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

David Schied,
Sui Juris Grievant

v.
Karen Khalil, et al
Defendants

Case No. 15-11840

Judge:

GRIEVANT'S COMBINED "*RESPONSE*" AND "*REPLY*" TO

ATTORNEY JAMES MELLON'S AND MELLON PRIES, P.C.'S FRAUDULENT CONVEYANCES IN THEIR
"*MOTION TO DISMISS IN LIEU OF ANSWER*"
AND THEIR
"*MMRMA'S RESPONSE TO PLAINTIFF'S 'WRIT' FOR CHANGE OF JUDGE BASED ON CONFLICT OF INTEREST AND CHANGE OF VENUE BASED ON 'PROVEN' HISTORY OF CORRUPTION*"

ON BEHALF OF DEFENDANT
MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY

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

Defendants
Michigan Municipal Risk Management Authority
James T. Mellon
Mellon Pries, P.C.
2150 Butterfield Dr., Ste. 100
Troy, Michigan 48084-3427
248-649-1330

* NOTE: All type font appearing in this document as ALL CAPS, underlined, or **bold** are intentional and have special emphasis added.

David Schied (hereinafter "*Grievant*"), being one of the People[1] and having established this case as a *suit of the sovereign*[2] acting in his own capacity, herein accepts for value the oaths[3] and bonds of all the officers of this court, including

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[1] 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*."

[2] *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*."

[3] 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*[4], *Grievant* hereby proceeds according to the course of Common Law[5].

Incorporated herein by reference are the Statements and Evidence contained in the previously-filed documents and all other documents referenced by the pages herein that can otherwise be located publicly at the website links:

1) *"Memorandum of Law and Jurisdiction"* **(**as being a copy also of "*Exhibit #4*" that was previously filed with the "*Writ for Change of Judge...and Change of Venue...*" previously **served on these defendants and their attorneys on 6/27/15**) (Bold emphasis added)
2) "*Writ for Change of Judge...and Change of Venue*," in its entirety as **filed on the record of the District Court of the United States on 6/1/15**. (Bold emphasis added)

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

4 "*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].

5 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.]

3) The 404 pages of **"*Exhibit #20*"** referenced herein as attached and/or found at: **http://constitutionalgov.us/Michigan/Cases/2007DavidSchiedvStateofMichigan/**
4) Exhibits #1 through 22 (attached);
5) All Statements, Affidavits, and Evidence previously filed in this case to include the initial filing to open this case and the more recent filings of:
   a) "*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;"* and,
   b) "*Attorney Davidde A. Stella's, attorney Zenna Alhasan's, and Wayne County Corporation Counsel's Fraudulent Conveyances in Their 'Motion to Dismiss'*;"

DIRECT REPLIES TO DEFENDANT "MMRMA'S" ITEMIZED FRAUDULENT STATEMENTS REJECTING GRIEVANT SCHIED'S "*WRIT FOR CHANGE OF JUDGE BASED ON CONFLICT OF INTEREST AND CHANGE OF VENUE BASED ON PROVEN HISTORY OF CORRUPTION*"

1. Def. "*conclusory*" and "*bare*" statement is fraud on its face. Given they have rejected the previously submitted set of "*facts,*" the "*more facts*" that Defendants deem necessary by a raised threshold are attached herein.
2. Def. "*conclusory*" and "*bare*" statement is fraud on its face. The Evidence presented proves "*merit*."
3. Def. "*conclusory*" and "*bare*" statement is fraud on its face. The FACTS and EVIDENCE speak for themselves.
4. Def. "*conclusory*" and "*bare*" statement is fraud on its face. The FACTS and EVIDENCE speak for themselves.
5. Def. "*conclusory*" and "*bare*" statement is fraud on its face. Def. and its attorney Mellon have ample knowledge, they have simply OMITTED it purposefully when introducing the evidence that substantially pertains to and purportedly built upon the *information* that they intentionally *misrepresent*.
6. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." Hence, Grievant has provided them with enough to be quenched of their feinted or actual *ignorance*.

7. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." Hence, Grievant has provided them with enough to be quenched of their feinted or actual *ignorance*.
8. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." Hence, Grievant has provided them with enough to be quenched of their feinted or actual *ignorance*.
9. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." Hence, Grievant has provided them with enough to be quenched of their feinted or actual *ignorance*.
10. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." Hence, Grievant has provided them with enough to be quenched of their feinted or actual *ignorance*.
11. Def. statements, though mostly in admission, are *intentionally misleading* to this Court. Mellon implies by his denial to "e" that Grievant's numbered statement "e" alleged MMRMA to be "*an insurance company*" or "*an insurer*"

when that IN FACT was never stated. Defendants are again in "*pattern and practice*" of deceiving this Court.

12. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." They deny this claim, which was supported by sworn and notarized Affidavit; yet they present nothing whatsoever in evidence to controvert the evidence that, thus far, stands as verifiable FACT.

13. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." This claim was supported by sworn and notarized Affidavit. That "*information*" should legally be enough to for any rational person to form a legitimate "*belief*."

14. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." This claim was supported by sworn and notarized Affidavit. That "*information*" should legally be enough to for any rational person to form a legitimate "*belief*."

15. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." This claim was supported by sworn and notarized Affidavit.

That "*information*" should legally be enough to for any rational person to form a legitimate "*belief*."

16. Def. "*conclusory*" and "*bare*" statement of denial is fraud on its face. The Evidence of uncontroverted Affidavit, as well as Mellon's own admission of having a ["*stolen*"] copy of the Complaint "*through the grapevine*" that leads directly to the Clerk of the Court – two full weeks prior to being actually "*served*" by Grievant of the SECOND complaint with Summons – proves "*merit*" in Grievant's original allegation that a clerk under employ of "*Clerk*" David Weaver violated federal court rules by disseminating the document to Defendants, allowing them to circulate it amongst themselves so to gain a tactical legal advantage over Grievant.

17. Def. "*conclusory*" and "*bare*" statement is fraud on its face. Mellon mischaracterizes Grievant David Schied without a shred of valid evidence and with no testimony whatsoever. The FACT that he submits the statements of mischaracterization, such as "nuisance litigation" and "paranoia" that is not substantiated by Evidence that challenges the mounds that Grievant can present to debunk Mellon's claims, demonstrates the high level of smugness and confidence that Mellon has that the judges employed by the United States District Court will have his back, as he indicated over the telephone that he believed Sean Cox would be on Grievant's case like salt on *buttered* popcorn.

18. Def. "*conclusory*" and "*bare*" statement is fraud on its face, on the basis of what is stated in the preceding paragraph.

19. Def. "*conclusory*" and "*bare*" statement of denial is fraud on its face. Notably, that Mellon's answer is SO abbreviated (**and not to answer that he does not have enough information as he has repeatedly done above**) in answer Grievant's statement, it only adds that he has NOTHING whatsoever to back his "*bare denial*" that *"[the] deceptiveness is a pattern and practice of those operating in Wayne County as public functionaries empowered and paid by the People to otherwise be working as a legitimate government and providing honest government services [are,] in fact, an indicator of dishonest services and an illegitimate operation under color of law" as previously asserted by Grievant.*"

20. Def. "*conclusory*" and "*bare*" statement is fraud on its face. MMRMA and its attorney tout themselves to be "*professionals*," yet claim they "*lack knowledge or information*." Hence, Grievant has provided them with enough to be quenched of their feinted or actual *ignorance*.

21. Def. "*conclusory*" and "*bare*" statement is fraud in the face of the Evidence that overwhelmingly disproves Mellon's own unsupported "*answer*" to Grievant's assertions, which are laced with familiar patterns of omissions and

misstatements. Notably, Mellon presents his "*denial*" in three unsupported parts:

a) Part I – Mellon's feinted referring to Grievant's "*paranoia*" as "*evidence of any corruption or impropriety on the part of the [usurper "judges" operating unlawfully and with an alter-ego as the] court*" is narrow-minded, distractive, unprofessional, and *frivolous* in the face of the Evidence to the justification for Grievant's "*writ*" for a change of judge and venue away from the Defendant Charter County Wayne.

b) Part II – Mellon intentionally deceives this Court by asserting that the "*filings received by MMRMA [**from** the court] bear no evidence of any alteration on the part of the Court*" when the original allegation of theft by a clerk of the court pertained instead to the alteration of what was compelled to be surrendered of Grievant's property ***to*** the court in order to obtain summons for each of the co-defendants.

c) Part III – Mellon's investigative prowess – that apparently he selectively applies to gain "*information and belief*" whenever he wishes – makes a dually flawed presumption: 1) that the allegation is that court records are "*altered*;" and, 2) that the "*records*" found at the website "Michigan.constitutionalgov.us" are not truthful or authentic. Again, Mellon provides only "*bare assertions*" and mischaracterizations.

As the Evidence proves within this instant "*Grievant's Combined 'Response' and 'Reply' to Mellon's....*" a valid question of evidentiary FACT exists as to whether each of the U.S. District Court "*judges*" constructing and/or signing the "*Opinion(s) and Order(s)*" present by Defendant MMRMA are not, themselves, *fraudulent* at the point of construction, and before authenticated to the public – under official seal and signature of the Clerk of the Court – as truthful "*findings*."

22. Def. "*conclusory*" and "*bare*" statement is fraud on its face. The fact that "*none of the 'criminal perpetrators' identified by [Plaintiff] has ever been convicted*" does not, itself, preclude a basis for that in *corruption*, in *racketeering*, or in *domestic terrorism*. Nor does it preclude more legitimate findings in the future based upon facts such as is presented in the plethora of actual FACTS herein, which otherwise prove and substantiate future "arrests," future "*prosecutions*" and future "*convictions*."

