DISTRICT COURT OF THE UNITED STATES [1]
(FOR THE EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION)

David Schied and Cornell Squires
Sui Juris Grievants/Private Attorney Generals
and Cornell Squires "*Enjoined*" as
Crime Victims / Common Law Grievants / Claimants,
v.
In their Individual Capacities:
Karen Khalil, Cathleen Dunn, Joseph Bommarito; James Turner; David Holt,; Jonathan Strong; "Police Officer" Butler,; John Schipani; Tracey Schultz-Kobylarz and
Redford Township Police Department; Redford Township 17th District Court; Charter Township of Redford; Charter County of Wayne Michigan; Municipal Risk Management Authority ("MMRMA"); The Insurance Company of the State of Pennsylvania ("ICSOP"); American International Group, Inc. ("AIG"); DOES 1-10;
Defendants /

Case No. 2:15-cv-11840
Judge: Avern Cohn

CRIME VICTIM AND COMMON LAW GRIEVANT CORNELL SQUIRES' "AFFIDAVIT OF FACTS" IN SUPPORT OF "*JOINDER*" CLAIMS OF CONSTITUTIONAL TORTS BASED ON THE *FIRST AMENDMENT PETITION CLAUSE* AND EVIDENCE OF *DOMESTIC TERRORISM*

[1] "The term 'District Courts of the United States,' as used in the rules, without an addition expressing a wider connotation, has its historic significance. It describes the constitutional courts created under article 3 of the Constitution. Courts of the Territories are legislative courts, properly speaking, and are not District Courts of the United States. We have often held that vesting a territorial court with jurisdiction similar to that vested in the District Courts of the United States does not make it a 'District Court of the United States." *Mookini v. United States*, 303 U.S. 201 (1938) citing from *Reynolds v. United States*, 98 U.S. 145 , 154; *The City of Panama*, 101 U.S. 453 , 460; *In re Mills*, 135 U.S. 263, 268 , 10 S.Ct. 762; *McAllister v. United States*, 141 U.S. 174, 182 , 183 S., 11 S.Ct. 949; *Stephens v. Cherokee Nation*, 174 U.S. 445, 476 , 477 S., 19 S.Ct. 722; *Summers v. United States*, 231 U.S. 92, 101 , 102 S., 34 S.Ct. 38; *United States v. Burroughs*, 289 U.S. 159, 163 , 53 S. Ct. 574.

Sui Juris Grievants / Next Friends and
Co-Private Attorney Generals
David Schied and Cornell Squires

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AND
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Defendants
Karen Khalil
Redford Township 17th District Court
Cathleen Dunn
John Schipani
Redford Township Police Department
Joseph Bommarito
James Turner
David Holt
Jonathan Strong
"Police Officer" Butler
Tracey Schultz-Kobylarz
Charter Township of Redford
DOES 1-10
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David Schied and Cornell Squires (hereinafter "*PGAs Schied and Squires*"), being each **of the People**[2], and having established this case as a *suit of the*

[2] PEOPLE. "*People are supreme, not the state.*" [*Waring vs. the Mayor of Savannah*, 60 Georgia at 93]; "*The state cannot diminish rights of the people.*" [*Hertado v. California*, 100 US 516]; Preamble to the US and Michigan

sovereign[3], acting in their own capacity, herein accept for value the oaths[4] and bonds of all the officers of this court, including attorneys. Having already presented the initial causes of action to this Article III District Court of the United

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Constitutions – "*We the people ... do ordain and establish this Constitution...;*" "*...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves...*" [*Chisholm v. Georgia* (US) 2 Dall 419, 454, 1 L Ed 440, 455, 2 Dall (1793) pp471-472]: "*The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative.*" [*Lansing v. Smith*, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7]. See also, *Dred Scott v. Sandford*, 60 U.S. 393 (1856) which states: "*The words 'people of the United States' and 'citizens' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the Government through their representatives. They are what we familiarly call the 'sovereign people', and every citizen is one of this people, and a constituent member of this sovereignty.*"

[3] *McCullock v. Maryland*, 4 Wheat 316, 404, 405, states "*In the United States, Sovereignty resides in the people, who act through the organs established by the Constitution,*" and *Colten v. Kentucky* (1972) 407 U.S. 104, 122, 92 S. Ct. 1953 states; "*The constitutional theory is that we the people are the sovereigns, the state and federal officials only our agents.*" See also, *First Trust Co. v. Smith*, 134 Neb.; 277 SW 762, which states in pertinent part, "*The theory of the American political system is that the ultimate sovereignty is in the people, from whom all legitimate authority springs, and the people collectively, acting through the medium of constitutions, create such governmental agencies, endow them with such powers, and subject them to such limitations as in their wisdom will best promote the common good.*"

[4] OATHS. Article VI: "*This Constitution, and the laws of the United States... shall be the supreme law of the land; and the judges in every State shall be bound thereby; anything in the Constitution or laws of any State to the contrary notwithstanding... All executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution.*"

States as a *court of record*[5], *PGA Schied* and *PGA Squires* hereby proceed according to the course of Common Law[6].

This court and the opposing parties should all take notice **WE DO NOT CONSENT to the reference of parties named as "*grievants*" and/or as Private Attorney Generals as otherwise being corporate fictions in ALL CAPS of lettering as "*plaintiff*"** (e.g., "DAVID SCHIED, plaintiff"). **Note that all "*summons*" were issued with notice to all co-Defendants that Grievant David Schied is "*sui juris*."**

WE DO NOT CONSENT to the assignment of this case, otherwise attempted to be "*filed*" in Ann Arbor and ultimately filed in Flint, being subsequently sent to Detroit, in the heart of Wayne County, situated in a building

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[5] "*A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial*". [Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689].

[6] COMMON LAW. – According to *Black's Law Dictionary* (Abridged Sixth Edition, 1991): "*As distinguished from law created by the enactment of legislatures [admiralty], the common law comprises the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs.*" "*[I]n this sense, particularly the ancient unwritten law of England.*" [1 Kent, Comm. 492. State v. Buchanan, 5 Har. & J. (Md.) 3G5, 9 Am. Dec. 534; Lux v. Ilaggin, G9 Cal. 255, 10 Pac. G74; Western Union Tel. Co. v. Call Pub. Co., 21 S.Ct. 561, 181 U.S. 92, 45 L.Ed. 765; Barry v. Port Jervis, 72 N.Y.S. 104, 64 App. Div. 268; U. S. v. Miller, D.C. Wash., 236 F. 798, 800.]

believed to be leased by Defendant Charter County of Wayne to the United States District Court with a proven proclivity toward contributing to the *domestic terrorism* being carried out, hand-in-hand with state and county government imposters, as usurpers of *The People's* power and authority.

"*Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading. . .*" ***U.S. v. Tweel*, 550 F.2d 297, 299. See also *U.S. v. Prudden*, 424 F.2d 1021, 1032; *Carmine v. Bowen*, 64 A. 932**

CONCISE STATEMENT OF ISSUE PRESENTED

The organic Constitution created and ordained by and for the People of the united States of America is the Supreme Law of the Land, and the First Amendment *Petition Clause* guarantees the People the right to redress. The U.S. Supreme Court has determined that such a right is *fundamental*, "*important*," and thus, inviolable in an Article III Court of Record, such as in this instant ongoing case initially filed by *sui juris* Grievant David Schied.

The Supreme Court has also recognized that certain conditions that concern the *public interest* warrant occasions where the filing and litigation of the public's interest by Private Attorney Generals is justified for proper "*standing*." In this case, numerous additional co-Grievants have established "*joinder*" claims against the co-Defendants listed in this case and, having been so enjoined, now speak through the collective advocacy of their fellow claimants as "*Private Attorney Generals*," being David Schied and Cornell Squires.

