges of the Sixth Circuit have included a plethora of PROOF that the Defendant/Appellants and their attorneys have long been defrauding the various Courts where they have acted in the capacity of “*officers*”. I pointed out that they have even “*defrauded*” the U.S. District Court and the U.S. Court of Appeals by their written pleadings, otherwise submitted under Oath of compliance, inclusive of and at least one falsely sworn “*Affidavit*” of the Northville Public Schools superintendent (identified as a co-defendant/appellee LEONARD REZMIERSKI in that “*dismissed*” Sixth Circuit case).

Note that the following list of documents accompanied my recent “*Petition*” (dated 9/3/09) to the Judicial Council regarding my “*Judicial Misconduct*” complaint about Judge Danny Boggs’s having dismissed of my previous “*Judicial Misconduct*” complaints against Daughtrey, McKeague, and Tatenhove for their having “*dismissed*” my “*Writ of Mandamus*” petition based upon allegations and

evidence of continued crimes against me by a “*criminal conspiracy*” of State government officials. These documents, already on record with the Judicial Council, not only help to justify the basis for my claim that Judge Danny Boggs failed to recognize the merits of the Complaints I had filed earlier with the Judicial Council, these following listed documents additionally support the basis of my original “*Judicial Misconduct*” Complaints about Judge Daughtrey, McKeague, and Van Tatenhove, as well as against Judge Lawrence P. Zatkoff.

- 1) “Sworn (and Notarized) Affidavit of Earl Hocquard” (dated 4/7/09) regarding crimes being committed against me by district administrators and business office personnel of the Lincoln Consolidated Schools;
- 2) “Sworn (and Notarized) Affidavit of Earl Hocquard” (dated 2/10/09) regarding crimes being committed against me by district administrators of the Northville Public Schools.
- 3) Four (4) letters dated 6/9/09, 6/15/09, 6/17/09, and 6/24/09 reflecting correspondence written between the Michigan State Police and me regarding the ongoing criminal offenses being perpetuated against me by the Lincoln Consolidated School District;¹

The documents listed above also provide an additional basis for all of my “*Motions*” and “*Complaints*” being perpetually delayed by the Sixth Circuit Court of Appeals in case No. 08-1879, as well as the original claims I had filed as the basis for my “*Claim of Appeal*” on the original case in which U.S. District Court Judge Paul Borman (of the Eastern District of Michigan, Southern Division) had improperly dismissed in 2008 without looking into my attorney’s report about these CRIMES being perpetuated by the Defendants.

In addition, to support the basis of my now six-year effort to report these ongoing crimes to the State and Federal “*judiciary*”, to law “*enforcement*”, and to “*prosecutors*”, I rely minimally upon the following official documents by reference:

- a) “CJIS Information Letter” dated April 6, 2001 – located at the following website: www.doj.state.wi.us/les/law/docs/20010406_infoletter1.doc
- b) “National Crime Prevention and Privacy Compact Resource Materials” published by the U.S. Department of Justice’s “*Bureau of Justice Statistics*” on January 1998 (NCJ 1716771) – located at the following website: www.ojp.usdoj.gov/bjs/pub/pdf/ncppcrm.pdf
- c) Codes of the “Law Enforcement Information Network (LEIN)” dated 5/1/09 as provided in the “*Childrens Protective Services Manual*” at the Michigan Department of Human Services – located at the following website: www.mfia.state.mi.us/olmweb/ex/cfp/713-2.pdf
- d) “The Attorney General’s Report on Criminal History Background Checks” published in June 2006 by the U.S. Department of Justice’s Office of the Attorney General – located at the following website: www.usdoj.gov/olp/ag_bgchecks_report.pdf

¹ This Judicial Council for the Sixth Circuit should recognize that the Complaints I have filed, inclusive of my criminal allegations against the Michigan State Police, should otherwise be considered a matter of “*whistleblowing*” as defined by the False Claims Act (31 U.S.C. §§ 3729–3733) which allows people who are not affiliated with the government to file actions against federal contractors claiming fraud against the government. In this case, the fraud has long been on the FBI by the Michigan State Police criminally “*covering up*” the now six (6) year “*conversion*” of federal government property (i.e., a 2003 erroneous FBI report) to personal use (by Lincoln Consolidated School officials using the document criminally to retaliate against me for filing civil and criminal claims against their former superintendent SANDRA HARRIS and others at that school district).

BASIS OF THIS PETITION

In short, this “Judicial Misconduct” Complaint about Judge Lawrence P. Zatkoff, is based on the FACT that he blatantly and continually refused to recognize the merits of my various pleadings in form of both “complaint” and in “motions” that I repeatedly filed with him in the U.S. District Court for the Eastern District of Michigan.

In support of that claim, I present the following itemized FACTS to help clarify and interpret the Statements included in the accompanying “Statement of Facts”:

- a) Evidence shows that near the end of November 2008, Mr. Schied presented Judge Zatkoff with a combined “‘Complaint’ and ‘Brief in Support of Complaint’ of Criminal Misconduct, Conspiracy, Fraud, Racketeering and Corruption”. Constructed within that Complaint was a “Request for Injunctive Relief by ‘Writ of Mandamus’ and a ‘Motion for Order for Criminal Grand Jury Investigation’”. That Complaint was written thoroughly and constructed in compliance with Federal Court Rules. It was also submitted along with a separate “Appendix of Referenced Exhibits in Support of Plaintiff’s Complaint...” itemizing and summarizing each of the eighty (80) documents of evidence depicting the crimes against the individuals either formerly or currently employed by the U.S. Department of Justice (STEPHEN J. MURPHY, TERRENCE BERG, ROD CHARLES, ANDREW ARENA, MARGARET COLGATE LOVE, MICHAEL MUKASEY, MARIE A. O’ROURKE, SHANETTA Y. CUTLAR, and JEROME PENDER), as well as three Sixth Circuit Court of Appeal Judges (MARTHA CRAID DAUGHTREY, DAVID WILLIAM McKEAGUE, GREGORY F. VAN TATENHOVE) and the defendants named in Texas law enforcement and the Judiciary (THOMAS A. DAVIS, JR., GREG ABBOTT, SCOTT M. GRAYDON, and other “DOES”). The Complaint additionally named the Texas Attorney General, the Director of the Texas Department of Public Safety, and others employed by the Texas judiciary and Texas law enforcement. It also issued a “Demand for Jury”. **Evidence also shows that rather than address the content of the Complaint, and rather than to provide any form of criminal relief to Mr. Schied and his family by convening a federal Grand Jury to review the allegations and the itemized Evidence submitted to his court, Judge Lawrence Zatkoff simply dismissed all of the documents Mr. Schied submitted to the court and ordered him to rewrite his criminal complaint.**
- b) Evidence shows that after filing his Complaint with the U.S. District Court as a “*pro se*” and “*forma pauperis*” litigant, Mr. Schied called the court Clerk in mid-December to inquire whether or not the Court had sent out the “Summons” that they collected for all of the co-defendants pending the court’s approval of the application for waiver of fees on filing these documents. At the time of his call in mid-December, the Court clerk informed Mr. Schied that the reason why Judge Zatkoff had not made any decision regarding the “*forma pauperis*” application in waiver of court costs was because the Judge was considering “*disqualifying*” and “*withdrawing*” himself from this case. A possible reason for this was not stated, however it might have had something to do with the fact that shortly before Mr. Schied filed this Complaint naming STEPHEN J. MURPHY individually and in his official capacity as a U.S. Attorney, Stephen J. Murphy had become a U.S. District Court judge on the same bench as Judge Lawrence Zatkoff.
- c) Evidence shows that a couple of weeks later, Mr. Schied called a second time and left a phone message over the holiday season expressing his concern that the longer the Court waited to send out those “*summons*” the more the case might be **prejudiced** by the Court giving the government co-defendants the opportunity to claim that “*officially*” the calendar of days

