

**DISTRICT COURT OF THE UNITED STATES  
(FOR THE EASTERN DISTRICT OF MICHIGAN,  
SOUTHERN DIVISION)**

David Schied,

*Sui Juris Grievant*

Case No. 15-11840

v.

Karen Khalil, et al

Judge:

*Defendants* /

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**RESPONSE TO  
ATTORNEY DAVIDDE A. STELLA’S, ATTORNEY ZENNA ALHASAN’S,  
AND WAYNE COUNTY CORPORATION COUNSEL’S  
FRAUDULENT CONVEYANCES IN THEIR “MOTION TO DISMISS”**

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David Schied  
P.O. Box 1378  
Novi, Michigan 48376  
248-974-7703

Defendant  
**Charter County of Wayne**  
Davidde A. Stella  
Zenna Elhasan  
Wayne County Corporation Counsel  
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Detroit, Michigan 48226  
313-224-5030

<p>* NOTE: All type font appearing in this document as ALL CAPS, <u>underlined</u>, or <b>bold</b> are intentional and have special emphasis added.</p>
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David Schied (hereinafter “*Grievant*”), being one of the People<sup>1</sup> and having established this case as a *suit of the sovereign*<sup>2</sup> acting in his own capacity, herein accepts for value the oaths<sup>3</sup> and bonds of all the officers of this court, including

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<sup>1</sup> 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 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.*”

<sup>2</sup> *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.*”

<sup>3</sup> 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*

attorneys. Having already presented his causes of action to this Article III District Court of the United States as a *court of record*<sup>4</sup>, *Grievant* hereby proceeds according to the course of Common Law<sup>5</sup>.

Incorporated herein by reference are the Statements and Evidence contained in accompanying documents of:

- 1) “Memorandum of Law and Jurisdiction” (see “**Exhibit #4**” as being a copy also of “*Exhibit #4*” that was previously filed “*Writ for Change of Judge...and Change of Venue...*” previously served on these defendants and their attorneys on 6/27/15)
- 2) “Sworn Notarized Affidavit of Cornell Squires Witness the Denial of David Schied Writ of Habeas Corpus Court Order And A Hearing in June of 2012” (“**Exhibit #5**” attached)
- 3) “Sworn and Notarized Affidavit of David Schied In Testimony of Some Events at the Midland County Jail; and Affirming My Past Award of ‘Power

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*of the several States, shall be bound by oath or affirmation to support this Constitution.”*

<sup>4</sup> “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].

<sup>5</sup> 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.]

*of Attorney' to Patricia Ann Kraus While Falsely Imprisoned in 2012"*  
**("Exhibit #9" attached);**

- 4) "*Affidavit*" of David Lonier dated 7/2/15 pertaining to what he witnessed alongside of Patricia ("Trish") Kraus at the Midland County Circuit Court on June 22, 2012. (**"Exhibit #13" attached**)
- 5) Exhibits #1 through 22 (attached);
- 6) All Statements, Affidavits, and Evidence previously filed in this case to include the initial filing to open this case and the more recent filing of "*Writ for Change of Judge Based on Conflict of Interest and Change of Venue Based on Proven History of Corruption*" and its accompanying "*Sworn and Notarized Affidavit of Truth of David Schied*".

**CORPORATION COUNSEL'S Rule 12(b)(5) "MOTION" FILING ON BEHALF OF THEIR CLIENT, DEFENDANT CHARTER COUNTY OF WAYNE, EXHIBITS THE PATTERN AND PRACTICE OF "FRAUD UPON THE COURT" BY THEIR DESCRIPTION OF FACTS**

David Stella, Zenna Elhasan, and the rest of Defendant Charter County of Wayne's "*Corporation Counsel*" have a long and well-documented history of criminal *obstruction* of judicial proceedings, interference with a victim/witness, and fraud upon the court when *litigating* against people like *sui juris* Grievant David Schied, who are calling out domestic terrorists from their roots as usurpers of the People's powers as otherwise delegated to public functionaries – by their sworn Oath to the People and the state and federal constitutions guaranteeing their rights above all else. This instant case and motion serves only to demonstrate furtherance of those previous crimes.

The *pattern and practice*, which consists of affirmative actions as presented in the very first "*Rule 12(b)(6) motion*" of this Defendant, **consists of the following traits or "hallmarks" that demonstrate how *color of law* has long**

**been used by this Defendant to facilitate ever-growing numbers and intensities of state created dangers, particularly for David Schied, but also for many others who are calling these domestic terrorists to the carpet of accountability for their other antecedent actions as exhibited in previous cases:**

- 1) Defendants, as all members of the BAR disparage and intimidate people like *sui juris* Grievant David Schied who come to the courts without payment of homage to the corporatized legal system in place by *representation* by an attorney;
- 2) Defendants initialize their motions with a virtual *wink-and-nod* understanding that their cohorts of hierarchical power mongers, as judges who are also members of the same State BAR of Michigan, will pretend not to see that Defendant's filings are significantly chock full of gross omissions and misstatements of fact;
- 3) Defendants then *flower* their misstatements of facts with a plethora of case law that otherwise are irrelevant and moot given the FACT that from their opening paragraphs – tailored as a rephrasing and reiteration of the opposing party's grievances and claims – are outright fraudulent on their face.
- 4) The *pattern and practice* of the above allows judges, their law clerks, and all others involved in the final decisions of their cases to slide by in aiding and abetting in these hallmarks of seditious and treasonous conduct that turns both

law and justice on their heads, forcibly coerces government policies and practices to all levels of unauthorized degrees, and undermines the very foundational purpose of the courts of getting at the Truth as founded in nature's God and the United States Constitution.

For purposes of opposing this instance of Defendants conspiring under *color of law* and in such fashion as to deprive Grievant David Schied of his right to due process and to provide yet *another* case for them to use to support their fraudulent claim – and the fraudulent claim of other corporate BAR members and their corporate agents operating as terrorists in Wayne County – **Mr. Schied presents the following FACTS that prove the *pattern and practice* described above WITHOUT the need to flower these facts with irrelevant case law.**

**Defendant Charter County of Wayne and their “Corporation Counsel” committed FRAUD in the affirmative effort to justify their motion claim that Grievant “cannot state a claim which relief can be granted against Wayne County”**

1. **FACT #1** – Defendants claim that “*Patricia Kraus’ filed three writs of habeas corpus to three different courts on [‘Plaintiff’s’] behalf.*” They cite those “*filings*” as dated on 6/22/12, on 6/26/12, and on 6/27/12. These statements are FRAUDULENT on their face. (See numbered pp. 1-2 of Defendant’s filings.)
2. **FACT #2** – Defendants support their alleged fraudulent statements of “*fact*” with the other documents constructed by their peer group of other State BAR of Michigan members, which also are alleged that are fraudulent on their face and

demonstrate an ever-widening **unveiling of statewide corruption of the Michigan judiciary and a declaration of war upon the People by seditious and treasonous behavior that is far out of control and facilitating new *state created dangers* for Grievant David Schied.** (See numbered pp. 1-3 of Defendant's filings.)

3. **FACT #3** – Defendants point out that “*a court...may consider the Complaint and any exhibits attached thereto, public records, items appearing to the record of the case and exhibits attached...as they are central to the claims...*” They also admit that “[*Plaintiffs’ complaint need contain only ‘enough facts to state a claim for relief that is plausible on its face’ [and] where ‘a complaint pleads facts that are merely consistent with a defendant’s liability.’*” Yet, Defendants go on to intentionally mischaracterize Grievant David Schied’s initial filing of *Complaint and Claims* as a “*Monell*” claim which otherwise does NOT claim or prove a “*custom or policy,*” in effort to whitewash over the *pattern and practice* exhibited by the above-described *facts* related to the corporate municipality of Wayne County. This is intentionally and grossly misleading.
4. **FACT #4** – Defendants intentionally mislead this Court by their claim that even if Grievant Schied was able to prove a “*custom or policy*” by Defendants, Grievant has still “*failed to...allege that the policy in question caused a specific injury*” that demonstrates with particularity that the affirmative acts by the

Defendants increased the risk (i.e., of *state created dangers*) specifically for Grievant David Schied (as opposed to the “*public at large*”) by Mr. Schied’s allegation that Charter County of Wayne “*failed to act*” (See p.6-8 of Defendant’s filing.)

5. **FACT #5** – Defendants FRAUDULENTLY claim that Grievant Schied has not alleged that “*Wayne County ‘knew or should have known’ its actions would specifically danger him.*” They do so by gross omission of the actual FACTS inherent in the claims presented by Grievant against Charter County of Wayne depicting, by definition, that the “*state created dangers*” are those that characteristically go so far beyond the simply “*knowing*” better to actually being *acts of terrorism* that (by definition) “*shock the conscience*” of those otherwise engaged in such threatening behaviors while under Oath to state and federal constitutions and by sworn obligations to Duties of office. Defendants also continue to hide the FACT that Charter County of Wayne has maintained a \$100 BILLION insurance policy with their co-Defendants that covers “*relief*” for *acts of terrorism*.



**Grievant David Schied herein presents a very different set of FACTS that prove Defendant Charter County of Wayne and their “Corporation Counsel” are in criminal Contempt of Court by their purposeful FRAUD upon this District Court of the United States, for which “relief should be granted” by ORDER of financial sanctions against the judge’s “peer group” of fellow members of the State BAR of Michigan**

6. **FACT #6** – In Evidence that Defendants’ claims about “*Patricia Kraus*” are fraudulent on their face, Grievant David Schied presents the following set of facts and evidence to prove that Patricia Kraus was not acting alone, and that the efforts of Patricia Kraus and others, along with the documents resulting of those efforts, **point to more than a plausible contention that a multi-county conspiracy to deprive of rights, to criminally aid-and-abet, and to commit acts of domestic terrorism that by definition of the FBI are: a) dangerous to human life; b) violate both state and federal laws; c) influence the policy of government; d) through intimidation and coercion; and/or, e) through mass kidnapping.**
  
7. **FACT #7** – The FIRST action taken by Patricia Kraus, as well as others, in effort to establish a *show cause action* for a Writ of Habeas Corpus immediately after Grievant Schied was “*kidnapped,*” **and** search, seized, **and** falsely imprisoned by the Defendant Charter County of Wayne’s co-Defendants on 6/8/12, was to seek “*transcripts and all other recordings*” from Defendant 17<sup>th</sup> District Court and all their cooperating agents including Defendant Redford Township, Defendant Cathleen Dunn, Defendant Karen Khalil, and the Redford

Township Police. (See “Exhibit C” attached to Grievant’s original “Complaint/Claim...” as the “*Affidavit*” of private court-watcher David Lonier.)