At issue in the claims, individually and collectively, is that agents of the co-Defendants – acting under *color of law*, *simulating legal process*, conducting *legal acts in illegal manners*, while unlawfully *usurping* their unconstitutional exercise of power and authority – are, by formal definition of their acts, *domestic terrorists*. Their claims all have in common First Amendment Petition Clause violations. All of these "*backward-looking access-to-court*" claims involve both *predicate* and *secondary* level offenses that have resulted from multi-tiered denials of due process by *judicial usurpers* and others who hold membership in a thoroughly corrupted State BAR of Michigan.

This instant filing presents the proper facts supporting the basis for enjoining the Affiant, who has similar claims against the co-Defendants and their corporately contracted "*errors and omissions*" excess insurance policy and its accompanying $100 Billion "*domestic terrorism*" coverage.

SWORN AND NOTARIZED *AFFIDAVIT OF FACTS*
(by Cornell Squires)

STATE OF MICHIGAN)
) SS
WAYNE COUNTY)

Cornell Squires, being first duly sworn, states that:

1. I have personal knowledge of the facts contained herein.

2. If sworn as a witness, I can testify completely to the facts contained in this Affidavit.

3. I was born in the United States and, as a living human being, I have lived here my whole life as a sovereign, being one *We, The People.*

4. Since the early 1990s until the present, I have been a community advocate associated with many community groups such as the Detroit Coalition Against Police Brutality, the Detroit Active Retirees Association, and We Rise, Inc. I am also founder of *We The People For The People*, a private human rights association. I am a certified paralegal, a skilled legal researcher, investigator, victims' rights advocate, and professional witness to civil and criminal cases.

5. I am aware that Grievant David Schied had filed a federal complaint on or around 5/21/15 against the Charter County of Wayne, against their "*errors and omissions*" insurance contract with the Insurance Company of the State of Pennsylvania ("ICSOP"), and against their corporate affiliate, the American Insurance Group ("AIG"), as well as numerous other co-Defendants named in their corporate personage or in their individual capacities.

6. I have the same or similar claims to Grievant Schied in that my First Amendment right-to-redress on the initial level (i.e., "*predicate*") claims was violated by *usurpers* of government power and authority, constituting various forms of judicial misconduct and other criminal misconduct, corruption, racketeering, and ultimately *domestic terrorism.*

7. I have "*backward-looking access-to-court*" claims, meaning: a) that I was denied access to the court through the intentional suppression, preventing disclosure, and/or denial of evidence critical to a previous or "*predicate*" suit; b) by the government otherwise impeding or thwarting my claim or potential claim; c) by denying me due process of proceedings, by unfair and/or discriminatory treatment as a poor litigant or a litigant without an attorney or through attorney threats or extortion; and/or d) through other means of preventing and/or undermining the litigation of my initial claims of wrongdoing.

8. I also assert that the above denials of my rights constituted intentional, shocking and egregious wrongdoings of malice, tort, humiliation, embarrassment, and the institution of "*state created dangers*" against me, such that I became so restrain in my rights of liberty that I was rendered unable to care for himself. What I mean is that the agents of the Charter County of Wayne acted affirmatively and in a *secondary-level* of conspiracy with others to create certain such dangers against me, and/or to render me more vulnerable to such dangers to my inviolable rights.

9. I am aware that the Supreme Court of New York has established a proper definition of "*dangerous to human life*" by way of ruling in Cochran v. Sess, 168 NY 372, 61 N.E. 639 where Judge O'Brien essentially defined such danger as being "*so threatening as to constitute an impending danger to persons in the enjoyment of their legitimate rights.*"

10. These wrongful actions of *terrorists*, as agents of the Charter County of Wayne who have and continue to be acting additionally on their own behalves, have forced me into a position of having dignitary and reputational as well as financial injuries, emotional and mental harm; and ultimately, have led to my loss of positive standing in my community, and have forced grave emotional suffering onto my family.

11. These wrongful actions referenced herein constitute "*compensable injuries*" against me as a real party of interest, and "*damages*" for which I am entitled to just compensation by this instant First Amendment redress.

12. I, like many others I know have placed a certain degree of trust in our government bodies, expecting individual state actors to implement rules and regulations, to provide services, create order, mete out justice, and in general, to safeguard societal interests. Such trust is compelled in part by the government's monopoly on police power and rule-creation, which creates an unavoidable dependency of the public upon government officers' *faithful performance* of their duties of office and within the bounds of the state and federal constitutions, statutes, and rules. I realize that their refusal to follow these guidelines creates a power imbalance and makes the citizenry particularly vulnerable to government *coercion*. In all, these factors align to give government *usurpers* a unique ability not only to harm me but to harm the greater number of people around me, with even greater ramifications for our society.

13. I am aware of the United States' formal of definition "*domestic terrorism*" as depicted by 18 U.S.C. 2331 as also published on the FBI's official website found at: https://www.fbi.gov/about-us/investigate/terrorism/terrorism-definition.

14. Based on the above definition, I hereby declare that I am both *witness* and *victim* of "*acts dangerous to my life*" and to my inviolable constitutionally-guaranteed rights; and declare that I am both *witness* and *victim* to the *coercion*" and/or to the "*kidnapping*" of my local population, and the *coercion of the government* otherwise instituted by *We, The People*, which altogether constitutes "*domestic terrorism*" by that above definition.

15. I am aware that to prevent a collapse of American freedom and social order, the community as a whole must take steps to ensure that the legitimate "*empowering function*" of government prevails, and that we must each see personally that the constitutional guarantees for *We, The People* are effectively enforced at both the state and the federal levels.

16. Based on the above stated facts and my being *a real party of interest* without the competence to litigate this complex case myself, I have asked Grievant David Schied to enjoin my First Amendment denial-of-access claim with his own ongoing case against the Charter County of Wayne; and while adding my claims against the charter county's insurance contract on an "*errors and*

omissions" policy which, according to information and belief, also covers acts of *domestic terrorism* as defined above.

17. I rely upon my common law right to work in partnership with David Schied to be "*next friend*" to others with similar claims to mine. I neither wish to be represented by an attorney nor can I afford one financially. I understanding that the Federal Rules of Civil Procedure Rules 17 allow for accepting an appointment of an advocacy position as "*next friend*" to others, and Rule 18 allows for this enjoinment of my case to the pre-existing case holding similar claims against common co-Defendants.

18. I am aware that the legal advocacy of Private Attorney General David Schied, in enjoining me as his fellow Private Attorney General, as well as enjoining my legal claims with those of the existing claimant or claimants similarly situated in the case referenced on page 1 of this document, is legitimate. We each and together will advocate for ourselves and other claimants, even as we each maintain full responsibility for our own respective private interests as fellow sovereigns, and as the spokespersons for many more of *We, The People* having been personally damaged and retaining all rights to redress and compensation for our respective injuries.

19. I am incorporating within this "*Sworn and Notarized Affidavit...*" the accompanying "*Exhibit A*" as my "*Concise Statement of Specific Facts*" relating to the backward-looking *predicate* case to which I was denied access to the court through *secondary* violations of my First Amendment rights.

EXHIBIT A – "CONCISE STATEMENT OF SPECIFIC FACTS"

A. I have evidence that co-Defendants have acted for the past fifteen years with intentional gross negligence, wonton dereliction of their duties, with malfeasance, misfeasance, and outside of either their *de jure* constitutional authority or their *de facto* positional authority by failing to persistently act upon and significantly improve the results of the January 23, 1998 "*Task Force on Racial/Ethnic and Gender Issues in the Courts and the Legal Profession*" ("Task Force"). That Task Force held two decades ago that between 1987 and 1996 the perception of those in the Michigan courts and legal profession was that there was a high level of racial/ethnic bias and low

level of supervisory/regulatory effectiveness, and my evidence shows that those previous determinations have remained significantly unchanged.