governing their response due date might be extended because they had not been “*served*” for over a month after receiving a copy of the Complaint. The evidence shows that it was right after Mr. Schied left that message that Judge Zatkoff *dismissed* all of Mr. Schied’s documentation and Ordered him to rewrite everything, using “*color of law*” (Fed. R. Civ. P.8) as his means of denying Mr. Schied his right to have his complaint “*heard*” by any kind of jury. Evidence shows that ultimately, even after Mr. Schied followed the judge’s order and rewrote his Complaint, Judge Zatkoff dismissed it anyway WITH PREJUDICE under claim that Mr. Schied was vexatious and filing a “*frivolous*” complaint. **Evidence also shows that such dismissal of the entire case was prejudicially provided by this federal judge fully four months after the initial filing of this case, and without the defendants having filed any documents with the Court other than one or two attorney “Notices of Appearance”.**

- d) Evidence shows that because of the undue burden placed upon him to rewrite his 194-page Complaint about these large number of federal government officials, and because of the high cost of having to re-copy and mail 80 sets of documents to all of these government officials again, Mr. Schied rewrote his Complaint with reference to the documents of Evidence already itemized, summarized, and in the possession of each of the co-Defendants. Evidence shows that Mr. Schied also submitted his rewrite of the original Complaint in January 2009 along with a “*Motion for the Judge to Disqualify Himself*”. That “*motion*” was based upon the statements made by this judge’s court Clerk in mid-December and the clearly “*prejudicial*” decisions of Zatkoff of first stalling the case then requiring Mr. Schied to rewrite and re-submit his criminal racketeering and corruption complaint despite his being a “*pro se*”, a “*forma pauperis*” litigant, and a reported “*crime victim*”. **That evidence shows that to undermine the potency of Mr. Schied’s written submissions to the Court, Judge Zatkoff issued a second Order in February 2009 which “*struck*” from the official public record all references to Mr. Schied’s “*Motion for the Judge to Disqualify Himself*”. By that same Order, Zatkoff also had “*stricken*” from the “*official*” record all paragraphs in Mr. Schied’s rewritten Complaint that contained references to the “*original*” Complaint and/or the Evidence documents (already in possession of the co-defendants) which otherwise supported the factual statements Mr. Schied had restated in the rewritten Complaint.**
- e) Evidence shows that while Mr. Schied had been in complaint that a year and a half earlier Stephen J. Murphy had the power to order a grand jury investigation himself rather than to send Mr. Schied on his own to the FBI and to direct him to hire an attorney and take his criminal complaints to the U.S. District Court, Mr. Schied had also pointed out in both his “*original*” and his “*rewritten*” (“*Amended*”) complaint that former U.S. Attorney Murphy also had the “*duty*” to provide Mr. Schied with criminal relief a year and a half prior to Mr. Schied filing this Complaint with the Court as Murphy had suggested. **The evidence also demonstrates that in rewriting his Complaint, Mr. Schied cited federal statutes informing Judge Zatkoff also of his “*duty*” under sworn Oath to take action upon a signed criminal complaint about felony offenses occurring to undermine not only Mr. Schied’s civil and Constitutional rights, but the rights of any U.S. citizen to be criminally protected by the proper involvement of the People themselves through the grand jury process. Mr. Schied reminded Judge Zatkoff of this duty by reminding him that the failure to do anything about these crimes not only constitutes a “*misfeasance of felony*” but also “*interference in grand jury proceedings*”. Nevertheless, the evidence shows that Zatkoff again used “*color of law*” to deprive Mr. Schied his right to have these crimes reported to the Special Grand Jury (and to deprive the Special Grand Jury of their “*duty*” to inquire and “*find out*” about such government crimes). He stated simply in his February ruling that, “*Federal criminal proceedings...rest solely on the authority and discretion of the United States Attorney and federal grand juries...This Court, as a federal district court, has no authority or power to***

order that a criminal complaint be filed by the United States Attorney...It is well-established that a private individual may not file a criminal complaint in a United States District Court...In the interest of justice... (therefore)... because the Court lacks the authority or power to order a criminal grand jury investigation, the Court DENIES Plaintiff's 'Motion for Order for Criminal Grand Jury Investigation....'. Clearly, this ruling is evidence that Judge Zatkoff was playing a "game of finger-pointing" with former U.S. Attorney Murphy (who now is a U.S. District Court judge sharing the same bench with Zatkoff), while sending Mr. Schied hopelessly right back to the same place where he started a year and a half earlier with the new U.S. Attorney Terrence Berg and the others that Mr. Schied had already named in this Complaint as being employed by the U.S. Department of 'Justice'.