8. **FACT #8** – The RESPONSE to the FIRST action taken by Patricia Kraus, as well as others, as depicted above was for co-Defendants to universally deny transcripts, audio recordings, video recordings, Record of Actions, police *incident report*, or any other “*recording*” of the events of the “*kidnap[ing]*,” **and** search, seizure, **and** false imprisonment of Mr. Schied. Purportedly, their claim was based on the “*policy or custom*” of claiming that courtroom events imposed upon Mr. Schied (as a silent observer to proceedings) had occurred during an “*informal*” hearing. Thus, they persistently reported “*no records of, nor available for, informal hearings,*” a claim made by co-Defendants and their agents which persisted for weeks as Grievant was subjected to increasingly tortuous conditions of the Midland County Jail without any form of due process. (See again “Exhibit C” attached to Grievant’s original “Complaint/Claim...” as the “*Affidavit*” of private court-watcher David Lonier.)

9. **FACT #9** – Contrary to Defendant’s claim of a “*first action*” taken by Patricia Kraus being on 6/22/12, there was another unrelated “*state created danger*” **crime victim** of Defendant Charter County of Wayne, a man by the name of

Cornell Squires. He, along with Patricia Kraus as his witness, **filed the first** **“Petition for Writ of Habeas Corpus”** on 6/12/12, within four (4) days of Grievant being hauled to a prison facility SIX COUNTIES AWAY from where he was assaulted and kidnapped by co-Defendants, as shown to be **Midland County case No. 12-8792-AH**. (See attached **“EXHIBIT #1”** as two pages of **written ruling on that case.**)

10. **FACT #10** – As shown by the attached **“Exhibit #1”** State BAR of Michigan member, as Midland County Circuit Court “*judge*” Jonathan Lauderbach, DENIED Cornell Squires’ **“Petition for Writ of Habeas Corpus on Behalf of David Schied...”** by **first mischaracterizing the petition as a “motion” and then denying that motion without stated cause.**

11. **This act by Jonathan Lauderbach exemplified the “pattern and practice” elements numbers 1, 2 and 4 above by:** a) disparaging the named “*Plaintiff*” Schied because he is being represented by one of the People instead of a fellow BAR member; b) misstating a matter of FACT; and c) under color of law (and judicial discretion under the law) so to justify his issuance of such a denial in the face of the “*petitioner’s*” statements of facts about the case, and; d) by issuing a “*show cause*” motion to be scheduled for AFTER the 30-day sentencing period imposed by Defendant Charter County of Wayne’s co-

Defendant Karen Khalil, another fellow BAR member of Jonathan Lauderbach's peer group of other so-called "judges."

12. **FACT #11** – **"Exhibit #1"** (a 2-page exhibit), with both pages **signed by "judge" Jonathan Lauderbach on 6/12/12**, shows not only that on the "matter" for **Case No. 12-8792-AH** was an **"Order to Show Cause"** case **initiated by Cornell Squires to be heard on 7/16/12**. However, when placed in contrast to Defendant Charter County of Wayne's **"Exhibit #1"** (which reflects a different **Case No. 12-008824** and reflects a "MISCELLANEOUS HEARING HELD" on 7/16/12) it is clear that Defendant attorneys Stella and Elhasan have defrauded this court when claiming this second case number is somehow related to Patricia Kraus's filing of "writ." The fact is that Defendants are attempting to distract from other possible (more nefarious) reasons why this official court document shows that the action was *"dismissed...because the parties failed to appear at a scheduled hearing"* and by claim that *"Plaintiff [Kraus on behalf of Schied] did not appeal that decision."* (See **"EXHIBIT #2"** as a copy of Def.'s "Exhibit #1")

13. Prima Facie comparison of Grievant David Schied's **"Exhibit #1"** (2-pages) to Defendant Charter County of Wayne's "Exhibit #1" (**"Exhibit #2"** provided herein) submitted on this instant *motion to dismiss for failure to state a claim upon which relief can be granted* makes amply clear that **Jonathan**

**Lauderbach** and his *agents of usurped authority* at the Midland County Circuit Court constructed a **FRAUDULENT** document for the purpose of future causal use by other members of the State BAR of Michigan, doing so with a virtual “*wink and nod*” and conjoining of their tyrannical forces to defraud the public through recordkeeping, and to tyrannically **COERCE** traditional American “*judicial*” custom and governmental *policy*.

14. **FACT #12** – The FACT is that, contrary to Defendant Charter County of Wayne’s fraudulent claims, the “*hearing*” (i.e., the one in which neither party bothered to show) was a “**SHOW CAUSE**” hearing on Case No. **Case No. 12-8792-AH**, and **NOT** a “*Writ*” hearing on **Case No. 12-008824 AH** as otherwise reflected by the fraudulent document constructed by Defendant Karen Khalil’s peer group member of the State BAR of Michigan, Jonathan Lauderbach and *his agents* at the Midland County Circuit Court.

15. **FACT #13** – The FACT is that – as Grievant Schied’s “**Exhibit #1**” (2 pages) demonstrates the underlying purpose for the scheduling of the 7/16/12 hearing in the first place as a “*Show Cause*” hearing ordering Midland County Sheriff Jerry Nielson to appear to give justifying cause for his imprisoning Grievant David Schied – the document submitted by Defendant Charter County of Wayne’s “*Corporation Counsel*,” as agents for themselves and on behalf of their co-Defendants in Wayne County (hereinafter referred to collectively as

“Defendant Charter County of Wayne”), is **fraudulent on its face. This is because the document signed and filed by Jonathan Lauderbach on 7/19/12** (i.e., the date Defendants misleadingly imply was also the date of “*dismissal*” rather than on 7/16/12) **also FRAUDULENTLY reflects the same wrongful Case No. of 12-008824-AH-L.**

16. **FACT #14** – The above comparison of documents, when placed **in the context** of Defendant Charter County of Wayne’s written claims of their instant “*motion to dismiss,*” **demonstrates a “*pattern and practice*” under “*color of law*” and *fraudulently constructed documents*. The objective of such a pattern is to create a “*state created danger*” upon which, by Grievant simply exercising his constitutionally guaranteed First Amendment right at some later time, to “*redress of grievances*” through civil litigation, the “*judicial environment*” is prejudiced by a intended predetermination of the conditions under which future cases are consider, with bias against Grievant David Schied and favor toward co-Defendants. Such conditions are despite that the Defendants’ actions are characteristic of **domestic terrorists masquerading as legitimate judges, attorneys, and others of their executive and private agencies**, who have – and will be expected to continue far into the future – to capitalize and benefit themselves **and to injure Grievant Schied IN FACT**, as is demonstrated by both this case and even in this instant *motion*.**

17. **FACT #15** – In Evidence that Defendants’ claims about “*Patricia Kraus*” are fraudulent on their face, Grievant David Schied presents the following set of facts and evidence to prove that Patricia Kraus’ “*writ of habeas corpus*,” (i.e., the one that was “*filed...in the United States District Court for the Eastern District of Michigan*) was NOT the “*second*” one such “*writ*” filing of Trish Kraus as Defendant Charter County of Wayne otherwise fraudulently claims in their “*motion to dismiss*.”

18. Instead, the documentation resulting from those efforts of Patricia Kraus, Cornell Squires, and others, point to *more than a plausible contention* that a multi-county *conspiracy to deprive of rights*, to criminally *aid-and-abet*, and to commit acts of domestic terrorism are currently operating in full force with the territorial boundaries and political “*state*” of Defendant Wayne County, as supported by **the FBI’s own definition of “*domestic terrorism*” as being: a) dangerous to human life; b) violating both state and federal laws; c) influencing the policy of government; d) manifesting through intimidation and coercion; and/or, e) characterized by or having the element of *mass kidnapping*.**

19. **FACT #16** – Contrary to Defendant’s claim of a “*second action*” taken by Patricia Kraus on Grievant David Schied’s behalf, being on 6/26/12, the Evidence makes clear – again – that another purported Charter County of

Wayne crime victim **Cornell Squires** had otherwise actually been the one to take the lead in carrying out the “*second*” action in effort to free Grievant **Schied** from his unlawful captors on 6/18/12. In the accompaniment of Patricia Kraus, he attempted to file a “*Claim of Appeal as Right...*” at both the civil and the criminal divisions of the Wayne County (a.k.a. “*3<sup>rd</sup> Judicial*”) Circuit Court, courts operated by Defendant Charter County of Wayne and the home operation for most of the Wayne County Corporation Counsel’s dirty work.