B. My Evidence shows that the co-Defendants have long been fully apprised by the 1998 Task Force report about recommendations and suggestions that, among other things, the "*agents*" of the self-policing, self-reporting, and self-regulating bodies operating the court systems within the area known as "Wayne County" adopt internal administrative policies and procedures to enhance the fair and equitable delivery of justice to all citizens. I have proof, by the Task Force reporting, that co-Defendants have long been fully aware that their previous methodology of organizing task forces (1989 and 1997) and publishing reports were significantly ineffective in facilitating change of perceptions of racial/ethnic bias in the court system. Nevertheless, co-Defendants have decidedly failed to properly implement conclusive proposals and recommendations of the Task Force designed to address needed accountability mechanisms for resolving instances of systemic bias, such as closely monitoring, investigating, and sanctioning violators of my and others' constitutional rights. Further, the co-Defendants have acted with similar gross negligence in effectively addressing the manner in which courts treat those, such as me and others who are poor, people of color, and/or people who cannot afford or don't want to hire a State BAR of Michigan attorney, and who often also lack the power to make their voices heard.

C. Plaintiffs commonly allege that, inapposite to effectively managing and regulating the behaviors of their peer group of active membership as "market participants," co-Defendants have resorted instead, more or less, to an unmonitored, unregulated system that significantly refuses to properly recognize, mitigate, or litigate reported violations of Plaintiffs' constitutional due process and civil rights by way of a combination of intentionally subtle, flagrant, and criminal abuses of the judicial system that result in a disparaging impact upon Plaintiffs as a protected class, and/or result in personal financial gain and/or preferential treatment for co-Defendants' peers and business associates.

D. I contend that my personal experiences, and the experiences of many others I know with similar information and belief, have resulted in a plethora of Evidence showing that the named co-Defendants of this case are, and have long been, acting far outside of their scope of authority and job duties to use *color of law* and *simulated legal process* to personally profit from taxpayer

funding of corruption and racketeering schemes that amount to "*domestic terrorism.*" The information that I have proves that substantive amounts of fiduciary funds are being utilized to aid-and-abet, cover-up, and give comfort and support to usurpation of power, treason, and a war of conquest and subjugation of a class of state citizens otherwise entitled to contracted enforcement of sworn Oaths of officials, and other types of protections guaranteed by state and federal constitutions.

E. For the past nearly 20 years, I have been a human rights activist and community advocate assisting others with their civil and criminal cases since around 1996, and numbering approximately 130 cases.

F. My ordeals in the Charter County of Wayne and with their limitless number of criminal agents, began around 1993 when I started my complaints and eventually a lawsuit against the municipality known as the "City of Detroit," in the federal court being operated within the territorial boundaries of the Charter County of Wayne, which is also located within the "City of Detroit" itself.

G. The case was a Title 7 "*employment discrimination*" case (No. 95-71404) reported to the EEOC, and it was my first civil action to be filed without an attorney. The case was before *judicial usurper* Nancy Edmonds. I was deprived by Edmonds of my First Amendment right to access that federal court when she dismissed the case on an erroneous technicality and despite the compelling evidence to the contrary. Thus, she sided with the agents of the City of Detroit.

H. Meanwhile, the Michigan Department of Civil Rights located in *City of Detroit* dragged its feet on my complaint to them for over five years. The MDCR recommended mediation in light of all of my evidence; however, the Defendant City of Detroit Fire Department did not want to even meet. Around 1998, the MDCR simply dismissed my case based the "*discretion*" of their state agent and despite the overwhelming evidence justifying a *discrimination* claim.

I. I immediately appealed the MDCR's decision to dismiss that preceding level of discrimination complaint. That appeal went before judicial usurper Susan Neilson (No. 00-010451-AA) of the "Wayne County Circuit Court" also in

Detroit, who then also mishandled and dismissed my appeal. The dismissal occurred in retaliatory fashion and just after I filed a motion for "*judge*" Susan Neilson to be disqualified from the case, because her law clerk for my case was married to an attorney (Peter Rhode) employed by the Defendant City of Detroit's legal department supporting the Defendants.

J. For numerous reasons not the least was by the fact that I had paid the "jury fee" which was not refunded back to me by the Wayne County Circuit Court after Neilson dismissed my case, I filed an "*appeal*" of that dismissal. The Court of Appeals "*chief judge*" Richard Bandsta unilaterally dismissed that appeal on 5/18/10, in claim that the "*order*" signed by Neilson was "*not an order that was appealable as of right.*" In essence, I was denied my right to an appeal of what was being falsely conveyed to me as a lower level "*judicial*" decision when it, in fact, it was not.

K. As a matter of later investigation and with supported Evidence provided by my fellow Private Attorney General David Schied, Richard Bandstra has a history of dismissing backward-looking First Amendment right-to-redress cases like mine for which fraud, suppression of evidence, and other factors are at play to deprive litigants of their rights. Grievant David Schied's situation is a case-in-point:
   1) I have available evidence to show that after having run the gamut through the county and state systems and gathering a plethora of Evidence of county and state levels of *predicate* corruption and *secondary* cover-up, Richard Bandstra "*dismissed*" – *under color of law* and while suppressing the evidence – Grievant Schied's "*appeal*" of the lower court's dismissal of his first "*racketeering and corruption*" case filed in 2007 against the agents of the two counties of Wayne and Washtenaw, and against the State of Michigan;
   2) I have available evidence to show around 2010, after having run the gamut <u>a second time</u> through the county and state systems and gathering a plethora of Evidence of <u>new</u> county and state levels of *predicate* corruption and *secondary* cover-up, when it was clear that Mr. Schied was heading to the Michigan Court of Appeals with the evidence of a "*pattern and practice*" of such criminal behavior, and spotlighting the behavior of Richard Bandstra himself, Bandstra went through the revolving door and

because the "Lead Counsel" for the Michigan Attorney General that was defending the state in that lawsuit.

3) In essence, I have the evidence that there are many patterns and practices in place and being implemented against *We, The People* as litigants striving for our access to the courts, and one of the more prominent are those that violate the Separation of Powers clause, such as was violated by Bandstra when – against the same litigant without an attorney issuing the same or similar claims against the co-defendants of the county and state – Bandstra operated in both the judicial and executive branches to thwart and defeat the claims of Claimant David Schied.

L. In 2001, because I was asserting my First Amendment right to redress yet again on the basis that I had never gotten litigation on the merits of my case in all these previous proceedings, I filed yet another civil case for "*employment discrimination*," in the Wayne County Circuit Court of Detroit. The judge first assigned to the case by "*blind-draw*" was Pamela Harwood. Subsequently and in archaic fashion, that judge was mysteriously taken off the case and replaced by *judicial usurper* Gershwin Drain who arbitrarily dismissed the first motion that I had before him, and while falsely claiming as matter of fact on the record that my motion, indeed my entire case, had no merit and was instead entirely "*frivolous*."

M. After Drain dismissed that motion, I filed a motion for Drain to be dismissed from this case, based on his mischaracterization of me and dismissal of my previous motion without litigation of the merits of that motion. Subsequently, Drain dismissed my case altogether and threated that if I had been an attorney, he would have sanctioned me (i.e., via extortion of attorney obedience) six figures for continually filing "*frivolous*" lawsuits when I was actually only exercising my First Amendment right to redress.

N. Notably, *judicial usurper* Gershwin Drain remained a judge at that Wayne County Circuit Court until 2012 where there were other cases with *pro se* Plaintiffs that I know, such as Kevin Franklin's case, which were arbitrarily dismissed in the same contemptuous manner by Drain. In Mr. Franklin's case, his time and expense in appeal brought a ruling to remand the case back to Drain. Despite Drain's pattern and practice of treating non-attorneys

with contempt and unfairness, he was appointed to be a judge for the federal court also located in Detroit.