- f) Evidence shows that while rewriting and re-submitting his "Amended Complaint" in January along with a "Motion for the Judge to Disqualify Himself" and "Motion for Order for Criminal Grand Jury Investigation", which were both DENIED by Judge Zatkoff, Mr. Schied had also in January filed two other "motions" of "Claim" and "Demand" of his Constitutional Rights, which Judge Zatkoff also DENIED.
- g) The evidence demonstrates that the first of those two other motions was a "Motion to Demand This Court Read All Pleadings Plaintiff Files With This Court, And To Adhere Only to Constitutionally Compliant Law and Case Law, and More Particularly, the Bill of Rights in Its Rulings". Judge Zatkoff denied this motion by claiming, "The Court, in carrying out its functions, always reviews (not "reads" as the motion specified) all of the materials... Further, the Court applies only constitutionally-compliant law to each and every matter before it...Therefore, because the Court already performs the tasks Plaintiff demands, Plaintiff's motion is DENIED AS MOOT".
- h) The evidence demonstrates that the second of these motions was a "Motion to Claim and Exercise Constitutional Rights, and Require the Presiding Judge To Rule Upon This Motion For All Public Officers Of This Court To Uphold Said Rights". Judge Zatkoff denied this motion by claiming, "Plaintiff seeks, among other things, an order for the Court to abide by its oaths, to provide due process of law, to provide equal protection, to respect, to protect, and uphold Plaintiff's rights, and to acknowledge the Constitution of the United States of America as the Supreme Law of this Court...Once again, because the Court already performs the tasks Plaintiff demands, Plaintiff's motion is DENIED AS MOOT".
- i) The evidence shows that in March 2009, Lawrence Zatkoff dismissed Mr. Schied's entire "Amended Complaint" WITH PREJUDICE, precluding his ability to procedurally exercise right to his "Claim of Appeal" to the U.S. Court of Appeals for the Sixth Circuit. In his ruling, Zatkoff based the dismissal upon his claim that Mr. Schied's amended complaint was "frivolous... (and)... fails to state a ground upon which relief may be granted...(and)...seeks relief from immune parties". Such evidence, particularly the claim that Mr. Schied "failed to state a ground upon which relief may be granted", demonstrates that Lawrence Zatkoff is intentionally and willingly a participant in the "cover up" of the reported crimes of his other government co-defendants. This evidence also demonstrates his following the same criminal "PATTERN" of issuing decisions based upon significant "omissions and misstatements of fact"; and while generating additional "fraudulent" official documents for the criminal co-defendants to rely upon in justifying even further crimes against Mr. Schied and his family.
- j) The evidence of these public U.S. District Court records, including Zatkoff's own written "Judgment" in dismissal of Mr. Schied's entire case, demonstrates Zatkoff's own "judicial misconduct" and his "obstruction of justice" in terminating these criminal allegations without affording the criminally "ACCUSED" their Constitutional right to defend themselves against these allegations. The fact is that throughout these four months of proceedings, Mr. Schied received NOTHING of an "AFFIRMATIVE DEFENSE" from any of these government co-

defendants in response to these criminal allegations that NONE DID THEIR JOB and NONE HONORED THEIR SWORN OATH to uphold Mr. Schied's rights under the Constitution.

- k) The evidence therefore shows that Lawrence Zatkoff not only deprived Mr. Schied his federal Victims' Rights to criminal relief (i.e. these are rights that Mr. Schied took an active role in getting legislated during his previous career as a crime prevention expert and victims' rights advocate). Lawrence Zatkoff also deprived Mr. Schied "*due process of law*" and the right to a "*trial by jury*" for the "Accused" government co-defendants, and while fraudulently using "*color of law*" to mischaracterize both Mr. Schied and his substance of his case; and he did so by means of fraudulently establishing some sort of ridiculous "PRECEDENCE" in the form of a public record that sets forth his "*official*" claim that government officials somehow have "*immunity*" from criminal prosecution by a U.S. District Court. Such undermining of our United States Constitution and other laws governing the People of the United States is an prosecutable act itself of "TREASON".
- l) The evidence shows that in "*officially*" presenting a "Background" to Mr. Schied's complaint, Lawrence followed the "pattern" of his other criminal co-defendants by the fraudulent claim, "*The present matter originates from Plaintiff's plea of guilty...in Texas in 1977*". Clearly, this statement continues to address Mr. Schied's continual attempt to get a "*redress of (criminal) grievances*" by only continuing in return to "*injure*" Mr. Schied. Judge Lawrence Zatkoff's "*answer*" to Mr. Schied's complaint shows his own part in the co-defendants having continually re-punished him for an offense that occurred three decades prior, for which Mr. Schied had long before "*resolved*" through an "*early termination of probation*", a "*withdrawal of plea*", a "*dismissal of indictment*", a "*governor's full pardon of the underlying intent*", and even had what should have been all other references to even the "*arrest*" record "*obliterated*" through a court "Order of Expunction". The evidence of all of these clemency documents, obtained a quarter-century prior to Mr. Schied having even moved to Michigan shows that this judge Lawrence Zatkoff is using Mr. Schied's court case as the platform for further "*defaming*" and subjecting him to "Double Jeopardy" by "*prejudicing*" the views of any reader of this "*official*" ruling.
- m) The evidence behind Mr. Schied's criminal allegations, on the other hand, demonstrate that **Zatkoff's statements constitute "Fraud Upon the Court" since clearly the "*background*" to this case actually starts with the Michigan school district administrators committing criminal misdemeanors by denying Mr. Schied his statutory right to "*challenge and correct*" erroneous FBI criminal history documents. The more "*truthful*" background to this case is brought forth by these Michigan school district administrators next using the "*proof*" of those federal documents being inaccurate and in need of "*correcting*" (i.e., Mr. Schied's clemency documents) as the means, as well as the illicit justification, for their committing more recent crimes. Clearly, the evidence of Lawrence Zatkoff's written "*background*" for this case shows that his misdirecting focus is intentionally designed to also contribute to the long line of "felony" crimes committed by Michigan law enforcement and the named U.S. Department of Justice employees who, by evidence of their own incompetent, gross negligent, and malfeasant actions prove their participation in a "conspiracy to commit" the crime of "*covering up*" not only the *incompetence*, *gross negligence* and *malfeasance* of Texas government officials actions from long ago, but also these more recent government offenses that continue to occur in a "treasonous" pattern of succession.**
- n) The evidence shows that Zatkoff also continues to rely upon these corrupt Michigan judges for an interpretation of Texas laws rather than to even read, much less acknowledge and give credence to Mr. Schied's extensive research into Texas clemency laws, which Mr. Schied had detailed to great extent in the "*original*" Complaint dismissed by judge Lawrence Zatkoff.

Rather than review these previous Michigan court rulings in the “*context*” of the above criminal allegations that were otherwise clearly delineated in *both* Mr. Schied’s “*original*” complaint and the “*amended*” complaint to the U.S. District Court, Judge Zatkoff simply ruled, “*Plaintiff has alleged deprivation of certain constitutional rights (and) he has done so ‘vaguely’ and conclusively (while) relying on his belief that the Michigan courts erroneously interpreted Texas law.... (He) continues to maintain that the set aside and pardon (Mr. Schied) received with respect to his 1977 ‘conviction’ erased that conviction’s existence...The Michigan courts however have determined otherwise....*”