20. **“EXHIBIT #3”** is presented herein as 6 pages of a complimentary set of two documents that were refused for processing by the agents of Cathy Garrett, the official “*Clerk of the Court*” for Defendant Charter County of Wayne. The documents submitted to the Clerk for issuance to a judge, but which were refused by Cathy Garrett’s agents, were captioned as follows below:

**“Claim of Appeal as of Right; Request for Immediate Consideration Pursuant to the MCR 7.101(8)(1)(a); MCR 7.101(c)(1); and MCR 7.101(c)(2)”**

and

**“Emergency Motion Requesting Bond Pending Appeal as of Right and Request for Entry of an Order Granting a Stay of Proceeding of the Thirty (30) Day Criminal Sentence for Contempt of Court Pursuant to Michigan Court Rules – MCR 7.101(H)(4); MCR 7.101(H)(5) and the Applicable Michigan and U.S. Law Forthwith”**

21. Supporting the basis for and providing the factual background to the construction of the above-referenced pages is **“EXHIBIT #4,”** which is the

**“Sworn Notarized Affidavit of Cornell Squires Witness the Denial of David**



**Schied Writ of Habeas Corpus Court Order And a Hearing in June 2012”**

detailing events that took place within the jurisdiction of Defendant Charter County of Wayne and between the agents of the civil and criminal division clerks and judges (Virgil Smith, Timothy Kenny of the Wayne County Circuit Court and the Defendant Redford Township 17<sup>th</sup> District Court.) **Those listed events can be summarized as the following additional set of FACTS:**

22. **FACT #17** – Cornell Squires filed the first action in seeking relief for David Schied in Midland County, by submission of “Petition for Habeas Corpus Directed to the Midland County Sheriff Jerry Nielson and his Deputies Regarding – David Schied – an Illegally Detained Person; and Request for Entry of a Written Order Granting a Writ of Habeas Corpus Based on MCR 303(D); MCR 303(Q)(1)” that was assigned a Case No. Case No. 12-8792-AH and DENIED by Circuit Court judge Jonathan Lauderbach. (See again, **“Exhibit #1”** already associated with the above-depicted “Facts” #9 through #13”)
23. **FACT #18** – Concurrent with his “denial” of Mr. Squires’ “Petition for Habeas Corpus...” the judge, Jonathan Lauderbach, committed such tortuous action as demonstrative of his abuse of power by **scheduling the necessary show cause hearing for the case for July 16, 2012**, a date that was two weeks after Mr. Schied was to have been already released from Sheriff Nielson’s prison facility

in Midland County. As such, his action – conducted under *color of law* – served to further the “*state created dangers*” for Grievant David Schied by reinforcing the unlawful previous actions of Defendant Wayne County’s co-Defendants by keeping Mr. Schied in jail unlawfully without availability of bond. In essence, **that show cause hearing scheduling for 7/16/12 made moot and undermined the entire purpose of Mr. Squires driving across six counties in effort to secure the immediate release of Mr. Schied through the writ that was otherwise denied.** (See also “**Exhibit #1**” associated with previously listed “Facts.”) (Bold emphasis added)

24. **FACT #19** – During the week of 6/18/12 through 6/22/12, Patricia (hereinafter “Trish”) Kraus and Cornell Squires unsuccessfully attempted to file, multiple times, to both the criminal and the civil divisions of the Wayne County Circuit Court clerk Cathy Garrett’s office (i.e., in two separate buildings of downtown Detroit) in effort to file two new documents captioned, as follows:

*“Claim of Appeal as of Right; Request for Immediate Consideration Pursuant to the MCR 7.101(8)(1)(a); MCR 7.101(c)(1); and MCR 7.101(c)(2)”*

and

*“Emergency Motion Requesting Bond Pending Appeal as of Right and Request for Entry of an Order Granting a Stay of Proceeding of the Thirty (30) Day Criminal Sentence for Contempt of Court Pursuant to Michigan Court Rules – MCR 7.101(H)(4); MCR 7.101(H)(5) and the Applicable Michigan and U.S. Law Forthwith”*

(See again, “**Exhibit #3**” as copies of these documents)

25. **FACT #20** – That in trying to get the above-referenced documents – as well as other documents – filed and acted upon by the judges of these “*criminal*” and

“civil” courts, (as shown by **“Exhibit #5”**, paragraphs #18 through #29) both Trish Kraus and Cornell Squires were, **in pattern and practice**, mistreated “*very disparagingly and with a demoralizing demeanor*” because: (Bold emphasis)

- a) They were acting on their own accord without the assistance of an attorney as the favored member of the State BAR of Michigan;
- b) They were professing that Mr. Schied had awarded to Trish Kraus his “*power of attorney*;”
- c) They were trying to file these documents and secure judicial actions without any sort of “*lower court order*” or other proofs that Mr. Schied had actually been unlawfully assaulted, searched, seized, kidnapped and falsely imprisoned.
- d) They were reporting themselves to have unsuccessfully tried for the previous two weeks to obtain from the Defendant Redford Township 17<sup>th</sup> District Court a judgement order, *Record of Actions*, audio/video recordings, and/or transcripts. They were also reporting that in reply to these persistent efforts, the *agents* of the Defendant Redford Township 17<sup>th</sup> District Court, as clerks, court administrator, and court reporter had told them that there simply were none of these types of case recordings because the hearing at which Mr. Schied had been abducted was scheduled and held as an “*informal*” hearing.

**26. FACT #21 – These various *agents* for the Defendant Charter County of Wayne and Defendant Charter County of Wayne were both exhibiting the same “*pattern and practice*” of denying the agents for Grievant David Schied his constitutionally guaranteed rights to due process at both the “*lower*” and the “*higher*” courts:** (Bold emphasis added)

- a) These various *agents* for the Defendant Charter County of Wayne, being clerks and judges, relied upon *color of law*, procedure, and court rules to affirmatively abstain from taking any action in what otherwise was clearly a nonsensical matter that followed no rationale whatsoever of any laws, procedures, or rules.
- b) Meanwhile, the *agents* for Grievant David Schied, being Cornell Squires and Patricia Kraus, were exhausting themselves by truthfully explaining at every step along their way that the underlying reason for their not having any “*lower court order*” or any other documents was because the *agents* for the Defendant 17<sup>th</sup> District Courts were using *color of law* to justify their refusing to provide anything. They were also using the excuse that the “*event*” that resulted in Mr. Schied being kidnapped and falsely imprisoned was merely an “*informal hearing*” for which – purportedly – no judicial actions supposedly took place and thus, no “*recordings*” were procedurally required by law, procedure or court rule.

27. **FACT #22** – At some point between 6/18/12 and 6/21/12, Trish Kraus had notified Cornell Squires that she had received David Schied’s assignment of permission for Ms. Kraus to have and be his “*power of attorney*,” giving her rightful authority to file documents and to speak on his behalf. (See **“EXHIBIT #9”**) With that award of authority, Ms. Kraus and Mr. Squires pursued multiple attempts to have an assigned judge and hearing for the immediate release of David Schied, going to both the criminal division of the clerk’s office located in the Frank Murphy building and to the civil division of that office in the Coleman Young Municipal Building, in downtown Detroit. Yet, co-Defendants at both the Wayne County Circuit Court and the Redford Township 17<sup>th</sup> District Court (and in “*pattern and practice*” at the Midland County Circuit Court also) continued to insult and **intimidate** Trish Kraus while ***affirmatively dismissing*** her continued best efforts at compelling *lawful* due process for her friend, Mr. Schied. (See **“Exhibit #5”**, paragraphs #21 through #29.) (Bold emphasis added)

28. **FACT #23** – At the courtroom of the civil division “*chief judge*” Virgil Smith there was found a courtroom clerk by the name of “*Cheryl*” who was freely usurping judicial authority and “*practicing law without a license*” by issuing rubber-stamped signatures of that judge Smith by way of her own discretion, placing those stamped signature on official judicial actions in a ***pattern of***

*practice* known to be exhibited by another judge who was popularly known to have been recently prosecuted in a federal civil court in Detroit in the “*Mike’s Hard Lemonade Stand Case*” (No. No. 2:11-cv-11190-AC). That other judge, Judy Hartsfield, had also been operating in the same fashion – without judicial immunity – under Virgil Smith’s supervision at that same Wayne County Circuit Court. (See **“Exhibit #5”**, paragraphs #24 and #34 – 35.) (Bold emphasis)

29. **FACT #24** – On 6/28/12, Wayne County Circuit Court criminal division “chief” *pro tem*, Ulysses Boykin, filling in for Timothy Kenny, demonstrated what was clearly **another twofold “*pattern and practice,*” of Wayne County Circuit Court judges of: a) fraudulently signing court documents placed before them by their court clerks as if they, not their clerks, were carrying out authentic “*judicial actions*” leading to official court decisions and Orders; and, b) judicially signing important documents on behalf of their cohort of other judges without knowing, or caring about, the exact underlying conditions of the case.** (See **“Exhibit #5”**, paragraph #36, as well as **“EXHIBIT #6”**) (Bold emphasis)

30. **FACT #25** – Judge Ulysses Boykin haphazardly signed Trish Kraus’ *Writ of Habeas Corpus* on 6/28/12 referencing Case No. 12-006199-01A, without considering the meaning of the content of the document he was signing as a

**matter of official judicial action.** (See **“EXHIBIT #6”**) (Bold emphasis added)

31. **FACT #26** – Judge Ulysses Boykin haphazardly signed Trish Kraus’ *Writ of Habeas Corpus* on 6/28/12 referencing Case No. 12-006199-01A, on behalf of Timothy Kenny, the chief judge for the criminal division of the Wayne County Circuit Court. He did so without knowing or caring about the underlying conditions of the case, or even if a case referred to as No.12-006199-01A ever really existed. (See again, **“Exhibit #6”**)

32. **FACT #27** – The very next day, in yet another **“*pattern and practice*”** of abuse of judicial discretion, Judge Ulysses Boykin committed multiple counts of deliberate fraud upon the Wayne County (3<sup>rd</sup> Judicial) Circuit Court when he deliberately carried out the following actions:

a) Judge Ulysses Boykin or one of his other *agents* of “*scofflaws and ne’er-dowells*” either created his own fraudulent **“Motion for Dismissal of District Court Appeal and Writ of Habeas Corpus”** or Boykin constructed a **fraudulent official court Order** dismissing such a motion that never existed. (See **“EXHIBIT #7”**) (Bold emphasis)

b) Judge Ulysses Boykin either held an unlawful hearing “*at session*” on 6/29/12 purposefully denying Grievant David Schied his constitutionally guaranteed right to due process and to be heard by way of argument against

the mysterious “Motion for Dismissal of District Court Appeal and Writ of Habeas Corpus”; or Ulysses Boykin acted independently and outside of his judicial authority to fraudulently sign an official court Order indicating that a hearing took place on a matter referenced by Case No. 12-6199-01AR that neither ever existed nor was ever “*heard*” in open court. (See again **“Exhibit #7”**)

c) Judge Ulysses Boykin either denied due process to David Schied by failing to notice him or his *agents* (Trish Kraus and Cornell Squires) about this particular *motion* and *motion hearing* as he sat in the “*state created danger*” of SOLITARY CONFINEMENT in the Midland County jail; or Boykin **constructed a fraudulent official court Order** dismissing a motion that never existed at a “*session*” that was never actually held. (See again **“Exhibit #7”**)

d) Judge Ulysses Boykin either denied due process to Grievant David Schied by providing preferential treatment to the representatives of the “*Trial Court 17<sup>th</sup> District Court*” by holding an ex-parte proceeding (i.e., a “*session*” of court hearing) with only the Defendant Redford Township 17<sup>th</sup> District Court in attendance; or again, Ulysses Boykin **constructed a fraudulent official court Order** on a court hearing that never occurred. (See again **“Exhibit #7”**)



e) Judge Ulysses Boykin either denied due process to Grievant David Schied by allowing the “*Trial Court 17<sup>th</sup> District Court*” to take the strategic position of arguing BOTH SIDES of the motion at the “*session*” held on 6/28/12 in which the Defendant Redford Township 17<sup>th</sup> District Court also submitted argument on behalf of the “*People having filed an answer in opposition [to the motion filed by ‘Trial Court 17<sup>th</sup> District Court’]*”; or again, Ulysses Boykin **constructed a fraudulent official court Order on a motion and an answer to that motion, both of which never actually existed.** (See again **“Exhibit #7”**)