O. The above case example is *notable* because I have proof that there is yet another *pattern and practice* of strategic judicial recommendation and placement in the state and federal courts that serves to undermine the judicial process for *pro se* litigants without attorneys. This *pattern and practice* is one in which there is a strategic placement of judges to manage specific types of cases so to effectually prevent pro se litigants from getting access to a trial by jury; and while providing criminal protection and cover-up of First Amendment and civil rights violations of people like me. Drain's case is a good example for the following reasons:
   1) At the lower court he was ruling in such ways to protect agents of the Charter County of Wayne, and by doing so, was committing his own "*predicate*" level of *aiding and abetting* of racketeering, corruption and domestic terrorism.
   2) When Drain was promoted to the position of being a federal judge, Drain then was in the position of being employ in such a way as to cover-up the same types of crimes that he was committing himself at the state-level of court. Thus, at the federal level, he was in the position of committing "*secondary*" levels of racketeering, corruption and domestic terrorism, by covering up what was happening at the lower Wayne County Circuit Court where he had just come from, and was part of, in that same *pattern and practice* being carried out there.

P. I have witnessed, and have proof of yet another *pattern of practice* being carried out by the specific selection of judges being used to address specific types of cases like mine. That pattern includes the substitution of retired judges at critical points of time in cases, whereby the judge of record is simply gone at the time of an important hearing, and the substitute judge – who is often retired and beyond the 70-year statutory age that bars service as a judicial officer – simply comes in and dismisses and/or issues an unfavorable ruling against litigants like me without attorneys. In such cases, the resulting impact upon the litigant is extremely burdensome.

Q. As an example of the above, in 2009, I had a case (No. 09-010877-PD) in which the regular "*judge*" Kathleen McDonald took an extended leave of

absence from the bench and a former judge from long time prior took her place. Actually, this was not a judge at all, he was a retired Wayne County prosecutor, John O'Hair. O'Hair unlawfully took this judicial seat of McDonald's, having taken no judicial Oath and having no judicial authority, and while yet also being nearly 82 years old at the time. During the time that O'Hair was on that bench the following sequence of events took place:

1) By the time O'Hair took over my case, I was already attempting litigation against a tow truck company (Gene's Towing, Inc.) and law enforcement (Carl Arnett, a police officer of Belleville working with a multi-agency task force) that had stolen the vehicle (tow truck) that I was using for my own towing company business (C&E Towing), and right off of my own private property....without notification, question, any warrant, or any proof to support their claim that the vehicle was "*stolen*" before they stole it.
2) O'Hair dismissed my "*show cause*" motion while appearing confused and senile on the bench, and while repeatedly recommending to me that I needed to hire an attorney and refusing to accept that I was there to litigate my own case.
3) I filed a motion for O'Hair to disqualify himself based on his apparent confusion and inability to comprehend the nature and merits of the case and his otherwise being unqualified to preside over my case.
4) At hearing, O'Hair denied my motion for him to disqualify himself, doing so without stating his reasons. Instead, he advised that I take the motion before the "chief judge" Virgil Smith, who in 2012 was discovered to have been presiding over cases for six full years without any Oath of Office whatsoever.
5) The morning of my hearing before Virgil Smith on my motion to disqualify O'Hair, I spoke by phone with Virgil Smith's court clerk "Cheryl" to inform her that I would be getting to the court a few minutes late. After I arrived and checked in with the clerk at Virgil Smith's courtroom, I sat down for around thirty minutes while Smith ruled on other cases before the court. When he finished all of the docket of cases, I was the only one left in the courtroom and the judge refused to hear my motion, claiming that he had already called my case at the beginning of the docket and had dismissed it.
6) I then filed a "motion to take deposition" in which "judge" O'Hair signed a subpoena that included the date and time of the deposition to be taken

on the Defendants. However, after I took the deposition, the court reporter doing the transcribing reported a death in the family and delayed my ability to receive the transcripts of the depositions that I had executed. During that period of the court reporter's delay, the Defense counsel filed a "motion for summary disposition" to dismiss my case. I countered that motion with a motion of my own to "adjourn" until after I could get the transcripts that I had already paid for in advance.

7) In response to the above two motions, O'Hair failed to provide me with a long enough adjournment to cover the delay of the court reporter. Instead, he granted the "*Motion for Summary Disposition*" of the defendants and dismissed my case.
8) In response to O'Hair's dismissal of my case, I filed a "*Motion for Reconsideration*" (dated 7/9/10) to which *judicial usurper* Kathleen MacDonald was back on the bench to address. The response from MacDonald at hearing was to compel me to wait in the courtroom over an hour and a half while MacDonald nearly cleared the court docket of case before mine, and then have her court clerk, Alyce Haas, call me out into the hallway to tell me that MacDonald is refusing to discuss my motion "*on the record,*" despite that I had paid the court $20 as a "*motion fee.*"
9) In spite of what clerk Haas had stated, I insisted in going back into the courtroom and sitting again with my witness, Barbara Smith, until the judge discussed my motion with me on the record. MacDonald completed her docket of cases and left the bench while leaving me alone with my witness in the courtroom without calling my case.
10) On paper, MacDonald simply constructed a <u>fraudulent</u> document afterwards stating that indeed there was a "*session of the court held*" in the matter of this motion having "*come before the court*" when, in fact, that never occurred. That fraudulent document was captioned, "*Order Denying Plaintiff's Motion for Reconsideration.*" My witness to this "*fraud upon the court*" is Barbara Smith.
11) The court reporter for this "*tow truck*" case, Shelee Beard, also refused to provide to me the transcript for the *dismissal* hearing so that I could properly submit to the Court of Appeals all of the documents that I would need to take this case on Appeal to the higher court. As a result of her refusal, I was prevented from completing that intended filing in the Michigan Court of Appeals.

12) What I found out later (around 2014), and have the evidence to prove, is that around 1992 when Kathleen MacDonald signed her Oath of Office, the Notary Public that she used was Shelee Beard. The documents I have prove that at the time Beard notarized MacDonald's sworn signature and Oath, Beard's notary license was at that point in time already "*expired*" and invalid.

R. After MacDonald dismissed my case, I filed a complaint with the Michigan Supreme Court to which no resolve was made. Subsequently, I wrote a letter to the "*chief judge*" Virgil Smith – i.e., not aware then that he was a judicial usurper without an Oath of Office – dated 11/7/10, in complaint of "*Civil and Constitutional Rights Violations; Discrimination; and Ethnic and Racial Bias in the Wayne County Circuit Court.*" Smith never responded back to that letter.

S. The *pattern and practice* of placing a retired and/or senile judge on the bench as a substitute judge at strategic times in cases so to undermine litigation and to dismiss the cases of pro se litigants, comes at great cost to pro se litigants. A corresponding pattern is to have "*substitute*" judges come in from other counties, and judges who lost their bids for reelection, such as has been found in the case of *Cliff Stafford v. Trenise Wyldon.* This was a 2010 case in which Kathleen MacDonald was originally assigned to the case. The substituted judge that was conveniently brought in at a critical time was "*judge*" Bryan Levy, who dismissed that case against Mr. Stafford. Subsequently, he responded with a "*motion for reconsideration*" that was dismissed by MacDonald. In that case, like mine, Cliff Stafford had filed a "*motion to disqualify Bryan Levy*;" and when Levy dismissed that motion while compelling Mr. Stafford to go to the "*chief judge*" of the Wayne County Circuit Court, Virgil Smith simply denied that appeal of Levy's refusal to be disqualified.

T. The above *patterns and practices* forces people like me – as exemplified above – to be subject to insurmountable odds for succeeding, or even continuing to pay the costs of filing appropriate paperwork, filing fees, electronic filing fees, and the high costs of travel to the court, to pay all the parking costs, and to get transcripts and copies of necessary documents from the records department. Altogether, these factors have a substantive impact

upon the families and the work lives of those subjected to this "*coercion of government*" policies and practices.

U. Consistent with and exemplifying the extreme bias that the so-called "*judges*" of the Wayne County Circuit Court, such as Kathleen MacDonald, have against pro se litigants, poor litigants, people of color, and others who enter the court without a State BAR of Michigan attorney, is a case (No. 09-018061-CB) in which Kathleen MacDonald awarded a $60,000,000 (sixty million dollar) judgment against former Red Wing Joe Zada "*without further court proceedings*" and before he even had the time to find an attorney.