- o) The evidence of Zatkoff’s ruling demonstrates that rather than to address any of the specific allegations, laws, or evidence provided by Mr. Schied, **Zatkoff instead relied upon the “fraudulent” arguments and documentation generated by the other criminal co-defendants named in this instant Michigan Supreme Court case.** For instance, Lawrence Zatkoff refers to the erroneous 2003 FBI report received by Sandra Harris at the Lincoln Consolidated Schools while claiming that the Michigan Court of Appeals had “*rejected* (Mr. Schied’s) *appeal on the merits*”; and while holding that the “*resolve*” of Mr. Schied’s single teenage offense in 1977 through an “*early termination of probation*”, a “*withdrawal of plea*”, and a “*dismissal of indictment*”, all in 1979, and a Texas “*governor’s full pardon of the underlying intent*” in 1983 followed by a quarter-century of civic contribution as a self-defense expert and victims’ rights advocate (both omitted in mention by Zatkoff along with focus on the symbiotic meaning of these clemency documents) “*did not* (somehow) *erase the existence of Mr. Schied’s ‘conviction’ to such extent that he could truthfully deny it on a 2003 teacher job application*” after moving his family to Michigan. Instead, Zatkoff found more significance in the fact that “*the Michigan Supreme Court denied Plaintiff’s application for leave to appeal on November 29, 2006*” in that *Schied v. Harris and Lincoln Consolidated Schools* case. Yet he simultaneously “*omitted*” any reference to Mr. Schied’s longstanding claim that the judges of both the Michigan Court of Appeals and the Michigan Supreme Court had all disregarded their responsibilities in 2006.... to “*litigate*” the clear “*conflict of laws*” presented by Sandra Harris having placed the “*nonpublic*” 2003 FBI report into “*public*” personnel files along with Mr. Schied’s “*clemency*” documents and criminally violating both State and Federal public policies by publicly disseminating all of those “nonpublic” documents under the Freedom of Information Act along with her two malicious letters of defamation calling Mr. Schied a “liar” and a “convict”. Mr. Schied had been insisting Harris had done all of this in criminal *retaliation* for Mr. Schied having initially challenged Harris’ absolute authority as the “*interim*” district superintendent, because all of this occurred right after Mr. Schied had filed a grievance with his local “*union*” about Harris having wrongfully placing Mr. Schied at the bottom of the school district’s salary scale at his time of hire earlier in 2003 despite his two prior years of full-time teaching experience.
- p) The evidence of Judge Zatkoff’s own “*Judgment Order*” shows yet another instant where Zatkoff, cited the “*release document*” relied upon by co-defendants’ David Bolitho, Katy Parker, and Leonard Rezmierski when defending their case in *Schied v. Northville Public Schools*. Here again, Zatkoff conveniently “*omits*” all reference to Mr. Schied’s argument and evidence that the “*release document*” was signed based upon Katy Parker’s *fraudulent* written assurances that the Northville Public Schools would NOT be placing Mr. Schied’s “*nonpublic*” Texas court “*Order of Expunction*” into Mr. Schied’s public personnel file but would, on the contrary, honor the Texas order “*prohibiting*” (**under criminal penalty**) the use and dissemination of this document proving that Mr. Schied had followed through with finally completing his challenge and correction of the erroneous FBI reports being disseminated to the Lincoln and Northville public school districts. For some reason, Lawrence Zatkoff failed to acknowledge in this newly generated “*official*” document EITHER that Mr. Schied had

presented his U.S. District Court with allegations and available evidence showing that not only were the Northville Public School officials misusing and disseminating this “*nonpublic*” clemency document to other prospective employers of Mr. Schied, but that these school district officials were readily submitting these documents to anyone who merely requests a copy of Mr. Schied’s public personnel file under FOIA request, which is otherwise a criminal offense under Michigan Set Aside Law, Texas government codes, and the federal Privacy Act of 1974 at a minimum of available laws on this type of matter.

- q) Furthering the evidence in this last example of judge Zatkoff “*misrepresenting*” the actual facts about the case in his official U.S. District Court ruling, is Zatkoff’s claim that “*Pursuant to the release* (signed by Mr. Schied authorizing Northville Public Schools to submit information about any “*unprofessional conduct*” by Mr. Schied as a Michigan schoolteacher), *the Northville Public Schools system provided the Brighton School District with Plaintiff’s employee personnel file which included documents referencing his 1977 aggravated robbery ‘conviction’*”. What was misleading here what Judge Lawrence Zatkoff “*omitted*” in his account of these circumstances. He for some reason failed to mention that Mr. Schied’s evidence shows “*release*” was sent to the Northville Public Schools requesting information about “*unprofessional conduct while under your employ*”, and that Northville Public School officials responded using “*color of law*” to place Mr. Schied in a “*false light*” by sending the “*nonpublic*” Texas court “*Order of Expunction*” while checking the box on the letter indicating that indeed Mr. Schied had committed “*unprofessional conduct*” while under employ at the Northville Public School District. Additionally, Lawrence Zatkoff failed to report in his “*account*” of the factual background of this case, that the Northville Public School also had “*misrepresented*” this information to Mr. Schied’s new employers at the Brighton Area Schools employer while failing to inform these Brighton employers that **Mr. Schied had otherwise earned two honorary letters of recommendation from two Northville school principals during the year and a half that he was employed at the Northville Public Schools.**
- r) In evidence by Lawrence Zatkoff’s written “*Judgment*” is yet another reference to erroneous documentation provided by the “*official*” judgment of Zatkoff’s co-defendant, Ingham County Circuit Court judge William Collette. Clearly, Zatkoff rejected all of Mr. Schied’s 80 documents of evidence and **chose to cite all of these judgments by these other State judges, while knowing all the while that in the Ingham County Circuit Court case Mr. Schied had named these very same State court judges as criminal co-defendants because of their own “*pattern of omissions and misstatements*” in these previous rulings that Zatkoff was citing and using to justify his own “*judicial misconduct*”.**
- s) Evidence shows that when referring to William Collette’s case in the Ingham County court Zatkoff ignored the “*evidence*” that Mr. Schied had actually complied with judge Collette’s granting of the government defendants’ motion in 2007 calling for Mr. Schied to have rewrite his 405-page, 180-exhibit RICO conspiracy and corruption Complaint as a “*More Definite Statement*”. Though the docketing sheets for that case clearly show that Mr. Schied timely filed a rewrite of his criminal Complaint, again Demanding a Jury and submitting a request that the judge Order the convening of a Grand Jury, Zatkoff still made yet another fraudulent record of claim that “*Plaintiff did not avail himself of the opportunity to file a complaint within the time period prescribed by the court*”. **He also clearly disregarded the fact that Collette dismissed that case without hearing on all the motions that Mr. Schied had paid out-of-pocket to have heard (i.e., “*Motion for Judge to Disqualify Himself*”, “*Motion for Change of Venue*”, etc.) days before co-defendant William Collette dismissed that case.**
- t) The evidence shows that Lawrence Zatkoff readily recognized that “*Plaintiff construes the consistent negative responses from various governmental employees and bodies as a*