33. Perhaps the above-depicted actions by Wayne County Circuit Court “*pro tem chief judge*” of the criminal division working under or beside Judge Timothy Kenny was not sufficient to cover-up Boykin’s demonstrated accepted “*pattern and practice*” of Wayne County Circuit Court’s criminally corrupt standard of ethics and actions. In any event, Boykin’s actions were far outside that provided under the law and a Michigan judge’s Oath and Duty to carry out only what is provided to them by the People under *constitutional* authority.

34. Nevertheless, “judge” Ulysses Boykin went even further to purposely intensify Grievant Schied’s subjection to “*state created dangers*” by yet creating an even more fraudulent official record which, even now in this instant case, Defendant Charter County of Wayne is using against Grievant Schied as he exercises his

First Amendment right to “*redress of grievances.*” (**See Defendants’ submission of “Exhibit #5” to their instant “motion to dismiss based on no facts” being litigated herein.**)

35. **FACT #28** – On 7/5/12, agent for Defendant Charter County of Wayne, **Ulysses Boykin, issued yet another fraudulent Order**, a 3-page “Order Striking Ex Parte Complaint for Writ of Habeas Corpus; Claim of Appeal; Emergency Motion Requesting Bond Pending Appeal and Stay of Sentence,” (as shown above by reference to Defendant Charter County of Wayne and their Corporation Counsel’s recent submission of “Exhibit #5,”), which for the sake of convenience is presented herein again along with this instant “**Response to...Fraudulent Conveyances in Their Motion to Dismiss**” submitted by Grievant David Schied as **“EXHIBIT #8.”** (Bold emphasis added)

36. This time, Ulysses Boykin’s “Order Striking Ex-Parte Complaint...” **demonstrates the “*pattern and practice*” of placing a new fraudulent captioning for the case**, dropping the name altogether of “*Trial Court 17<sup>th</sup> District Court*” as the “*Plaintiff*” (which might possibly reference unlawful “*ex-parte*” actions taken by some unknown person as *agent* for Defendant Redford Township 17<sup>th</sup> District Court) and listing David Schied as “*Defendant.*” These modifications of the case itself are plainly exhibited by the fraudulent previous document, which was also entered into the record by reference to an even

DIFFERENT (fraudulent) case number of 12-6199-01AR.<sup>6</sup> (See again “**Exhibit #8**”)

37. This time, Ulysses Boykin’s “Order Striking Ex-Parte Complaint...” demonstrates the “*pattern and practice*” exemplified just a week prior (as shown above) by providing preferential treatment to the representatives of the “*Trial Court 17<sup>th</sup> District Court.*” Evidently, he held an ex-parte proceeding (i.e., a “*session*” of court hearing) about Grievant David Schied but without Grievant Schied being notified about this hearing or being allowed to participate in this so-called “*hearing*”. Either that or, once again, Ulysses Boykin **constructed a fraudulent official court Order** on a court hearing that never actually occurred on 7/5/12. (See again “**Exhibit #8**”)

38. **FACT #29** – Given the facts raised above, Ulysses Boykin’s “Order Striking Ex-Parte Complaint...” creates an “*issue of triable fact*” for which further **Discovery is warranted and only a jury can decide upon** as it pertains to “*judge*” Ulysses Boykin’s first paragraph statement, “*This matter having come*

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<sup>6</sup> Note that Boykin’s reference in this new document to Case No. “12-6199-01AR” (“**Exhibit #8**”) depicts his ill-fated attempt to draw an illegitimate compromise between the Case No. “12-006199-01A” fraudulently signed by him as the granting of “*Writ of Habeas Corpus*” (“**Exhibit #6**”) and Case No. “12-6199-01AR,” which was fraudulently constructed by him as the granting of “Motion for Dismissal of District Court Appeal and Writ of Habeas Corpus” in a first effort to destroy records otherwise documenting the actual and/or fraudulent events associated with this (or *those*) so-called “*case(s)*”.

on for decision pursuant to pleadings time stamped and filed in the Office of the Clerk of the Criminal Division of the Third Judicial Circuit of Michigan.” **The “questions of fact” and/or “disputed issues of facts” is as follows:**

(Bold emphasis added)

- a) Whether or to what extent such “*pleadings*” actually exist;
- b) Who constructed and/or “*filed*” those documents of pleadings if they do exist;
- c) Whether those documents were properly “*served*” upon Grievant David Schied as a matter of lawful due process, and by whom those “*pleadings*” were served if at all;
- d) Whether those documents included a “*response*” pleading from Grievant David Schied as entitled by law, Michigan Court Rules of Procedure, and the Wayne County Circuit Court’s own Local Court Rules;
- e) Whether Grievant David Schied was even given the time to respond, the proper notice of place and time before this so-called “*session of said Court*” held on 7/5/12;
- f) Whether Grievant David Schied was able to speak on his own behalf at this so-called “*session of said Court*” held on 7/5/12; and,

g) Whether, agents (Trish Kraus, Cornell Squires, or any other of the so-called “*People*”) were able to speak on Grievant David Schied’s behalf at this so-called “*session of said Court*” held on 7/5/12.

39. **FACT #30** – As clearly shown by “*prima facie*” evidence of “Exhibit #6”, Ulysses Boykin’s “Order Striking Ex-Parte Complaint...” demonstrates the “pattern and practice” of Wayne County Circuit Court judgment Orders being intentionally laced with “*gross omissions*” and “*misstatements*” of **significant facts**. These are elements associated with intentional “*tort*” as well as elements of criminal fraud and perjury by this judge. *Tort* is an issue of liability that is associated with Defendant Charter County of Wayne’s relationship with their co-Defendants, The Insurance Company for the State of Pennsylvania and the American International Group, Inc. (AIG).

40. **FACT #31** – The second “*gross omission*” and “*misstatement*” found in Ulysses Boykin’s fraudulently constructed “Order Striking Ex-Parte Complaint...” is by Boykin’s 2<sup>nd</sup> paragraph reference to the “*captioned case [was] dismissed on June 29, 2012*” being somehow in reference to an “*initial claim of appeal*.” Such reference was one whereby – as shown again by **“Exhibit #7”** – the actual order of “*dismissal*” signed and dated by Boykin on 6/29/12 pertained to the “*Plaintiff Trial Court 17<sup>th</sup> District Court*” purportedly filing a (believed to be BOGUS) “Motion for Dismissal of District Court

*Appeal and Writ of Habeas Corpus.*” Curiously, there is no reference however in this 3-page document, to the so-called “*judicial action*” taken by Boykin himself on 6/28/12 by signing the “*Writ of Habeas Corpus*” on that date as shown *prima facie* by “**Exhibit #6.**”

41. **FACT #32** – As clearly shown by “*prima facie*” evidence of “**Exhibit #8**”, numbered paragraphs two (#2 a, b, and c) of Ulysses Boykin’s “**Order Striking Ex-Parte Complaint...**” demonstrates the “**pattern and practice**” of Wayne County Circuit Court judgment Orders being intentionally laced with “**third-person voice**” statements of fraudulent fact to circumvent accountability by (purported) parties of the case being provided preferential treatment under this partial cloak of deception.
- a) Rather than naming a person filing the “*Ex Parte Complaint for Writ of Habeas Corpus*,” Ulysses Boykin wrote in his order “*a filing was made in the Clerk’s Office*” of that particular named document, leaving any reader to wonder or to vaguely second guess who that “*filer*” might actually be.<sup>7</sup>

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<sup>7</sup> When combined with other forms of “*omissions*” and “*misstatements*” found in adjoining “*patterns and practices*” of the judges operating in Wayne County (and indeed, also in the United States District Court for the Eastern District of Michigan as all members of the same State BAR of Michigan), such intentional vagueness by previous reference of such things as those found in the order’s opening paragraph (i.e., of these documents being merely “*time-stamped*”) and “*signed by a Patricia Kraus*” offer little relevance to what actually might otherwise have been PLANTED (by *agents* of Defendant Charter County of Wayne) in association with this case when considering that, as shown by the *Sworn and Notarized Affidavit of*

b) Rather than naming a person filing the “Claim of Appeal as of right,”

Ulysses Boykin wrote in his order “*a filing was made in the Clerk’s Office*” of that particular named document, leaving any reader to wonder or to vaguely second guess who that “*filer*” might actually be.