V. There is a widespread *pattern and practice* of judicial usurpers *aiding and abetting* in the cover-up of an equally widespread pattern of mortgage and foreclosure fraud throughout the territorial region being operated by the agents of the Defendant Charter County of Wayne. The case filed against me by Orlans & Associates on December 8, 2010 exemplifies that *pattern and practice* of criminal cover-up.
    1) The case (Attorney General complaint file number 131428) involved my home at 3354 Electric Street.
    2) The foreclosure was illegal because the bank, Citi Mortgage was under federal obligation to provide TARP funding to me as an applicant for a loan modified and they "dual tracked" by foreclosing upon my home while misleading me to believe that they were otherwise processing the loan modification that they had already granted.
    3) I have evidence that in 2009, Defendant Corporation Counsel's agent for the county, Kate Ben-Ami, had notified the former "Sheriff" – now the "County Executive" Warren Evans – that the "*TARP Act preempts state law[s] governing [nonjudicial] foreclosure sales.*" Significantly, even though as sheriff, Evans proclaimed a moratorium against foreclosures in 2009, the former County Executive Robert Ficano and the current County Executive Warren Evans have continued to allow these types of unlawful foreclosures, as was done in my case, in violation of the federal TARP Act.
    4) I have evidence that multitudes of thousands of households have been subject to this *pattern and practice* of unlawful foreclosures, which have also been proven through multi-billion dollar settlements as

brought against banks by private whistleblowers and by the United States Department of Justice. As regards to the homes foreclosed upon by the agents of the Charter County of Wayne and their associates employed as "*foreclosure mill*" attorneys, state and federal judicial usurpers, clerks, and other various employees of the Charter County of Wayne, I have proof that there have been uncountable individual suits as well as class action suits brought against these "agents" of the Charter County of Wayne and their associates, and these actions have still has not deterred this domestic terrorist network from continuing their terrorism because of the favorable rulings of the judicial usurpers of state and federal courts.

5) The non-judicial foreclosure publications were carried out by Marshall Isaacs, a notorious "*robo-signer*" for whom I have evidence has allowed his name to be signed by others in a plethora of ways and on an overabundance of mortgage foreclosure documents.
6) Marshall Isaacs, under the employ of Orlans & Associates, drafted a fraudulent Sheriff's Deed for the sale of my home in 2010 by Ralph Leggat. I have documented evidence that Mr. Leggat is man widely known for having sold thousands of homes unlawfully throughout Michigan, by way of fraudulently declaring himself to be a "deputy sheriff" when, in fact, he was merely an accountant employed as an agent for the Defendant Charter County of Wayne.
7) The "Sheriff's Deed" that was used to steal my home (for $101.55) was also fraudulent on its face because, in response to my FOIA request to the Wayne County Sheriff's Department, the agent of that county office, James Spivey, reported that "*there was no record of such sale*" of my house on that date identified by Ralph Leggat's fraudulent deed.
8) The "*Affidavit of Purchase*" signed by Leggat as the auctioneer that sold my home to Sanetti Neal, the owner of a company called West Detroit, LLC, again, on a date for which the answer to the FOIA request reflects such a home sale never occurred. This is consistent with other cases that I have evidence to show that a certain network of the same companies are involved as "*purchasers*" for similarly suspect sales that never actually occurred. The pattern and practice involved with these fraudulent "public sales" includes participants of a corresponding network of people – like Leggat, and like Felicia

Mack, like LaShanna Cooper, like Marshall Isaacs, and others – who are instrumental in the execution of the non-existent sales and the resulting fraudulent legal documents.

W. I have proof that, consistent with the above patterns of "*foreclosure sales*," are documents published by the agents of the Wayne County Sheriff's Department showing an impossible number of homes being auctioned in any given afternoon, and with the Sheriff's Department being paid $50 for each such sale that never occurred.

X. The impact of this *pattern and practice* is the turning of the county itself into blithe and destruction of neighborhood homes by fire, drug infestation, and bulldozing; by way of qualifying only a handful of people and corporate operatives with inside information about these home sales and the money to take advantage of that timing, to become the beneficiaries of way too many homes than they can find people to inhabit.

Y. Additionally, such degrading of the neighborhoods are compounded by lowered actual cash values of the homes, for which the agents of the Defendant Charter County of Wayne is over-estimating those home values as the basis for their tax bills. As the *pattern and practice* plays out, these fraudulent high taxation rates result in even more people being foreclosed upon by the Charter County itself, and adding to the blithe in more lost homes. It reasons that the *modus operandi* for this pattern playing out is for the Charter County to be able to get paid for much of their fraudulent taxation rates through federal programs such as "Hardest Hit" and "Step Forward."

Z. Another *pattern and practice* being carried out by the "*county*" agents, can be seen in the mass "*cattle call*" for people to come to central locations such as Cobo Hall, community colleges, and churches to agree to signing contracts with the county accepting the fraudulently excessive taxation amount by locking in new terms of payment on those property and debts; and frequently, when these people get behind in paying those elevated amounts, the county agents engage in the cycle of foreclosure all over again.

AA. I was subjected to the above *patterns and practices* concerning the excessive taxation of my home beginning in 2011 by the following sequence of events being carried out against me by the agents of the Charter County of Wayne:

1) On 4/27/07, I purchased a home at 3380 Electric St. in Detroit for $4,500. The value of the home then was based on the fact that it had been severely burned out. Based upon a fire report appraisal that the retail value of the home was around $10,000, the Winter tax on my home in 2007 was $1,600.
2) For the next two years while I was renovated that house, the tax bill for the same house jumped in 2008 to $4,949. So I went to the City of Detroit's tax assessor's office refusing to pay that amount on that tax bill and to request a reassessment. Though the agents of the city promised to come to my home to reassess the property, they in fact never showed up and I kept my word in not paying that excessive amount.
3) In following grievance procedures of the City of Detroit, I also filed a complaint with the tax tribunal in 2008. That complaint lay dormant for the subsequent two years as the tax bill for 2009 was added to the fraudulent "*amount owed*" along with a wrongful interest on the previous amount at 18 percent compounded interest.
4) In 2010, my total tax bill was $7,247.91; and shortly afterwards the City of Detroit placed me into foreclosure and placed the collection of the billed tax over to the agents of the Charter County of Wayne ("CCofW"). At that approximate time, I had completed "*hardship*" paperwork and qualified for "Hardest Hit" funding assistance; and the city froze the amount of tax "*owed*" as shown on the tax bill. Under that "Hardest Hit" federal program, the county was supposed to apply those funds from the program to credit my tax bill, but the agents of the CCofW did not apply those funds against my bill.
5) I went to a court hearing before judicial usurper Virgil Smith in February of 2011, with a motion to stop the foreclosure proceedings altogether. Smith granted a stay on the foreclosure for that year of 2011 to give the agents of the CCofW time enough to resolve the illegal and excessively high tax bill and to properly credit the balance with "Hardest Hit" program funds.
6) By 2012, the agents for the CCofW had still not properly reduced the excessive bill and, in fact, increased it instead to over $17,000 in total tax

owed. By that time, Smith's court ruling to "*stay*" the foreclosure proceedings had expired; and so those agents of the CCofW pressed forward with new foreclosure proceedings against me.