STATEMENT OF FACTS

- I. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO “**DISCRIMINATE**” AGAINST ME BY DENYING PROPER SERVICE TO ME AS PLAINTIFF-APPELLANT DAVID SCHIED.
- A. **FACT** - The “*decision(s)*” of this U.S. District Court judge Lawrence P. Zatkoff fits the criminal pattern described in plaintiff’s various Complaints, Motions, and Petitions by significant “*omissions*” to the proper address of the underlying facts and basis for the Petitioner’s pleadings, and by an incessant “*miscarriage of justice*” by continued detainment and oppression of Petitioner’s rights to have the merits of his case “*litigated*”.
- II. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO FURTHER THE PERPETUATION OF REPORTED CRIMES BY PROVIDING “**FAVORABLE TREATMENT**” TO THE DEFENDANTS THOUGH THEY ARE **CRIMINALS**.
- III. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO PREJUDICE THIS CASE BY CONTINUING THE PERPETUAL DELAY AND PREVENTION OF AN “**EFFECTIVE AND EXPEDITIOUS ADMINISTRATION OF THE BUSINESS OF THE COURTS**”.
- IV. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO PERPETUATE THE FAMILIAR PATTERN OF THE CO-DEFENDANTS OF “**DENYING FULL FAITH AND CREDIT**” TO PLAINTIFF’S TEXAS CLEMENCY DOCUMENTS; AND OF OBSTRUCTING PETITIONER’S FREE EXERCISE OF CONSTITUTIONAL RIGHTS, AS OTHERWISE GUARANTEED BY TEXAS COURTS AND THE TEXAS GOVERNOR. THE DECISION ALSO REFLECTS AND REINFORCES THE PATTERN OF CO-DEFENDANTS’ “**EXPLOITATION OF A VULNERABLE VICTIM**”.
- A. **FACT** – Judge Zatkoff has willfully and wantonly ignored the Evidence of Texas court Orders (presented to them in the pleadings) and various Complaint and Motion arguments showing that this judge had a clear DUTY to enforce Mr. Schied’s constitutional rights to “*Full Faith and Credit*” of his Texas clemency documents of “*set aside*” (1979), “*pardon*” (1983), and “*expunction*” (2004) of all criminal history.
- B. **FACT** – Judge Zatkoff’s decision presented “*the same pattern*” used by the co-defendants of minimizing the significance of the Petitioner’s criminal allegations, even altogether denying recognition to Mr. Schied’s specific references to FACTS and EVIDENCE in support of SPECIFIC CRIMINAL ALLEGATIONS against the co-defendants and other government officials for whose crimes these co-defendants are otherwise being criminally “*shielded*” and “*covered up*”.
- C. **FACT** – Judge Zatkoff continually covered up for their “*peer group*” of other judges, inclusive of judges in the Sixth Circuit Court of Appeals, who have violated federal statutes regarding the extent to which they are legally authorized to disclose or publish confidential and identifying information regarding a “*conviction*” or the “*expungement*” thereof.

V. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO PROVIDE FAVOR TO THE GOVERNMENT DEFENDANTS AS THE “*DEFENDANTS*” BY “**ADING AND ABETTING**” THEM WITH CONTINUED “*COVER*” FOR THEIR WRONGFUL CRIMES AGAINST ME AS THE “*CRIME VICTIM*” AND CIVIL RIGHTS “*LITIGANT*”

VI. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO DISPLAY A **WILLFUL COVER-UP OF ALLEGATIONS OF CRIMINAL FELONY OFFENSES**, INCLUSIVE OF AN OFFENSE OF “*CONVERSION OF GOVERNMENT PROPERTY*” (I.E., AN ERRONEOUS 2003 FBI REPORT) “*TO PERSONAL USE*” (I.E., BY PUBLIC DISSEMINATION UNDER THE FREEDOM OF INFORMATION ACT IN “*RETALIATION*” AGAINST A FORMER “*WHISTLEBLOWER*” AND EMPLOYEE) **WHICH ITSELF CONSTITUTES FELONY OFFENSES BY THE JUDGES**

A. **FACT** – By definition of several federal statutes, the “*dismissal with prejudice*” by Judge Zatkoff constitutes a “*cover up*” of a previous *Order* already delivered by three Sixth Circuit Court judges (Martha Craig Daughtrey, David W. McKeague, and Gregory Van Tatenhove) *fraudulently* identifying Mr. Schied as an individual with a “*conviction*” that “*exists*”. This was an “*Order*” with many omissions and misstatements of Fact, and the continuous “*delay*” of Judge Zatkoff performs the function of “*shielding from exposure*” the criminal actions of those three judges, as well as “*shielding from prosecution*” the co-defendants for the crimes Petitioner has clearly alleged them to be repeatedly committing these past 6 years.

B. **FACT** – Under the legal definitions above, a reasonable person may conclude the following:

- 1) That Judge Zatkoff is a willing participant in a government “*Pattern*” or “*scheme*” to deny Mr. Schied’s Constitutional right to Full Faith and Credit of his Texas court orders of “*set aside*” and “*expunction*”, and to a Texas governor’s “*full pardon*” with full restoration of all civil rights.
- 2) That Judge Zatkoff is a willing participant in a “*Conspiracy*” to reinstate “*guilt*” and a “*conviction*” where otherwise guilt and a conviction no longer exist; and that this judge is part of a string of government “*criminals*” who has placed Mr. Schied in a position of “*Double Jeopardy*”, establishing “*guilt*” and a “*conviction*” without Due Process of law.
- 3) That Judge Zatkoff is a willing participant in a scheme to effectively reinforce the taking away of Mr. Schied’s other Constitutional rights to “*Privileges and Immunities*” and to “*Due Process*” in order to cover up previous injustices done against the Petitioner at the State level that presents a costly **PRECEDENCE** to legally rectify at the federal court level.
- 4) That Judge Zatkoff acted “*Under Color of Law*”, in violation of the vary laws he otherwise knows himself to be responsible for litigating. This acted with a “*course of conduct*” that added to, not detracts from, the acts of criminal “*deprivation of rights under color of law*” repeatedly perpetuated by the co-defendants in the Case referenced above.

VII. THIS JUDGE HAS **DISPLAYED A REFUSAL TO EXECUTE THEIR DUTY TO TAKE IMMEDIATE ACTION** UNDER BOTH STATE AND FEDERAL STATUTES GOVERNING THE RIGHTS OF CRIME VICTIMS

A. **FACT** – Judge Zatkoff failed entirely to address Mr. Schied’s rights, and his family’s rights, under federal victims’ rights statutes, particularly when disregarding pleadings about ongoing

retaliatory treatment by the Lincoln Consolidated Schools continuing (up to an including 2009) to disseminate an erroneous 2003 FBI report upon any incoming "Freedom of Information Act" request; by the Northville Public Schools continuing (up to an including 2009) to disseminate a "nonpublic" Texas court "Order of Expunction" that was obtained in the course of "challenging and correcting" a 2003 FBI report under protective authority of federal statute; and by the Northville Public Schools' administrative officials and their Keller Thoma attorney retaliating against Plaintiff's elementary school aged child....all as detailed in Evidence submitted to Judge Zatkoff in support of Mr. Schied's request for relief.