42. **FACT #33** – Defendant Charter County of Wayne’s submission of their “Exhibit #5,” being Ulysses Boykin’s “Order Striking Ex-Parte Complaint...” is proven as fraudulent by way of Boykin’s reasoning (numbered paragraph 3 of that document) that “*Patricia Kraus is not an attorney licensed to practice law in the State of Michigan and cannot represent David Schied in any court proceeding and as such cannot sign pleadings on his behalf.*” This element of the document is proven false by page 5, numbered paragraphs 23-24 of **“EXHIBIT #9”** submitted herein as: “Sworn and Notarized Affidavit of David Schied in Testimony of Some Events at the Midland County Jail; and Affirming

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Cornell Squires (“**Exhibit #4**”) Trish Kraus (and Cornell Squires) had been made multiple trips to the Frank Murphy (criminal) Hall of Justice and had made multiple attempts over a period of weeks, in unsuccessful attempt to actually get their documents “*filed;*” even resorting to “*time-stamping everything,*” even multiple times and at multiple places, in order to just “*cover themselves*” in case any of these intensely dishonest agents (as was cited as their perception of these agents) were to lie about something elsewhere down these “*chain*” of events. This was otherwise very frustrating to both Trish Kraus and Cornell Squires; even to the point that they were at their “*wit’s end*” as the *agents* for the Defendants, despite being clerks and judges, presented the clear appearance that Defendant Charter County of Wayne was intentionally depriving Grievant David Schied of his due process rights under color of law.

**My Past Award of ‘Power of Attorney’ to Patricia Ann Kraus While Falsely Imprisoned in 2012.**” (Bold emphasis added)

43. **FACT #34** – In *pattern and practice* of Boykin’s affirmative acts as agent of the Defendant Charter County of Wayne, to repeatedly deny constitutional due process to Mr. Schied under *color of law*, is shown again by Defendant’s own “*Exhibit #5*” (numbered p.3, para 4) in which Boykin attempts to justify his fraudulent actions by color of “*MCR 2.114(A) & (C) (1)*.”

44. **FACT #35** – Furthering the *pattern and practice* of committing fraud under *color of law*, and while presenting his fraudulent document as a matter of official court record using a newly manufactured case number that otherwise never existed prior to this instant of Boykin’s numerous activities designed to coerce government policy, “*judicial usurper*” Boykin additionally justified his “*Order Striking Ex-Parte Complaint...*” by claim of the following (numbered p.3, para 5):

- a) That “[*A*] *complaint for an action for Habeas Corpus cannot be filed within an appeal...*”
- b) That “...[*An action for Habeas Corpus*] *must have its own case number and judge assigned by the Clerk’s office.*”



- c) That “*said action must be brought in the county in which the prisoner is detained. MCR 3.303(A)(1) & (2). David Schied is not being detained in Wayne County but in Midland County, Michigan.*”
- d) That “[T]he Wayne County Circuit Court has no jurisdiction over the referenced matter.”

45. **FACT #36** – As shown by the above statement, presented to this U.S. District Court by the Defendant Charter County of Wayne itself through its Corporation Counsel, the following is clearly marked as “*Fraud upon the Court*” and “*perjury of an official court record*” by the following comparative facts as presented by Grievant David Schied’s collection of exhibits of Evidence submitted herein:

- a) The Evidence demonstrates that Ulysses Boykin and his agents did not follow Michigan Court Rules in carrying out the signing of “**Exhibit #6**” as the “*Writ of Habeas Corpus*” by Boykin on 6/28/12 by assignment of “*its own case number*” of 12-006199-01A.
- b) The Evidence demonstrates the previous attempt to “[bring] said action... in the county in which the prisoner is detained...[under] MCR 3.303(A)(1) & (2)...in Midland County, Michigan” were exhausted, with proof of “*pattern of practice*” of denying due process to Grievant David Schied by the Midland County Circuit Court “*judge*” Lauderbach, who undermined this

process by tortuously scheduling a “*show cause*“ hearing on Mr. Schied’s case for 7/16/12, after Mr. Schied was targeted for release from serving the full unlawful sentence imposed upon him by Defendant Karen Khalil.

c) **The claim by Boykin** (as shown in Defendant “*Exhibit #5*”) – that an “*Appeal*” (as presented by Grievant Schied’s “**Exhibit #3**” as Cornell Squires’ “*Appeal as of Right...*”) of Mr. Schied’s so-called “*conviction,*” as issued by Defendant Karen Khalil from the bench of Defendant Redford Township 17<sup>th</sup> District Court, while Mr. Schied was sitting peacefully in the public gallery of a facility operated by Defendant Redford Township, situated inside the territorial boundaries and political “*state*” of Defendant Wayne County – **does not fall within the “*jurisdiction*” of Defendant Wayne County, is FRAUDULENT on its face.**

46. **FACT #37** – Given the listed facts above (and below) as Evidence, **the claim by attorneys Davidde A. Stella, Zenna Elhasan, and by the Wayne County Corporation Counsel** (i.e., see p.2, para 1 of their “*Motion to dismiss [for failure to state a claim upon which relief can be granted]*” – that the second filing for a “*Writ of Habeas Corpus*” by Patricia Kraus effectuated in the United States District Court for the Eastern District of Michigan on June 26, 2012; and that such request was justifiably denied because: a) Trish Kraus was not an

attorney; and, b) Grievant David Schied had “*not exhausted his state court remedies*” – **is also FRAUDULENT on its face.**

47. **FACT #38** – Given the listed facts above (and below) as Evidence, **the claim by attorneys Davidde A. Stella, Zenna Elhasan, and by the Wayne County Corporation Counsel** (i.e., see p.2, para 1 of their “*Motion to dismiss...*”) – that the Sixth Circuit Court of Appeals justifiably “*denied Plaintiff’s motion for a Certificate of Appealability*” of this so-called second filing is similarly – **is also FRAUDULENT on its face.**

48. **FACT #39** – On 6/22/12, after countless trips between the *criminal* and the *civil* divisions of the Wayne County Circuit Court in efforts to either obtain an immediate “*Writ of Habeas Corpus*” or an immediate hearing of “*Appeal*” of Grievant David Schied’s false incarceration, Trish Kraus went back - this time with a different witness of David Lonier – to the Midland County Circuit Court in effort to secure, again, an immediate “*Writ of Habeas Corpus*” or an immediate hearing of “*Appeal*” of Grievant David Schied’s false incarceration *in the county in which the prisoner is detained. MCR 3.303(A)(1) & (2).*”

49. **“EXHIBIT #10”** consists of a copy of the officially unsigned “*Writ of Habeas Corpus*” that Trish Kraus and David Lonier used when opening up a separate court case (No. 12-8824-AH-L) in request for the judiciary of the Midland County Circuit Court to issue such a “*writ*” for the immediate release of

Grievant David Schied by Midland County Sheriff Jerry Nielson. This is the case (referenced by case number) that Defendant Charter County of Wayne referenced on page 1 of their *fraudulent* so-called “*Background*” – as submitted by attorneys for the Corporation Counsel under perjury of Oath as judicial officers – in connection with what they claim was Patricia Kraus very first filing of *habeas corpus* in Midland County Circuit Court.

50. As also shown by “**Exhibit #10,**” Trish Kraus also filed an “(Amended) Ex-Parte Complaint for Issuance of Writ of Habeas Corpus”<sup>8</sup> giving the facts of this NEW case and requesting fair, just, and equitable relief for, and on behalf of, Grievant David Schied.

51. “**EXHIBIT #11**” demonstrates, in part, the extent that the judges of the Midland County Circuit Court are willing to go, IN PATTERN AND PRACTICE as all members of the same peer group of the State BAR of Michigan as Defendant Karen Khalil is member, to criminally *aid-and-abet* and be *accessories after the fact* in the depriving of Mr. Schied’s due process rights under color of law.

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<sup>8</sup> As provided by “**Exhibit #13**” as the “*Affidavit*” of David Lonier signed on 7/2/12, Trish Kraus was coerced and threatened by the clerk “Ms. Moe,” who otherwise instructed Ms. Kraus to write the word “*Amended*” on the face of the document in spite that she raised numerous objections to combining her new case with the previous case filed by Cornell Squires two weeks prior.

52. **“Exhibit #11”** is a handwritten “Order” signed by “judge” Michael Beale on 6/22/12 instructing the Clerk of the Court to make official the following as he purportedly carried out in open court for the direct affirmative purpose of increasing and compounding the “*state created dangers*” imposed by Defendant Charter County of Wayne and their co-defendants:

- a) In contrast to Ulysses Boykin’s written claim that “...[*An action for Habeas Corpus*] must have its own case number and judge assigned by the Clerk’s office” Michael Beale **fraudulently COMBINED Patricia Kraus’ new action (under Case No. 12-8824-AH-L) with Cornell Squires’ previous action two weeks earlier (under Case No. 12-8824-AH-L)**. (Bold emphasis added)
- b) The so-called “*judge*” Michael Beale mischaracterized and DENIED the filing by Patricia Kraus, while **fraudulently referring to her filing as a “motion” as a matter of official record. This action was clearly done so to fraudulently justify his combining Patricia Kraus’ SEPARATE (captioned as a “Complaint”) cause of action with Cornell Squires’ previous cause of action**. (Bold emphasis added)
- c) Having “*combined*” the two cases of Mr. Squires and Ms. Kraus, **this usurper of judicial power and authority, Michael Beale, followed Lauderbach’s “pattern and practice” of depriving Grievant Schied due**

process by scheduling the “*show cause*” hearing date of Patricia Kraus’ case to coincide with the “*show cause*” hearing of 7/16/12 that Lauderbach had otherwise scheduled on a date AFTER Mr. Schied scheduled release date; thus, reinforcing Defendant Karen Khalil’s imposition of “*sentence*” and ensuring that the accompanying “*state created dangers*” imposed by Khalil were maximized in their effect against Grievant David Schied. (Bold emphasis added)

53. **“EXHIBIT #12”** is an official billing “*statement*” and **fraudulent** “*Miscellaneous Hearing*” transcript, produced by “*official court reporter*” Mary E. Chetkovich for a cost of \$55, purportedly covering the events that took place on 6/22/12 before “*judge*” Michael Beale. This hearing transcript was misleadingly captioned as a “*miscellaneous*” hearing to purposely hide exactly what type of hearing this actually was; as the hearing otherwise pertained STRICTLY to Case No. 12-8824-AH-L, which was supposed to be a hearing on Ms. Kraus’ “*Ex-Parte Complaint for Issuance of Writ of Habeas Corpus.*”
54. **FACT #40** – Documented testimony about what actually occurred from the time Trish Kraus walked into the office of the Clerk of the Court of the Midland County Circuit Court requesting a hearing on the motion referenced immediately above, through the end of the motion hearing on 6/22/12, are submitted herein as the sworn and notarized “*Affidavit*” of David Lonier,

witness to these events, as dated 7/2/15. (See **“EXHIBIT #13”** as the notarized Affidavit of David Lonier dated 7/2/15)