7) In March of 2012, I sent multiple letters in request for assistance from the Wayne County Treasurer Raymond Wojtowicz, from Wayne County Deputy Treasurer Eric Sabree, and from the City of Detroit Treasurer Cheryl Johnson. The responses they presented back to me were sufficient to "*shock the conscious*" because their actions combined to include both shrugged shoulders and finger-pointing amidst other acts of aggressive bill collecting and fraudulent court proceedings based upon their own deceitful tax assessments. Both the agents of the city and the county refused to do anything affirmatively except act to allow these damages against me to accumulate through their own increasingly malicious acts of "*state created dangers*."
8) In April of 2012, the CCofW's foreclosure case (No. 11-007010-CH) went again to Virgil Smith. Despite his familiarity with the previous foreclosure history from 2011, rather than to penalize the agents of the CCofW, then being represented fraudulently by the Wayne County Corporation Counsel, judicial usurper Smith sided with the racketeering scheme of the Corporation Counsel; and, on 4/13/12, Smith denied my "*motion*" for Smith to remand the entire matter to the State Tax Tribunal for the reassessment of the tax bill that should have happened at my request back in 2008.
9) In May of 2012, Smith then denied all of the several other motions that I had presented to the Wayne County Circuit Court, which I had presented to him in protest of the *state created dangers* and the unlawful proceedings that resulted from those imposed dangers. Smith ignored my reasonable solutions for a fair and judicial resolve, and instead forfeited my property and completed the tax foreclosure based upon the county agents' *fraud.*
10) On 5/16/12, I filed my "*appeal*" with the Michigan Court of Appeals located in Detroit and known to be the home of another network of *domestic terrorists*. As what frequently occurs in *pattern and practice* at the appellate level of this so-called "*court*," I was put through a grueling challenge by John Lowe, the Clerk of the Court of Appeals, in attempt to find ways of preventing my appeal using color of law and appellate court rules to obstruct my First Amendment right to redress. Through my own

diligence alone, I was able to overcome these persisting obstacles, and was finally also grant a waiver of fees and costs by the Court of Appeals.

BB. In August through November of 2012, I assisted others in proving that the so-called "*chief judge*" Virgil Smith was an imposter, and that he not only had been a *usurper* of judicial office operating to victimize the unsuspecting people living within the region being terrorized by other agents for the Charter County of Wayne, but that the Michigan Attorney General Bill Schuette and the Michigan Governor Rick Snyder were fully aware of this and allowed Virgil Smith to then go on to commit felony voter fraud by claim on a sworn election petition that he was the "*incumbent*" judge when he actually was not a judge at all. In support of this claim, I have evidence that:

1) On 8/9/12, the signature of the Secretary of State Ruth Johnson, issued by the Office of the Great Seal, officially certified (Seal No. 98974-1-291147-OGS) that Michigan BAR attorney Virgil Smith had no Oath of Office on record since 2005.
2) During that same month of August of 2012, Private Attorney General David Schied and I worked together and with others to research the Michigan Constitution and the Michigan Compiled Laws and found the following as constructed in legislation, on behalf of We, The People, for the government functionaries in Michigan to be following and abiding by:
   a) Article XI, Section [§]1 of the Michigan Constitution requires that "*All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, SHALL take and subscribe [to the specified] oath or affirmation ...* "
   b) MCL 168.420 of Michigan Election Law requires that, "*Every person elected to the office of judge ofthe circuit court, before entering upon the duties of his office, SHALL take and subscribe to the oath....and file the same with the secretary of state ...*"
   c) MCL 168.422 of Michigan Election Law holds that, *"The office of circuit judge shall become vacant upon the happening of any of the following events before the expiration of the term of office: The death of the incumbent; his resignation; his removal from office for cause; his ceasing to be an inhabitant of the circuit for which he shall have been elected or appointed or within which the duties of his office are*

required to be discharged; his conviction of any infamous crime, or of any offense involving a violation of his oath of office; the decision of a competent tribunal declaring his election or appointment void; ***or his neglect or refusal to take and subscribe to the constitutional oath of office and deposit the same in the manner and within the time prescribed by law.***" (Bold emphasis added)

d) Article VI, § 22 of the Michigan Constitution requires that, "*Any judge of the court of appeals, circuit court, or probate court may be a candidate in the primary election for the office in which he is the incumbent by filling an affidavit of candidacy in the form and manner prescribed by law.*"

3) On 8/21/12, Private Attorney General David Schied and I, acting in the public interest and along with other concerned "Wayne County" citizens and concerned taxpayers, constructed, signed and notarized an 8-page notarized "*Affidavit of Petition and Notice*" with a cover letter addressed to **Attorney General Bill Schuette**, in demand that he exercise his DUTY - within 30 days - to file a Quo Warranto complaint action in the Court of Appeals to have the "*imposter*" Virgil Smith removed from the bench for lack of compliance with Michigan laws on the filing of his Oath with the Secretary of State.

4) Upon our receipt of proof that the AG Schuette received our package of incriminating documents against the judicial imposter Virgil Smith, the following sequence of events took place:

a) When Bill Schuette had not responded to our *Affidavit of Petition and Notice* and supporting documents by a month later in mid-September, another concerned citizen, Martin Prehn, wrote a letter of inquiry into the matter of when the Attorney General was expected to address the matter.

b) Bill Schuette, acting through his agent of "*First Assistant Attorney General for the Criminal Division*" Donna Pendergast, responded back to Martin Prehn with a *fraudulent* letter, dated 10/12/12, with a nonsensical line of rhetoric about the duties of the Michigan Attorney General, claiming the duty was not that of the Attorney General to file a Quo Warranto complaint against judicial usurpers such as Virgil Smith, and directing Mr. Prehn to the office of the State Court Administrator instead.

c) Schuette's and his agents at the "*criminal division*," being then Donna Pendergast and Richard Cunningham as the head of that attorney general "*division*," intentionally misled Mr. Prehn by failing to acknowledge MCL 600.4501 which clearly states, "*The attorney general SHALL bring an action for quo warranto when the facts clearly warrant the bringing of that action....*" It was clear to Mr. Prehn however, and to those of us who had signed the *Affidavit of Petition and Notice*, that the objective of the Attorney General Bill Schuette and his agents was to feint ignorance about this criminal situation involving the judicial usurper Virgil Smith, and his own DUTY to address the matter.

d) Importantly, Bill Schuette *never* responded at all to Private Attorney General David Schied's and my sending him the *Affidavit of Petition and Notice* that was addressed directly to him. Instead, Schuette simply allowed Virgil Smith to go on to commit election fraud by fraudulently appearing to be the "*incumbent*" judge listed on the 2012 election ballot. Such intentional malfeasance by Bill Schuette, Richard Cunningham, Donna Pendergast, and other agents of the Michigan Attorney General constitute the RICO crime of "*aiding and abetting*" in that felony election fraud by Virgil Smith.

e) To ensure that we documented Bill Schuette's criminal negligence and affirmative acts to deceive the public and assist in the carrying out of the 2012 election fraud, Private Attorney General David Schied and I wrote a follow-up letter to Schuette dated 12/28/13, delivering it by "*certified*" mail. That letter was copied to Gov. Rick Snyder, Senate Judiciary Committee Chair Rick Jones, the House Judiciary Committee Chair Kevin Cotter, to the State Court Administrator John Hohman, Jr., and to the Michigan Supreme Court Chief Justice Robert Young. In that letter, we made clear that not only had the attorney general's gross negligence allowed judicial usurper Virgil Smith to commit another year of crimes against the people of Wayne County and the State of Michigan, but we made clear our indictment against Bill Schuette himself for aiding and abetting in Smith's election fraud the year prior.

f) I have evidence that in fraudulent fashion, on 1/14/14 Schuette's agent, Inna Volkova, treated as a FOIA request, David Schied's and my joint demand for the location of and copies of the statutorily-

required performance bonds for Virgil Smith, Bill Schuette, and other operating under Oath to the Michigan Constitution and United States Constitution. Two weeks later on 1/29/14, Inna Volkova wrote again denying our demand for copies of the statutorily-required guarantees to the performances of judicial and executive branch office-holders.

g) Subsequently, two weeks after that on 2/14/14, Bill Schuette's newly appointed Chief Legal Counsel Matthew Schneider, the replacement for former Michigan Court of Appeals judge Richard Bandstra, wrote a letter to Private Attorney General David Schied and me, adding yet another layer of cover-up to the FOIA response, and to assert, with regard to the demand for Quo Warranto action to be taken against Virgil Smith, "*I am not persuaded that the circumstances warrant participation by this office. The Attorney General therefore declines to institute the quo warranto action you have requested, and leaves you to pursue whatever remedies may be available to you under applicable law. See MCL 600.4501* ("*If the attorney general receives information from a private party and refuses to act, that private party may bring the action upon leave of court.*")

h) Subsequently, on 12/5/14, Private Attorney General David Schied and I wrote again to Bill Schuette and to his agent, Matthew Schneider, as well as to U.S. Attorney General Eric Holder and to the U.S. Speaker of the House John Boehner in Washington, D.C. Our 10-page letter referred to a plethora of Evidence showing that both Bill Schuette and ("Governor") Rick Snyder were so intentionally derelict in their respective duties as to be considered "*chain*" violators of state and federal laws, making them "*criminally accountable for the ongoing damages caused by [their] malfeasance and gross negligence.*"

i) Notably, neither Bill Schuette nor Matthew Schneider responded to the above 12/5/14 letter. Equally notable is the fact that subsequent to the delivery of our letters to Eric Holder and John Boehner, they both resigned from their respective offices without responding to our 12/5/14 letters to each of them.