- B. **FACT** – There are a plethora of State and Federal "criminal procedure" statutes governing the rights of victims "to be reasonably protected from the accused", which this federal judge Zatkoff has completely disregarded despite that Plaintiff having clearly spelled them out in the pleadings submitted to this judge of the U.S. District Court.
- C. **FACT** – This judge's "peer group" includes those who themselves had refused to "litigate" these issues, even though presented with evidence of ongoing crimes and a "Writ of Mandamus". Altogether, these judges, both individually and collectively, are essentially endorsing and reinforcing the "empty" promise of justice AND WHILE MISLEADING THE PUBLIC with a "false impression" that they have otherwise fulfilled their obligation and "duty" in delivering a valid court Order... but while actually "defrauding" both the petitioner and the public by encapsulating a judgment in a document that otherwise holds no substance (other than to add to the ongoing deprivation of David Schied's civil and Constitutional rights). The connected actions of these judges altogether constitute a continuing "pattern" of "miscarriage of justice" as set forth earlier by the judges for the State of Michigan.

VIII. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO DISPLAY THE FAMILIAR PATTERNS OF A GOVERNMENT "**COVER-UP**" OF PREFERENTIAL TREATMENT FOR "**GOVERNMENT PEERS**", AN "**OBSTRUCTION OF JUSTICE**", AND A "**CONSPIRACY AGAINST RIGHTS**"

- A. **FACT** – The pleadings of the Plaintiff...indeed, even the Cover Page of those pleadings, made clear the Petitioner's interest in reaffirming his rights under the Constitution and the Bill of Rights; and while calling Judge Zatkoff's attention – by way of pleadings and supporting Evidence – about the ongoing violation of those rights, both civilly and criminally, by the co-defendants in his U.S. District Court case. Yet, Judge Zatkoff thwarted his DUTY to address these issues in a timely manner. Similarly, he has refused his respective duty to issue arrest warrants or to inform the Grand Jury about Plaintiff's allegations, to inform the Grand Jury of the identities of the "accused" criminal perpetrators, or to summon a federal (Special) Grand Jury to discharge its statutory obligations of finding out about, investigating, and determining the truth of those criminal allegations reported within their jurisdiction. The "decision" to instead dismiss this case WITH PREJUDICE case reflects Judge Zatkoff's "dereliction of duty" and, as such, is proof of Zatkoff being an "Accessory After the Fact" by committing a "Misprision of a Felony".
- B. **FACT** – Judge Zatkoff had scores of pages of precise allegations presented to him, written and sworn under penalty of perjury for their truthfulness by the Plaintiff, and presented to the judge with scores more in pages of itemized Appendix exhibits referencing thick stacks of supporting documentation to show the crimes that have been committed by the government Co-Defendants and their associates. Yet, despite Evidence of "probable cause" that these

allegations are “*criminal charges*”, Judge Zatkoff denied that these government crimes against Plaintiff and his family are “*extraordinary*”. Similarly, his decision to dismiss the case further denies, without supporting reason, Plaintiff had otherwise shown “*a clear and indisputable right to the relief sought*”. Moreover, Judge Zatkoff shirked what is otherwise his DUTY to issue notice of these crimes to other federal authorities and instead place the burden upon the Plaintiff (and CRIME VICTIM) to present these issues to other U.S. government entities, despite Plaintiff having already demonstrated that he had “*run the gamut*” by having already taken these criminal issues to the United States Attorney (to no avail) for the summoning of the Grand Jury’s investigation of these allegations.

- C. **FACT** – The gross negligence and refusal of Judge Zatkoff to provide any “*affirmative action*” toward resolving David Schied’s criminal complaints, are substantial issues of FACT that under the law constitute CRIMINAL violations of state and federal laws as well as violations of simple rules of judicial conduct. The action of Judge Zatkoff, to “*conceal*”, to unreasonably “*delay*” criminal proceedings, and to hold in abeyance any direct notification of the U.S. Attorney or a Grand Jury about the criminal allegations, constitutes an “*Obstruction of Justice*” and places him directly in the position of being an “*Accessory After the Fact*”.
- D. **FACT** – The gross negligence and refusal of Judge Zatkoff to provide an “*affirmative action*” toward resolving David Schied’s criminal complaints, has provided the necessary “*cover up*” of petitioner’s proper reporting of *crimes* and a “*conspiracy to cover up*” those crimes by the co-defendants. This judge’s gross negligence and refusal to provide an “*affirmative action*” toward resolving Plaintiff’s criminal complaints also had the effect of “*covering up*” petitioner’s proper reporting to the United States judges and Court of “*judicial misconduct*” by other judges working for the State of Michigan. Therefore, the act of this judge to add to an ongoing delay in the administration of justice, in this context of evidential FACTS, is “*PERJURY*” of their sworn Oath.
- E. **FACT** – The gross negligence and refusal of Judge Zatkoff to provide an “*affirmative action*” toward resolving David Schied’s criminal complaints, as depicted by this Complaint, were created by an “*intentional design*” patterned upon arguments presented in the Complaint itself as clearly presented by the Plaintiff in both Complaint pleadings and Motions. Judge Zatkoff’s gross negligence and refusal to provide an “*affirmative action*” toward resolving Plaintiff’s criminal complaints were obviously MOTIVATED by the desire of this federal judge to provide prejudicial “*favor*” toward his professional contemporaries in Federal (and State) government, and by his desire to *cover up* the crimes by his “*peer group*” of other judges.¹ In that context, the action of Judge Zatkoff presents genuine issues for the Judicial Council’s review.

¹ It is important here to recognize that a “*contemporary*” (i.e., referred to as a noun) by definition depicts a “RELATIVE” or “FRIEND” by the same “*peer group*” of individuals having the “*same status*”. (See definition of “*peer group*” at <http://www.hyperdictionary.com/dictionary/peer+group>) “*Contemporary*” is also defined by instance of the same (professional) “*place*” of (background) “*origin*” and/or by reference to “*a person or their works*” that is “*happening*” – or “*marked by characteristics*” of “*what relates (people)*” – at about the same period in time. (See definitions provided by www.yourdictionary.com/contemporary and <http://www.merriam-webster.com/dictionary/contemporary>)