55. **FACT #41** – By cross-reference of the statements made in **“Exhibit #13”** and the transcript of the Midland County Circuit Court hearing before “judge” Michael Beale on 6/22/12, the following facts can be ascertained:

a) In **pattern and practice** of what regularly occurs in discriminating fashion through the court of Michigan, to include the courts operated by Defendant Charter County of Wayne, Trish Kraus was treated disparagingly – even threateningly by the clerk, “*Ms. Moe,*” relaying a message from Michael Beale that he would “*hear*” Ms. Kraus’ “*Ex-Parte Complaint...for Writ of Habeas Corpus...*” but afterwards have the county prosecutor pursue Ms. Kraus criminally for “*practicing law without a license*” – despite admitting on the Courts “*official record*” that MCR 303(B) “*allows for a person under MCR 3.303(B) besides the Defendant prisoner to bring a petition for habeas corpus on that prisoner’s behalf.*”

b) In **pattern and practice** of what regularly occurs in discriminating fashion through the court of Michigan, to include the courts operated by Defendant Charter County of Wayne, this “*judge*” Beale conspired with her subordinate courtroom clerk to compel litigants without attorneys to

change the content of their intended filings so to conform with their own underhanded filing requirements, written and unwritten, and so to enable these government functionaries to carry out schemes in denial of due process under color of law and procedure. **In this case, the clerk “Ms. Moe” indicated that the only way she could get Ms. Kraus’ filing before the judge at “hearing” was for her to change her “Complaint...” to an “(Amended) Ex-Parte Complaint...”** so that Beale could justify COMBINING Trish Kraus’ NEW filing of Case No. 12-8824-AH-L with Cornell Squires’ PREVIOUS/old filing of Case No. 12-8792-AH-L. This was despicably done despite Ms. Kraus repeatedly expressing her objections to this to both Ms. Moe and to “judge” Beale based on the good reason that the filing by Cornell Squires two weeks earlier contained inaccurate information (and was filed and paid for entirely separately and issued an entirely different case number).

56. **FACT #42** – Michael Beale affirmatively and intentionally committed “*Fraud upon the Court*” when he made claim (i.e., see “**Exhibit #12,**” p.5, lines 21-22), in the present tense, that “*Judge Lauderbach has both files*” when he otherwise had just recently claimed *under color of law* (i.e., see “**Exhibit #12,**” p.4, lines 3-7), “*Both cases have been assigned to Judge Lauderbach. Judge Lauderbach is not here at this time to handle the matter. I am the other Circuit Court Judge*



*here in Midland County and a cross-assignment is permitted under our local Court Rules.”* **Clearly, this statement was made by Beale contrary to Ms. Kraus’ knowledge when paying the outrageously unlawful amount of \$150 to have her case entered into the record as a SEPARATE case altogether, and despite her multiple objections to this racketeering and corruption activity, and this criminal conspiracy to deprive of rights, taking place before the very eyes of her and her witness, David Lonier.**

57. Similarly, Michael Beale perpetuated this same fraud throughout the remainder of this hearing as shown by the hearing transcript (i.e., see **“Exhibit #12,”** p.6, lines 16-25; and p.7, lines 1-3), when using the claim, “*You’re not bringing [the show cause hearing] in front of me,*” so to justify his COMBINING the “*show cause*” portion of Trish Kraus’ case with the “*show cause*” portion of Cornell Squires’ case, and forcing both “*show cause*” hearings to be heard on the same day. This, again, involves the *pattern and practice* of judges using fraudulent court rulings to provide future attorney, including the attorneys Defendant Charter County, to use this mischaracterization of a case or a litigant as a “*setup,*” so to prejudice, convolute and confuse any future actions that are later initiated – such as this instant case in Claim For Damages filed by Grievant Schied in this federal court.

58. **FACT #43** – As presented by the Defendant Charter County of Wayne’s own reference to “*Exhibit #1*” and “*Exhibit #2*” (to their instant “*Motion to Dismiss based on no facts*,” **the attorneys Zenna Elhasan and Davide Stella** – along with their co-members of the State BAR of Michigan employed as the fictitious entity of “*Corporation Counsel*” as *agents* for the Defendant acting under fraudulent disguise of being “*judicial officials*” as lawyers – **committed FRAUD upon this United States District Court (for the EDM) when doing the following:**

- a) Misrepresenting as “*background fact*” that the “*Midland County Docket Sheet*” (i.e., Defendant’s 2-page document submitted as “*Exhibit #1*”) accurately reflected the “*first*” of Patricia Kraus’ “*three writs of habeas corpus*,” without revealing (as shown by Grievant Schied’s instant “**Exhibit #12**” that the Midland County Circuit Court had actually and fraudulently COMBINED Case No. 12-8824-AH-L filed by Patricia Kraus, with Case No. 12-8792-AH-L filed by Cornell Squires (despite Trish Kraus’ obvious objections as supported by Grievant Schied’s “**Exhibit #13**”).
- b) **FACT #44** – As was witnessed by both Trish Kraus and David Lonier (i.e., see “**Exhibit #13**” as the “*Affidavit*” of David Lonier dated 7/2/15), **and plainly shown in the “official” court transcript itself (“**Exhibit #12**” lines #19-25 in reference to the total lack of discussion about “*Dave’s***

*statement and affidavit*”), **Michael Beale affirmatively denied due process to Grievant David Schied** when constructively “*burying*” and refusing to discuss or consider the supporting evidence in reference to the “*Statement*” and “*Affidavit*” of David Schied being submitted by Trish Kraus in support of her “*Ex-Parte Complaint...for Writ of Mandamus.*”

c) **FACT #45** – Defendant’s attorneys of their FICTIONAL “*Corporation Counsel*” committed *fraud upon the Court* when they submitted their “*Exhibit #2*” (as the “*Dismissal*” by “*judge*” Jonathan Lauderbach) of ONLY ONE of the purported two “*show cause*” hearings that were scheduled (according to the Evidence of Grievant Schied’s “**Exhibit #12**”) to be held on 7/16/12 (by the same reasoning as provided in the above-referenced paragraph) and subsequently *dismissed* by Lauderbach.

59. **FACT #46** – Defendant Charter County of Wayne committed *fraud upon the Court* when they submitted their “*Exhibit #3*” (as the official “*Order*” of “[*Clerk*] *Deborah S. Hunt*” of the U.S. District Court Clerk for the EDM) under claim that this case (#12-1079) was actually the “*second...Writ of Habeas Corpus*” that had been filed by Trish Kraus on Grievant David Schied’s behalf (while intentionally OMITTING all of the other cases documented herein as filed either by Cornell Squires alone, or by Mr. Squires filing in conjunction with Ms. Kraus on other filings such as those in Wayne County). The

supporting Evidence for the *Statement of Fact* in this instant paragraph is provided in the underlying Facts and Evidence listed below.

60. **FACT #47** – By referencing federal court Case No. 12-1979, eventually ruled upon by U.S. District Court “*judge*” Denise Page Hood, Defendant attorneys David Stella and Zenna Elhasan intentionally OMITTED their full knowledge about the JUDICIAL MISCONDUCT perpetrated by the United States District Court “*judge*” **Denise Page Hood, who had ruled upon the Defendant’s referenced “Schied v. Nielson, [Case] No. 12-12791” while she and her subordinate “*magistrate*” Steven Whalen, were both very familiar with Grievant David Schied’s previous extensive and unabashed history of openly reporting criminal corruption by their “*peer group*” of other State BAR of Michigan members operating in and around the territorial boundaries and political “*state*” of Defendant Charter County of Wayne.** (See **“EXHIBIT #14”** as the 2-page “Civil Docket for Case # 2:12-cv-12791-DPH-MA”, the case that was filed by Patricia Kraus on 6/26/12.)

61. **FACT #48** – Compounding the Evidence already presented against Defendant Charter County of Wayne proving that Corporation Counsel otherwise had a plethora of added information about Cornell Squires’ and Patricia Kraus’ previous filings, is the Evidence that was readily available in federal court records referenced by Defendant’s “*Corporation Counsel*” pertaining to the

very filing depicted by Defendant as “*Patricia Kraus’ fil[ing] of habeas corpus*” in the federal court, which contained the following as clearly shown by a time-stamped copy of that particular filing presented herein as **“EXHIBIT #15.”**

62. **“Exhibit #15”** consists of two sets of time-stamped documents, being Patricia Kraus’ original “*Application for a Writ of Habeas Corpus [filed] Under 28 U.S.C. §2242*” and Trish Kraus’ formal “*Affidavit*” in support of the other filing in the U.S. District Court for the Eastern District of Michigan, as both dated 6/26/12 and submitted as sworn to be “*true and correct*” in content under “*penalty of perjury.*” **Note that the “*Application for Writ...*” was tailored from the official FORM [*AO 242 (12/11) Petition for Habeas Corpus Under 28 U.S.C. § 2242*] as found on the U.S. District Court’s own website as found today at <http://www.uscourts.gov/forms/habeas-corpus-petitions/petition-writ-habeas-corpus-under-28-usc-ss-2241> (downloaded as) <file:///C:/Users/David/Downloads/ao242.pdf>.**

63. **FACT #49** – The Evidence in content of **“Exhibit #15”** demonstrates Defendant Charter County of Wayne had full access to and full knowledge about federal court files associated with their referenced “*Schied v. Nielson, [Case] No. 12-12791*” which clearly show that, when considered in the context of U.S. District Court judge Denise Page Hood’s ruling (as presented by

Defendant's "*Corporation Counsel*"), the following additional FACTS come to light as supported by the referenced Evidence.