5) On 9/2/12, Private Attorney General David Schied and I, acting in the public interest and along with other concerned "Wayne County" citizens and concerned taxpayers, constructed, signed and notarized an 8-page notarized "*Affidavit of Petition and Notice*" with a cover letter addressed to **Governor Rick Snyder**, in demand that he exercise his DUTY -

within 14 days – having been fully informed that, according to the Michigan Constitution and Michigan Compiled Laws (MCL §§ 201.2 and 201.5), the judicial office being usurped by Virgil Smith was "*vacant*," to appoint a judge to that position of "chief judge" of the Wayne County Circuit Court. We sent along with that cover letter:

a) A copy of the August 2012 official document from the Michigan Secretary of State "*certifying*" (Seal No. 98974-1-291147-OGS) that Virgil Smith had no statutorily required Oath of Office on file for the preceding seven (7) years of search history on this usurper of office operating on behalf of and for the benefit of his associated "*agents*" of the Defendant Charter County of Wayne.

b) A 6-page sworn and notarized "*Affidavit of Petition and Notice*" that was signed by six concerned citizens in Wayne County – four (4) who of which are now "*enjoined*" in this instant federal case – and directed specifically to the duties of the Michigan Governor to fill any judicial office which was known to have been vacated.

6) **Included in the sworn and notarized "*Affidavit of Petition and Notice*" that David Schied and I sent to the Governor Snyder was a formal Complaint, signed by six people living in and/or carrying out business within the territorial region known as the "*Charter County of Wayne*", with notice of the following facts and references to Michigan statutes:**

a) That "***the People of the State of Michigan signing the "Affidavit in Petition and Notice" find the actions of Virgil Smith*** – *by carrying out judicial functions and affixing official court seals to rulings, opinions, judgments, and decisions WITHOUT AUTHORITY OF THIS STATE* – ***are in multiple counts of criminal contempt of court, in fraud upon the public, and in other crimes including but not limited to 'corruption and racketeering,' 'misprision of felony,' 'mail fraud,' and 'wire fraud.'***"

b) The "***the People of the State of Michigan signing the "Affidavit in Petition and Notice" find the Office of the 'chief judge' for the 3rd Judicial Circuit*** *(a.k.a. 'Wayne County Circuit Court')* ***is VACANT*** *by corruption and the gross negligence or refusal of Virgil Smith to file and 'Oath of Office' with the Office of the Great Seal at the Michigan Secretary of State, and that* ***it is therefore incumbent upon the Michigan Governor Rick Snyder to order the immediate removal***

of Virgil Smith from the Office of 'chief judge,' to order the Attorney General to immediately investigate this matter for criminal prosecution and to immediately appoint 'some suitable person' to fill that vacant office."

c) MCL 201.3(7) holds that, "*Every office SHALL become vacant on the happening of any of the following events, before the expiration of the term of such office:...(7) His refusal or neglect to take his oath of office, or to give, or renew any official bond, or to deposit such oath, or bond, in the manner and within the time prescribed by law.*"

d) Michigan Constitution of 1963, Art. VI § 23 stipulates that, "*A vacancy shall occur in the office of judge of any court of record or in the district court by death, removal, resignation or vacating of the office, and such vacancy shall be filled by appointment by the governor.*"

e) MCL 201.5 holds that, "*All officers who are or shall be appointed by the governor to fill a vacancy which shall have existed during the recess of the legislature, may be removed by the governor.*"

f) MCL 201.7 holds that, "*[T]he governor may direct the attorney general or the prosecuting attorney of the county to which such officer may be...to conduct an inquiry into the charges made...and the said attorney general or such prosecuting attorney shall thereupon give at least 8 days notice to the officer accused of the time and place at which he will proceed to the examination of witnesses in relation to such charges before some circuit court commissioner or judge of probate for the same county, or any judge of probate who may be appointed by the governor for such purpose, and he shall also, at the time of giving such notice, serve upon the officer accused a copy of such charges...Upon application of the accused officer, the commissioner or probate judge shall require the endorsement of witnesses on the charges in the same manner and subject to the same rules of law as is required in criminal cases. In proceedings under this act originated by complaint filed...pursuant to...**section 767.4** ...The commissioner or probate judge shall make a preliminary examination of the testimony given by the witness before the grand juror and shall limit the availability thereof to those portions relevant to the removal proceedings.*"

g) MCL 767.3 states that, "***Whenever by reason of the filing of any complaint, which may be upon information and belief****, or upon the application of the prosecuting attorney or attorney general,* ***any judge of a court of law and of record SHALL have probable cause to suspect that a crime, offense or misdemeanor has been committed within his jurisdiction****, and that the persons may be able to give any material evidence respecting such suspected crime, offense or misdemeanor, such judge in his discretion may make an order directing that an inquiry be made into the matters relating to such complaint, which order, or any amendment thereof, shall be specific to common intent of the scope of the inquiry to be conducted, and thereupon conduct such inquiry...Thereupon such judge SHALL require such persons to attend before him as witnesses and answer such questions as the judge shall require concerning any violation of law about which they may be questioned within the scope of that order. The proceeding to summon such witness and to compel him to testify shall, as far as possible, be the same as proceedings to summon witnesses and compel their attendance and testimony."*

h) MCL 767.4 states that, "*If upon such inquiry the judge shall be satisfied that any offense has been committed and that there is probable cause to suspect any person to be guilty thereof, he may cause the apprehension of such person by proper process and, upon the return of such process served or executed, the judge having jurisdiction SHALL proceed with the case, matter or proceeding in like manner as upon formal complaint...If upon such inquiry the judge shall find from the evidence that there is probable cause to believe that any public officer, elective or appointive and subject to removal by law, has been guilty of misfeasance or malfeasance in office or willful neglect of duty or of any other offense prescribed as a ground or removal, the judge SHALL make a written finding setting up the offense so found and SHALL serve said finding upon the public officer. The finding SHALL be a sufficient complaint as a basis for removal of said officer and the public officer, public board or public body having jurisdiction of removal proceedings against the officer shall proceed in the method prescribed by law for a hearing and determination of said charges."*

i) MCL 21.47 holds that, "*If any examination discloses malfeasance, misfeasance, nonfeasance, or gross neglect of duty on the part of any officer or employee of any county office, for which a criminal penalty is provided by law...the attorney general...SHALL institute criminal proceedings against the officer or employee, or direct that the criminal proceedings be instituted by the prosecuting attorney of the county in which the offense was committed. The attorney general, or the prosecuting attorney, as the case may be, also shall institute civil action in any court of competent jurisdiction for the recovery of any public money, disclosed by the examinations to have been illegally expended, or collected and not accounted for an for the recovery of any public property disclosed to have been converted and misappropriated.* ***Refusal or neglect to comply with the requirements of this section on the part of the attorney general, or on the part of the prosecuting attorney of any county in the state, is sufficient cause for his or her removal from the office by the governor.***"

7) Notably, neither Governor Rick Snyder nor any of his agents at the governor's office responded either to the 9/2/12 cover letter nor to the formal Complaint filed with the governor's office as a sworn and notarized "*Affidavit of Petition and Notice*" signed by six sovereign crime witnesses.
8) Thus, a year later, on 12/28/13, Private Attorney General David Schied and I wrote a 2-page follow up letter addressed to ("governor") Rick Snyder reiterating our previous claims and providing notice to Snyder that, "[W]e thus have long had evidence of your dereliction to take proper action upon this notice."
9) Our letter to Snyder dated 12/28/13 also stated to Snyder that, *"[A]s a result of your dereliction and gross negligence to your own Oath of Office to 'support the Constitution of the United States and the Constitution of the State', many scores more people have suffered numerous forms of additional damages and losses, and now hold claims against the Risk Management of this State, against your Office of the Michigan Governor, and against you in your individual capacity.*"
10) Despite the above allegations and the fact that in addition to the above we ended our follow-up letter with the demand for the names and locations of bond-holders for the various "actors," departments, agencies, divisions, and sections of the State of Michigan over which the governor

was in charge, both Snyder and his agents at the governor's office continued to snub our letters, Affidavit, and explicit notifications about the laws governing his duties of office.