- IX. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO DISPLAY THE FAMILIAR PATTERN OF THE GOVERNMENT CO-DEFENDANTS, OF **CORRUPTLY MISLEADING THE PUBLIC** BY CONTINUING TO ALLOW THEIR PREDECESSORS AND COLLEAGUE JUDGES TO SET FORTH **FRAUDULENT** AUTHENTICATION FEATURES IN WHAT IS OTHERWISE THE RESTRICTED INTERSTATE COMMUNICATION OF CRIMINAL HISTORY IDENTIFICATION INFORMATION
- A. **FACT** – By definition of several federal statutes, the “Order” delivered by Martha Craig Daughtrey, David W. McKeague, and Gregory Van Tatenhove in 2008 constitutes “*Fraud*”. **That Order delivered by the Sixth Circuit Court judges fraudulently identifies Mr. Schied as an individual with a “conviction” that “exists”.**
- B. **FACT** – The basis for allegations of “*fraud*” by Martha Craig Daughtrey, David W. McKeague, and Gregory Van Tatenhove was set forth in a plethora of documentation provided to Judge Zatkoff by David Schied. Nevertheless, Judge Zatkoff “dismissed” all of Plaintiff’s “Allegations” and “Evidence”, not once but TWICE, with the second time being after Mr. Schied had filed an “Amended Complaint” referencing the eighty (80) Exhibits of evidence Judge Zatkoff had “dismissed” WITHOUT ever having the Defendants file an answer to either Complaint. **In delivering his “Judgment”, Zatkoff committed his own “*fraud*” upon the public in the construction of that official document; and while once again following the CRIMINAL PATTERN of “*omitting*” the FACT that once Mr. Schied received a court Order of “set aside” in Texas in 1979, he was no longer “convicted”; and similarly was not to have the term “convicted” applied to his status as a citizen from the time he received his 1983 Texas governor’s “pardon”.**
- C. **FACT** – Judge Zatkoff’s written “Orders” and “Judgment” dismissing Mr. Schied’s “*allegations and evidence*” were manufactured by this judge with full knowledge that his statements were misleading and/or false, and that the co-defendants could or would later receive and use this document to further their action of misleading the public into believing that their continued criminal victimization of David Schied, and their deprivation of his Constitutional and Civil Rights, is an activity sanctioned “under color of law” by the United States of America. The Evidence of government pleadings in previous cases referenced by the one before Judge Zatkoff, provided Zatkoff with ample Evidence of recent and ongoing evidence, not only that the government co-defendants were continuing to commit their crimes against Mr. Schied, but that they were also continuing to rely upon erroneous government documents, such as judges’ repeated erroneous “decisions” based upon a prejudicial “*cherry-picking*” of what laws would provide the preferred “*color*” for sanctioning the continuance of these government crimes.
- D. **FACT** – Government agencies, inclusive of the U.S. District Court for the Eastern District of Michigan, are mandated to follow the procedures outlined by The Privacy Act of 1974 (Title 5 U.S.C., §552a as amended) and 28 CFR § 50.12 for correcting records maintained on individuals. Furthermore, **to support the basis of my now six-year effort to report these ongoing crimes to the State and Federal “*judiciary*”, to law “*enforcement*”, and to “*prosecutors*”, I rely minimally upon the following additional official documents by reference:**

- 1) "**CJIS Information Letter**" dated April 6, 2001 – located at the following website:
www.doj.state.wi.us/les/law/docs/20010406_infoletter1.doc
 - 2) "**National Crime Prevention and Privacy Compact Resource Materials**" published by the U.S. Department of Justice's "*Bureau of Justice Statistics*" on January 1998 (NCJ 1716771) – located at the following website:
www.ojp.usdoj.gov/bjs/pub/pdf/ncppcrm.pdf
 - 3) **Codes of the "Law Enforcement Information Network (LEIN)"** dated 5/1/09 as provided in the "*Childrens Protective Services Manual*" at the Michigan Department of Human Services – located at the following website:
www.mfia.state.mi.us/olmweb/ex/cfp/713-2.pdf
 - 4) "**The Attorney General's Report on Criminal History Background Checks**" published in June 2006 by the U.S. Department of Justice's Office of the Attorney General – located at the following website: www.usdoj.gov/olp/ag_bgchecks_report.pdf
- 5) **FACT** – Clearly, as an agency of the United States, the U.S. District Court has the responsibility for ensuring that information security protections are in place and being implemented to safeguard confidentiality of records in accordance with the law in the trade and sharing of information between departments and with the public.

X. THE **DISMISSAL** OF THE CASE **WITH PREJUDICE** SERVED TO DISPLAY THE FAMILIAR PATTERN OF THE GOVERNMENT CO-DEFENDANTS, OF CONTINUING TO ALLOW THEIR PREDECESSORS AND COLLEAGUE JUDGES TO **CORRUPTLY** MISLEAD THE PUBLIC BY LIBEL, SLANDER, AND BY TRESPASSING UPON PETITIONER'S PERSONAL AND PROFESSIONAL REPUTATION

- A. **FACT** – By definition of several federal statutes, the "*decision*" by the three judges (Daughtrey, McKeague, and Tatenhove) constitutes "Judicial Misconduct", "Contempt", and "Corruption".
- B. **FACT** – By definition of several federal statutes, the "*decision*" by Judge Zatkoff to dismiss – WITH PREJUDICE – the allegations against his "*peer group*" of other judges Daughtrey, McKeague, and Tatenhove)...and without necessitating even their "*response*" to the allegations.... constitutes "Judicial Misconduct", "Contempt", and "Corruption".
- C. **FACT** – The "contempt" by Judge Zatkoff of State and Federal law, as reflected in Mr. Schied's Texas court orders of clemency, is not only "prejudicial", it demonstrates the willingness of Judge Zatkoff to participate in a continuum of a "conspiracy" to further the Co-Defendants' fraudulent assertions about the Mr. Schied.
- D. **FACT** – The "Order" delivered by Martha Craig Daughtrey, David W. McKeague, and Gregory Van Tatenhove in 2008 "planted" a false assertion in the form of a fraudulent proclamation about Petitioner David Schied having a "conviction" that "exists". Judge Zatkoff knew that the Order issued by his Sixth Circuit peers had been already "published" publicly and "republished" at will by anyone with access to Westlaw or having an account with Pacer, including the co-defendants in this instant Case on Appeal. Judge Zatkoff understood that the "Order" of his predecessors alone constituted "Major Fraud on the United States", and yet he persisted in "dismissing" the proceeding with a contradictory ruling while knowing that the case before him would otherwise provide

the Public with proof of these judge's "malfeasance of duty". Despite notice about these issues, Judge Zatkoff simply followed suit in "publishing" his own judgment in reiteration of the same slanderous information.

- E. **FACT** – The "miscarriage of justice" undertaken by Judge Zatkoff, given the circumstances and facts outlined above, was calculated and intentional; and as such, constitutes "contempt", an "obstruction of justice", "victim/witness tampering", and a contribution toward the "extortion" being committed by the government co-defendants, which altogether warrant a penalty of imprisonment for up to 20 years.