64. **FACT #50** – Though Defendant Charter County of Wayne points out that Patricia Kraus' federal court filings (inclusive of "**Exhibit #15**" and other supporting evidence) were *denied* by Hood "*because: (1) a non-attorney attempted to file the petition on Plaintiff's behalf; and (2) [Grievant David Schied and Patricia Kraus as joint "Plaintiff(s)"] had not exhausted [Mr. Schied's] state court remedies,*" **Defendant Charter County of Wayne intentionally OMITTED the FACT that Hood (and Defendants of this instant case) either intentionally ignored or purposely ruled without reading Trish Kraus' comprehensive completion of the FORM AO 242 issued to her by the Clerk of the Court (by download from the Court's own website), which otherwise depicted the numerous other cases of "*Petition,*" "*Complaint,*" "*Writ,*" "*(Amended) Complaint...*" etc. that were actually "*filed*" by Cornell Squires and Trish Kraus proving that Trish Kraus (and Grievant David Schied) had indeed otherwise "*exhausted all possible state court remedies*" (and by doing so ended up with the resulting evidence of tortuous intimidation, criminal racketeering, corruption, treason, and coercion of the policies and practices of the entire governmental judicial**

system operating in Michigan, which is what the FBI otherwise formally defines as “*domestic terrorism*”).

65. **FACT #51** – Any simple search of Grievant David Schied’s name in the PACER database will reveal that Mr. Schied has had a long history of federal litigation in the U.S. District Court for the Eastern District of Michigan, such as what has been recently submitted into this case by Attorney James T. Mellon (Mellon Pries, P.C. law firm) with *appearance* to this case *representing* Defendant Michigan Municipal Risk Management Authority (“MMRMA”), the insurance company for Redford Township.<sup>9</sup> (See “**EXHIBIT #16**” as Mellon’s “*Notice of Appearance*” and his submission of his 8-page “*MMRMA’s Motion to Dismiss in Lieu of Answer*” plus “*Exhibit A*” of a PACER search result for “David Schied” which were filed with other documents on 6/22/15.) In his filings, Mellon grossly misrepresents these documents as indicative that these federal cases, all initiated by Grievant Schied, have all been legitimately “*denied*” or “*dismissed*” by the so-called “*judges*” of the U.S. District Court for the Eastern District of Michigan. Mellon is misleadingly attempting to have the Court deduce that the sheer number of these filings are themselves indicative of Mr. Schied being “*apparently part of what has been dubbed the ‘sovereign*

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*citizen' movement,*” deemed by certain elements of the federal government as a “*hate group*” engaged in various elements of domestic “*terrorism*”.)

66. **FACT #52** – “**Exhibit #16**” contains Evidence that there is a clear “*pattern of practice*” of the federal judges operating within the territorial boundaries and political “*state*” of Defendant Charter County of Wayne (i.e., by their “*home*” offices and courtrooms in Detroit) **repeatedly** “*subject[ing] [Grievant Schied’s filings] to dismissal and/or summary disposition,*” and Defendant Charter County of Wayne’s co-Defendants “MMRMA” readily admit to this (see citation on p.16 of “**Exhibit #16**”).

67. **FACT #53** – In *pattern and practice* of the Corporation Counsel generating fraudulent documents on behalf of Defendant Charter County of Wayne and filing them with the courts, Corporation Counsel has failed to acknowledge yet another “*pattern and practice*” that is common to every one of the federal court cases referenced by Mellon’s submission of “*Exhibit A*” in Defendant MMRMA’s submission to this instant federal court case: **That *pattern and practice* lies in the FACT that all of the judges dismissing Grievant Schied’s cases at the federal level are all members of the very same peer group of the State BAR of Michigan.** (Bold emphasis added)

68. **FACT #54** – As the Evidence shows, federal “*judge*” of the Eastern District of Michigan, Denise Page Hood – who dismissed Trish Kraus’ filing on Mr.



Schied's behalf (as depicted also by the last entry of "Exhibit A" of Defendant MMRMA's recent filing) – is also a card-carrying member of the State BAR of Michigan (i.e., see "EXHIBIT #17" as a snapshot of Hood's State BAR membership profile).

69. **FACT #55** – As the Evidence also shows about "judge" Denise Page Hood, she committed an act of judicial misconduct by failing altogether to recuse herself or disqualify herself from ruling upon Trish Kraus' case as filed on behalf of Grievant David Schied, while fully aware that Grievant Schied still had an unresolved and still pending "Judicial Misconduct Complaint" that had been filed just two years earlier (August 2010) against Denise Hood in the Sixth Circuit Court of Appeals. (See "EXHIBIT #18" as 6-pages of excerpts from the total number of 45 pages sent to the Circuit Executive of the Sixth Circuit who – in pattern and practice depicted by the Judicial Complaint itself pertaining to Hood's unethical conduct and mishandling of the referenced case – the Circuit Executive "delayed" making a determination on this Judicial Complaint for at least THREE to FOUR YEARS!)

70. **FACT #56** – The first three of the six pages of "Exhibit #18" consist of a condensed summary of the "Conduct (of Denise Page Hood) Subject to Complaint" which presents both civil and criminal infractions alleged to have

been committed by Denise Page Hood acting far outside of her judicial authority, giving rise to her *waiver of judicial immunity* on these claims.

71. **FACT #57** – The second three of the six pages of **“Exhibit #18”** consist of FOURTEEN itemized “*Statement of Facts*” submitted to the Circuit Executive of the Sixth Circuit which were submitted by Grievant David Schied in August 2010 *under penalty of perjury*. These facts present compelling Evidence that “*judge*” Denise Page Hood’s conduct – in **conspiring with her courtroom clerks in treating Grievant David Schied in disparaging fashion while depriving him of his constitutional due process rights under color of law because he is unrepresented by a peer member of the judge that is otherwise registered with the State BAR of Michigan – follows the similar *pattern and practice* of her “*peer group*” of other judges (Virgil Smith, Timothy Kenny, and Ulysses Boykin) operating within the territorial boundaries and political “*state*” of the Defendant Charter County of Wayne, and her similar cohorts (Jonathan Lauderbach and Michael Beale) operating similarly outside of their judicial authority in Midland County.**

72. **FACT #58** – The innumerable amount of Evidence accumulated by Grievant Schied’s nearly countless number of cases filed against government usurpers operating in Southeast Michigan, it should suffice to state that the “*pattern and practice*” – founded on multitudes of Evidence – at the State level and Federal

level concerning “*racketeering, corruption, treason, and domestic terrorism*” being carried out by judges as all members of the State BAR of Michigan, the same can be said about similar members operating as prosecutors, attorney generals (and their “*assistants*”), and the U.S. Attorneys under similar employ for the counties and the state of Michigan, and for the Eastern District of Michigan.

73. As a prime example of for illustrating the above “*FACT #54*,” as demonstrated by “**EXHIBIT #19**,” on 7/28/12, about a month *after* Grievant David Schied was released from his tortuous treatment and false imprisonment by the Midland County Jail, Trish Kraus filed yet another “*Urgent Citizen Information Form*” with the U.S. Attorney Barbara McQuade, who is still in office and under employ by the United States Department of Justice as located also within the territorial boundaries and political “*state*” of Defendant Charter County of Wayne and being a member of the “peer group” of State BAR of Michigan. **Notably, the U.S. Attorney did nothing** about Ms. Kraus’ submission of a plethora of information about the criminal “*pattern and practice*” of all of these judges, of depriving Grievant Schied of his constitutionally guaranteed due process rights, as all these criminal offenders being part of U.S. Attorney McQuade’s State BAR cohorts.

74. **FACT #59** – In presenting some idea about how long, and in what capacity Grievant David Schied has been asking for help – even spiritual guidance – from those imbedded and personally profiting from their abuse of power and usurped positions of authority in and around the territorial boundary of Defendant Charter County of Wayne is **“EXHIBIT #20.”**

75. **“Exhibit #20”** is an email letter sent to Grievant David Schied from the Wayne County Circuit Court criminal division “*chief judge*” Timothy Kenny, who had just several months prior, sat on a Men’s Ministry panel of speakers at the Northridge Church located near the boundary between what is otherwise popularly known as Wayne County and Washtenaw County. Grievant which was written on 3/7/08, which shows how long the cover-up, color of law have been going on amongst the *major terrorist players*.

76. In early 2008, Grievant Schied had written to this “*judge*” Kenny on a personal level and as a senior member of his church, seeking his advice on what he might do to save his family after a previous four and a half years of *discretionary* decisions by prosecutors and judges laced full of “*gross omissions and misstatements*” in response to numerous crime reports and civil appeals in both state and federal courts. By that time, Grievant Schied had become financially destitute by defamatory loss of his employment and paying attorneys to help with his battling such high levels of what he knew even then was some

form of *racketeering and corruption* fostering losses on numerous cases, *under color of law*, leading to state and federal level appeals. Mr. Schied had only asked for a more private meeting between this “*church elder*” and one of the lead pastors of the nondenominational Northridge Church, a man by the name of Nick Phillips.

77. As shown by “**Exhibit #20,**” Kenny refused the meeting with a grim tone in his letter indicating that neither Grievant Schied nor him should even try to do anything in effort to discuss Truth or putting on the “*armor of God*” and standing up together against what Mr. Schied was starting to recognize then was an evil force so powerful that individual men could not battle without fellowship, honesty, and salvation in God.

78. All Kenny did was to suggest that Grievant Schied “*continue to go to counseling with [his estranged] wife.*” The blessing bestowed by this letter was NOT for Truth to prevail in the case whereby Mr. Schied was suing the State of Michigan and the Attorney General (Mike Cox) and his wife (Wayne County Commissioner Laura Cox) for their refusal to do anything about the corruption of the executive and judicial branches of “*government.*” Instead, “*Judge Kenny*” offered his wish that the (corrupt) ruling of the Court of Appeals would simply come quickly, being fully aware that those judges also operate in *pattern and*

*practice* of setting the example for lower courts to follow, of issuing seditious discretionary rulings that are chock full *of gross errors and omissions*).