CC. I have seen online records being held by the State of Michigan showing that around February of 2012, registered Michigan BAR attorney Virgil Smith *fraudulently* filed with the State's election office an "*Affidavit*" falsely claiming that that he was an "*incumbent*" judge of the 3rd Judicial Circuit (a.k.a. "Wayne County Circuit Court") when he had otherwise known that he had not filed an Oath of Office in the previous over six years. I also have documented proof that as a result of his fraudulent actions his name appeared on the 2012 Election Ballot as the "*incumbent judge*" when, in fact, he had been no judge at all for the previous seven (7) years. **Thus, the evidence shows that in 2012 Virgil Smith committed the serious felony offense of "*election fraud*" and the above-referenced documentation shows that neither the governor nor the attorney general did anything about the 7-year crime spree of Virgil Smith.** (Bold emphasis)

DD. In September of 2012, about the time Private Attorney General David Schied and I, along with another *domestic terrorism* victim James Cole, notified Attorney General Bill Schuette about the judicial usurper Virgil Smith, we also filed an Attorney Grievance Complaint about Smith. With the understanding that he was registered member of the State BAR of Michigan and not a judge, we knew that the appropriate place for filing such a complaint was with the Attorney Grievance Commission and not the Judicial Tenure Commission. Yet, <u>subsequent to our filing that complaint with the AGC, the following sequence of events took place to undermine the substance of remedying that complaint</u>:

1) On 9/13/12, the agent for the Attorney Grievance Commission, State BAR of Michigan attorney and "Senior Associate Counsel" Ruthanne Stephens, copied David Schied, James Cole and myself with a cover letter she had written to fellow State BAR of Michigan attorney Paul Fisher of the Judicial Tenure Commission. That letter stated Stephens had unilaterally forward our recent Attorney Grievance Commission complaint to the Judicial Tenure Commission for handling as if endorsing

all of the crimes Virgil Smith was carrying out and undermining our factual assertions and evidence proving that Smith was an attorney and not a "*judge*," and that Smith had long been *usurping* what was otherwise clearly deemed by Michigan Compiled Laws to be a "*vacant*" judicial office.

2) On 11/16/12, and only after Virgil Smith had fraudulently won the county election earlier in the month based upon the falsified ballot information reflecting that he was not only a "*judge*" but the "*incumbent*," Executive Director and General Counsel Paul Fisher sent back a single paragraph of inaction on behalf of himself and the Judicial Tenure Commission. He stated, *"[t]he Commission's jurisdiction is limited to determining whether there is evidence of judicial misconduct,* ***as that term is defined by law****....The file in this matter has been closed.*" The letter implied that, because the JTC could clearly see that Smith was NOT a judge, the laws pertaining to "*judicial*" misconduct did not apply to them. Thus, it was clear that the agents of the state judiciary, those charged with the regulation of attorneys and judges, conspired to bar the proper processing of our complaint about "*attorney*" Virgil Smith, and to allow him to continue carrying out crimes of domestic terrorism upon *We, The People* of Wayne County and the State of Michigan.

EE. After I found out in August 2012 that Virgil Smith was usurping the position of "chief judge" and unconstitutionally throwing away cases of tens of thousands of homeowners in the circuit, I filed a motion on 9/18/12 to restrain him from those unlawful acts, and to stop him from the auctioning off of my home. Both in writing and personally in the court, I citing the Evidence that I had against Smith, and he responded with a denial of my motion, with sarcasm about my evidence, and with a malicious intent and a smirk when stating that I can always take it on appeal to the higher level (of judicial corruption) in the Court of Appeals.

FF. I was constructively barred on two differing occasions by the county agents and both "chief judges" Virgil Smith and Robert Colombo, from being properly assessed a fair value for the taxes on my home. I say this because auction records, public news articles and real estate appraisals altogether show that the homes in the area of my home, and indeed countywide, were over-valued for tax-assessment purposes. These higher

assessments, along with the county's unilateral decision to pay private property taxes owed to the city without full disclosure of what they were doing, resulted in a high level of confusion for me as a homeowner. In fact, there was no transparency in either the methodology for assessing taxes by the City of Detroit, nor for the means by which the Charter County of Wayne was assuming such debt and then becoming the debt collectors for the public purchasing of the taxes owed to the city.

GG. What is clear is that the research of surrounding facts show that the *modus operandi* for the Charter County of Wayne purchasing these elevated debt amounts from the City of Detroit likely follows the reasoning below:

1) That the Federal Government is providing tax-debt assistance to homeowners of areas "*Hardest Hit*" by payment – without question – upon the elevated amounts that are claimed as debts owed on taxes.
2) That for those who do not qualify for federal or other charitable funding assistance for tax debts, the Charter County of Wayne drops the hammer onto them and uses strong-arming and deceptive tactics to *coerce* homeowners into paying what is demanded through new contracts forced upon them in agreement to the higher taxation amounts.
3) That for those who do not qualify for federal or other charitable funding assistance and decline to succumb to the strong-arming and deceptive tactics used to *coerce* homeowners into signing new contracts with payments on the agreed-to elevated tax amounts, the Charter County of Wayne steals those homes outright, selling them through foreclosure auctions, from which county agents unlawfully swipe all homeowner equity and keep all of whatever excess proceeds there are out of the actual sales prices of the home (as is found in this case).
4) In cases where there is no homeowner to intimidate and coerce, and cases where foreclosure auctions do not result in sales of the blighted homes, the Charter County of Wayne uses their claim of tax debt owed on the homes to obtain their own qualifications for those "*Hardest Hit*" funds for the purpose of demolishing those homes and clearing the land for other types of commercial and residential development.

HH. In closing, I had notified the Wayne County Commissioners in March of 2015, as well as March of 2016, about the egregious foreclosures of county residents' homes based on illegal value assessments and the True

Cash Value of the homes. I made them aware that my house is due to be foreclosed April 1, 2016, and set for auction in May 2016. I pleaded with them to help me and to help other residents of the county; but my pleas fell on deaf ears. This is the second attempt to steal my house by the county. This claim we are filing, will advocate against and lay claim on behalf all illegal foreclosures against which we are filing. This is the reason why Private Attorney General David Schied and I are placing a full claim upon the $100 Billion insurance policy covering this widespread epidemic of government coercion and the destruction of the lives of the county residents, which amount to *domestic terrorism.*

Further Affiant sayeth not.

Cornell E. Squires

STATE OF MICHIGAN)

) SS

OAKLAND COUNTY)

On this 29 day of March, 2016, before me appeared Cornell E Squires to me known or identified to me to be the person described in and who executed the forgoing instrument.

Deborah Nelson — August 10, 2022

NOTARY PUBLIC — MY COMMISSION EXPIRES

(notary stamp and/or seal)

DEBORAH NELSON
NOTARY PUBLIC
COUNTY OF WAYNE
My Commission Expires
8/10/2022
Acting in the County of,
STATE OF MICHIGAN