XI. THE ACTION OF THESE JUDGES DEMONSTRATES THEIR ROLE IN A "**CONTINUUM OF GOVERNMENT RACKETEERING**", DELIBERATED NOT ONLY BY THEIR "MEETING OF THE MINDS", BUT ALSO BY THEIR REGULAR MEETINGS ABOUT ALL CASES CURRENTLY UNDER THE SCOPE OF THEIR REVIEW, INCLUSIVE OF ALL MOTIONS I HAVE FILED AS PLAINTIFF.

- A. **FACT** – The "decision(s)" Judge Zatkoff fits the criminal pattern described in plaintiff's "Complaint" and his various "Motions", by his failure to specifically address the elements of the written pleadings or the itemized articles of Evidence submitted to the Court along with that complaint. Those elements of the written pleadings are partially listed as....
1. Being a "criminal 'pattern of conspiracy', by government officials (including the Michigan judiciary), to re-establish Mr. Schied's 'guilt' and 'conviction' as matters of FACT, and to punish Mr. Schied a second time for the same offense, by denying him numerous inalienable rights otherwise provided by the Constitution of the United States as purportedly reinstated by Texas Governor Mark White a quarter-century ago in 1983."
 2. Being a "'chain conspiracy' characterized by a PATTERN of incompetence, intentional oversight, gross negligence, abuse of discretion, and malfeasance of ministerial DUTIES of government offices"; and being "perpetrated by those who are otherwise charged with enforcing the civil and criminal statutes of this State, of other States, and of the United States".
 3. Being a "pattern of incompetent performance, malfeasance of official duties, and gross negligence of the public's interest, committed in obvious violation of a plethora of state and federal statutes". As such, the judges' actions constitute a criminal violation of the "Racketeering Influenced and Corrupt Organizations Act" (RICO) under Title 18, U.S.C. §1961.
- B. **FACT** – Under the legal definitions and pattern descriptions, as articulated throughout this Complaint to the Judicial Council, a reasonable person may conclude the following:
1. That Judge Zatkoff's action, by his persistent "dismissal" of proceedings in this case – WITH open and admitted PREJUDICE – exhibits a "course of conduct" that has the effect of "discriminating" and "retaliating" against Mr. Schied for raising civil and criminal claims against executive government officials, including their "peer group" of other judges.
 2. That Judge Zatkoff has exhibited a "course of conduct" already defined by the Petitioner's allegations against other government co-defendants as "Racketeering" by the perpetuation of FRAUD, and a "Conspiracy Against Rights".

I declare, under penalty of perjury, that I have read rules 1 and 2 of the Rules of the Sixth Circuit Governing Complaint of the Judicial Misconduct of Disability. The statements made in this complaint, as articulated in the 8 pages designated as a concise "Statement of Facts" as seen above and as provided in the accompanying 15 pages of cover letter and "Interpretation" of those facts, are true and correct to the best of my knowledge.



A handwritten signature in black ink, appearing to read "David Schied", is written over a horizontal line.

Executed on: 9/14/2009

David Schied
20075 Northville Place Dr. North #3120
Northville, MI 48167
248-924-3129
dschied@yahoo.com

11/25/2009

Attn: Clarence Maddox – Circuit Executive
Office of the Circuit Executive
503 Potter Steward, U.S. Post Office and Courthouse Building
100 E. Fifth Street
Cincinnati, OH 45202
FAX: (513) 564-7210

Re: Mishandling of Judicial Misconduct Complaint No. 06-09-90141 against Lawrence P. Zatkoff

Mr. Maddox:

On 9/4/09, I wrote to you with a Judicial Misconduct Complaint on Chief Judge Alice M. Batchelder, who I alleged was acting in a conspiracy with other Sixth Circuit Judges to disregard and further delay action on a *Motion for Immediate Consideration* that I had filed to expedite the rendering of a judgment in a case on appeal in the Sixth Circuit (case No. 08-1879) and in which I had submitted to the Court two **Sworn and Notarized Affidavits by a third party** proving that crimes were continuing to be committed against me (as well as against the FBI and the People of the United States) by Michigan school district administrators. The Judicial Misconduct complaint against Chief Judge Alice M. Batchelder was assigned Judicial Complaint No. 06-09-90-117.

On 11/10/09, I sent to your office (via your secretary Patti Nicely) an addendum to my complaint about Judge Alice M. Batchelder. That 6-page letter of follow up to my original Complaint provided reference to Facts related to Judge Batchelder having more recently participated in the dismissal of my Sixth Circuit Court case (08-1879) without a proper address of either my *Motion for Immediate Consideration* or other *Motions* (for *Sanctions*, for the honoring of my *Constitutional rights*, my Right to *Due Process* of having my documents actually read and responded to, and such) that I had filed the previous year. **Those motions, along with my original Complaint (and the *Motion for Writ of Mandamus* I filed after my Complaint) all pointed to the proof I had that the Defendants in that case had filed a fraudulent Affidavit with the U.S. District Court and were continuing to commit CRIMES against me. Again, Judge Batchelder had acted as party to the dismissal of that Sixth Circuit Claim of Appeal, while again denying me access to a criminal Grand Jury to properly report the crimes I had also been reporting a year earlier (via the *Motion for Writ of Mandamus*) to Judges Martha Daughtrey, David McKeague, and Gregory Van Tatenhove.**

On 9/14/09, I wrote to you with a complaint on Judge Lawrence P. Zatkoff. Specifically, I had stated that Judge Zatkoff had committed crimes of conspiracy against me when striking evidence I had submitted of other crimes committed against me by other Sixth Circuit Court judges Martha Daughtrey, David McKeague, and Gregory Van Tatenhove when he dismissed my case against these three judges and other U.S. Department of Justice employees acting in a **conspiracy to deprive me of access to any**

sort of a Federal Grand Jury. The cases referenced were listed in my judicial complaints as docket numbers 08-14944, 08-1895 and 08-1879.

Yet despite that your office had assigned my Complaint against Judge Batchelder a number earlier in sequence to my subsequent Complaint about Judge Zatkoff, you have – by written indication of your letter to me dated 11/12/09 – now assigned to Judge Batchelder my Complaint about Judge Zatkoff. Your recent letter now cites Rules 3(a)(2) and 8(b) as your justification for forwarding my Complaint to a judge already cited by me for her Judicial Misconduct and her participation in a corruptive scheme to allow these crimes to continue unabated against me and against the FBI and the People of the United States. I see your action as using “color of law” as the basis for a “set up” for again having my Complaint invalidated and dismissed, and thus once again depriving me of my right to justice by your own participation in this “*chain conspiracy*” of “*miscarriage of justice*”.

I see your action as an intentional dereliction of your duty to provide fairness in the review of Judicial Complaints; and unless this clear “*conflict of interest*” is rectified, I will be filing action against you personally for criminal racketeering and corruption by your manipulation of the judicial system of “*self-policing*” of complaints about judges in the Sixth Circuit Court.

Respectively,

A handwritten signature in black ink, appearing to read "David L. Clark". The signature is written in a cursive, somewhat stylized font.