79. **FACT #59** – Grievant will not belabor the fuller details about the level of physical, psychological, emotional, and other harms were inflicted upon Grievant Schied as he was subjected to the harsh conditions of the Midland County Jail. Instead, he will simply point out that, as shown by Defendant MMRMA’s “*Exhibit #A*” imbedded within Grievant’s supporting **“*Exhibit #16*”** reflecting that **the federal court case that was initially filed by Trish Kraus on 6/26/12 against the Midland County Sheriff Jerry Nielson** (i.e., the same person that Defendant Charter County of Wayne readily admits failed also to show to the 7/16/12 “*show cause*” hearing to prove why he had been otherwise unlawfully detaining Grievant at the Midland County Jail) **was clearly shown to be filed for “*Appeal*” to the Sixth Circuit on 8/2/12.**
80. **FACT #56** – Four months after Grievant Schied “*served*” Midland County Sheriff Jerry Nielson with his copy of his reasons for filing the Sixth Circuit federal “*Appeal*” of Denise Page Hood’s fraudulent denial of Trish Kraus’ “*Application for Writ of Habeas Corpus...*” against Nielson, on 12/31/12, Nielson left his job, having been voted out, to seek safer harbor in retirement. (See **“*EXHIBIT #12*”**) Whether “Fact #55” and “Fact #56” are related is a matter for a free and independent jury of the People to *finally* decide under the

light of other FACTS and the plethora of EVIDENCE not yet submitted in this instant case.

## ARGUMENT

Given the overwhelming number of FACTS that – *prima facie* – refute the *gross omissions and misstatements* of the criminally corrupted Defendant Charter County of Wayne and their terrorist partners employed as “Corporation Counsel,” this section of the “*brief*” will, in fact, be thorough but brief.

First, put simply, there ARE a plethora of “*facts upon which relief can (and should) be granted*” which counter Defendant’s “*Concise Statement of Issues Presented*” [as shown in their “Motion to Dismiss...” on p.(iii)].

Second, in proper context and in light of the overwhelming Evidence, Defendant’s mischaracterization of Grievant Schied’s “*claim*” as being a “*Monell Claim*” falls on its face under Defendant’s so fraudulent as to be laughable claim that “*Plaintiff...fails...to identify any individual employed by Wayne County who violated his constitutional rights; and...fails to allege the existence of any Wayne County policy that causes any specific injury.*” (See Defendant’s brief pp.4-6)

Third, **in proper context and in light of the overwhelming Evidence, Defendant’s argument** that Grievant Schied “*fails to state a claim under the ‘state created danger’ doctrine*” **also falls on its face under Defendant’s so fraudulent as to be laughable claims** (i.e., see Defendant’s brief pp. 6-8) **that:**

- a) Grievant Schied's allegations are somehow written strictly in reference to the Defendant's agents having exhibited a "*failure to act*" rather than alleging these agents' had committed numerous affirmative acts that "*either create or increase the risk that an individual will be exposed to private acts of violence...by a third party*"
- b) Grievant Schied has *not* "*established that 'state actions place[d] the victim specifically at risk, as distinguished from the public at large*" and has "*not allege[d] that Wayne County 'knew or should have known' that its actions would specifically endanger him.*" Such a claim is indeed laughable given that Grievant Schied's evidence actually does demonstrates not only that the acts of Defendant's *agents* were intentional acts criminally committed under color of law, but that those specific acts refute and debunk caused him specifically injury, as well as coerce government policies and practices in such a way to destroy our civil society as we know it....defining what constitutes "*domestic terrorism.*"

Fourth, as the argument of Defendant and their attorney is two-prong: 1) that no facts exist; 2) for which relief can be granted. And with Grievant having established that a plethora of relevant facts exist to refute and debunk Defendant's and Corporation Counsel's contention about the first prong, the remainder of this



argument will address, in simple fashion, the second prong of Defendant's argument as follows:

- a) The plethora of acts depicted by just those facts listed within this instant "Response" document are not all inclusive of the plethora of other acts committed by the agents of Defendant Charter County of Wayne. Indeed, there are so many other innumerable facts pointing to "domestic terrorism" that, indeed, they might be difficult if not impossible to calculate.
- b) Nevertheless, Charter County of Wayne holds an insurance policy with Defendant "The Insurance Company for the State of Pennsylvania" and Defendant "American Insurance Group, Inc" (a.k.a. "AIG") that not only supplies "excess" coverage up to \$15,000,000 for "errors and omissions" and up to \$30,000,000 for "other aggregate liability" above an initial loss amount of \$3,000,000, but also includes up to \$100 BILLION in coverage for terrorism (to also include "domestic terrorism") as defined by the acts described herein. (See **EXHIBIT #22** for a full and complete 66-page copy of that policy as obtained by FOIA request directly from Defendant's agents under employ at the Wayne County Risk Management office in Detroit.)

It is clear that Defendant's instant "*Motion to Dismiss*" is grossly *frivolous*. As this documents provide reasonable Evidence that facts can and do show plausible injury directly to Grievant David Schied by cause of "state created dangers" specifically targeted at Grievant Schied by agents acting on behalf of themselves while usurping power and authority through criminal means intentionally enacted by Defendant Charter County of Wayne under color of law, **Grievant David Schied hereby dismisses Defendant's instant motion and directs that this case hereby proceed to a Trial by Jury.**

Moreover, as the documents provide reasonable Evidence that facts can and do show a reasonable means by which incalculable injuries can be and are indeed covered by *errors and omissions* insurance coverage, *tort* insurance coverage, and coverage (with "relief" ranging from millions of dollars up to \$100 billion) for what can be and should be construed as proven domestic terrorism being carried out within the territorial boundaries and political "*state*" of Defendant Charter County of Wayne, **Grievant David Schied hereby orders and directs this instant case to hereby proceed to a Trial by Jury for the People to decide and calculate what "relief" is to be granted.**

### **Order for Relief**

Grievant David Schied demands that the administration of this District Court of the United States to hereby issue stern sanctions against Defendant Charter

Township of Wayne, and it's Corporation Counsel, as represented by Davidde Stella and Zenna Elhasan. Grievant David Schied, acting in law and under common law, also instructs the administration of this District Court of the United States to issue its own *order* denying Defendant's *motion* and directing this case forward to a Jury Trial.

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I declare under penalty of perjury that the forgoing is true to the best of my knowledge and belief. If requested, I will swear in testimony to the accuracy of the above if requested by a competent court of law and of record.

Respectfully submitted,



David Schied  
P.O. Box 1378  
Novi, Michigan 48376  
248-974-7703

\_\_\_\_\_ (all rights reserved)

David Schied

Dated: 7/2/15

**DISTRICT COURT OF THE UNITED STATES  
(FOR THE EASTERN DISTRICT OF MICHIGAN,  
SOUTHERN DIVISION)**

David Schied,

*Sui Juris Grievant*

Case No. 15-11840

v.

Karen Khalil, et al

Judge:

Defendants /

**CERTIFICATE OF SERVICE**

**Attn: Clerk of the Court  
District Court of the  
United States**  
Federal Bldg. & U.S. Crthse  
600 Church St., Rm. 140  
Flint, Michigan 48502  
313-234-5000

Defendant  
**Charter County of Wayne**  
Davidde A. Stella  
Zenna Elhasan  
Wayne County Corporation Counsel  
500 Griswold St., 11<sup>th</sup> Floor  
Detroit, Michigan 48226  
313-224-5030

Defendants  
**The Insurance Company of the  
State of Pennsylvania**  
AND  
**American International Group, Inc.**  
AIG Claims, Inc.  
175 Water Street, 22<sup>nd</sup> Floor  
New York, New York 10038  
excessfnol@AIG.com  
No known phone number  
FAX: 866-743-4376

I hereby certify that on 7/2/15, I sent by first class Priority Mail copies of the following documents to the United States District Court in Flint, and to the co-Defendants listed above.

- 1) “Response to Attorney Davidde A. Stella’s, Attorney Zenna Alhasan’s, and Wayne County Corporation Counsel’s Fraudulent Conveyances in the ‘Motion to Dismiss’;”
- 2) “Memorandum of Law and Jurisdiction” (see **“Exhibit #4”** as being a copy also of “Exhibit #4” that was previously filed “Writ for Change of Judge...and Change of Venue...” previously served on these defendants and their attorneys on 6/27/15)
- 3) “Sworn Notarized Affidavit of Cornell Squires Witness the Denial of David Schied Writ of Habeas Corpus Court Order And A Hearing in June of 2012” (**“Exhibit #5”** attached)
- 4) “Sworn and Notarized Affidavit of David Schied In Testimony of Some Events at the Midland County Jail; and Affirming My Past Award of ‘Power

*of Attorney' to Patricia Ann Kraus While Falsely Imprisoned in 2012"*  
**("Exhibit #9" attached);**

- 5) "*Affidavit*" of David Lonier dated 7/2/15 pertaining to what he witnessed alongside of Patricia ("Trish") Kraus at the Midland County Circuit Court on June 22, 2012. (**"Exhibit #13" attached**)
- 6) Exhibits #1 through 22 (attached);
- 7) This "*Certificate of Service*"

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David Schied".

*Sui Juris Grievant*  
**David Schied**  
P.O. Box 1378  
Novi, Michigan 48376  
248-974-7703

David Schied  
P.O. Box 1378  
Novi, Michigan 48376  
248-974-7703

7/2/15

Attn: Clerk of the Court  
District Court of the United States  
Federal Bldg. & U.S. Courthouse  
600 Church St., Rm. 140  
Flint, Michigan 48502  
313-234-5000

Re: 1) filing of documents; 2) Request for time-stamped copies returned via SASE

Dear Clerk of the Court,

Enclosed you will find ONE signed "original" and ONE copy (one with numbered tabs and the other without tabs) of the filings listed in the attached "*Certificate of Service*."

The "*Certificate of Service*" shows that I served all of the named co-appellees with copies of these same documents:

**Attached to this letter is a Self-Addressed Stamped Envelope (SASE) with extra copies of the cover pages of the "*Response to Motion to Dismiss...*," and this "*Certificate of Service*". Please "*time-stamp*" and return them at your earliest convenience.**

Thank you.

Respectfully,

A handwritten signature in cursive script, appearing to read "David Schied". The signature is written in dark ink on a light-colored background.