23. Def. statement is misleading. Transference AWAY from Defendant Charter County of Wayne at least provides some benefit of any doubt that the District Court of the United States judges operating in Ann Arbor or in Flint are at least not as corrupted as those the Evidence herein shows has caused so much injury by the judicial usurpers in the Detroit "*venue*."

24. Def. "*conclusory*" and "*bare*" statement is fraud on its face. Mellon denied this claim, which was supported by sworn and notarized Affidavit; yet he presented nothing whatsoever in evidence to controvert the evidence that, thus far, stands as verifiable FACT.

25. Def. "*conclusory*" and "*bare*" denial is fraud on its face. Mellon's feinted referring to Grievant's "*paranoia*" as "*evidence of any corruption or impropriety on the part of anyone*" is narrow-minded, distractive, unprofessional, and *frivolous* in the face of the Evidence to the justification for Grievant's "*writ*" for a change of judge and venue away from the Defendant Charter County Wayne.

26. Grievant repeats the statement made of the previous paragraph.

27. Grievant repeats the statement made of the previous paragraph.

28. Grievant repeats the statement made of the previous paragraph. Further, Mellon fails to make a well-established statement in his attempt to connect his "*admitting*" that Grievant's numbered statement is true while rhetorically spewing unsupported degradation claims about Grievant's otherwise justified reluctance to enter into and surrender himself to the territorial boundaries of Defendant Charter County of Wayne.

29. Def. "*conclusory*" and "*bare*" denial is fraud on its face. In the context of anyone actually reading, rationally considering, and honestly admitting even a

smidgeon of what is found in the Evidence, it is clear that the filings themselves demonstrate BOTH that: **1)** a plethora of VALID "*formal complaints*" had been "*filed*" by Grievant over the course of the past 12 years; and that, **2)** literally all of those complaints have been mischaracterized, misinterpreted, rewritten with gross misstatements and omissions, and subsequently DISMISSED the public functionaries entrusted to provide honest government services in processing these complaints.

30. Def. "*conclusory*" and "*bare*" denial is fraud on its face. The Evidence which controverts Mellon's instant denial is found in that attached **"*Exhibit #20*"** and its supportive "*exhibits*" as referenced that filing. The Evidence of the videos posted also speak for themselves, as these videos are based upon and help to explain the "*patterns and practices*" that underlie the evidence.

31. Grievant repeats the statement made of the previous paragraph.

32. Def. "*conclusory*" and "*bare*" statement of denial is fraud on its face. Notably, that Mellon's answer is SO abbreviated (**and not to answer that he does not have enough information as he has repeatedly done above**) in answer Grievant's statement, it only adds that he has NOTHING whatsoever to back his "*bare denial*" the following that is fully supported by "**EXHIBIT #20**" and its accompanying 180 "*exhibits*" as attached herein and/or available at the

"*michigan.constitutionalgov.us*" website of the *honorable* Charles Stewart in Oregon.

> "*Sean Cox's familial relationship with the former Wayne County Commissioner Laura Cox creates a substantial conflict of interest due to the FACT that Laura Cox and her husband have been targets of Grievant David Schied's corruption complaints since 2007, and with Laura Cox participating in the cover-up of Mr. Schied's reporting – with substantive evidence – of the corrupted involvement of Kym Worthy and her staff; inclusive of Robert Donaldson, James Gonzales, and Maria Miller*."

33. Def. "*conclusory*" and "*bare*" statement of denial is fraud on its face. Mellon's assertion completely disregards the Evidence (as minimally found in "***Exhibit #20***" and its referenced attachments) that has long been made publicly available as submitted to numerous state and federal courts in support of his corruption, racketeering, and now, "*domestic terrorism*" allegations by Evidence of "*government coercion*" and its harm upon The People.

34. Def. "*conclusory*" and "*bare*" statement of denial is fraud on its face. This abbreviated denial of an uncontroverted "*sworn and notarized affidavit*" as legal FACTS to be admitted into Evidence is narrow-minded, distractive, unprofessional, and *frivolous*. Mellon and Def. MMRMA should be sanctioned for their abstinence when faced with the Truth.

/s/ David Schied

DATED: July 14, 2015

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INDEX OF EXHIBITS

Exhibit #	Name/Description of Exhibit
1	MMRMA website page promoting its training of "*encounters*" with "*patrol officers*"
2	Texas court case – *Rudy Valentino Cuellar v. State of Texas* (2001)
3	Texas Attorney General Opinion DM-349 (1995)
4	Texas Government Code Section 411.081
5	Texas Attorney General Opinion JC-0396 (2001)
6	Texas "*Early Termination Order of the Court Dismissing the Cause*" (1979)
7	Texas gubernatorial pardon with restoration of full civil rights (1983)
8	Email letter and California court transcript with prosecutors kudos to David Schied
9	FOIA request to Lincoln Consolidated Schools for personnel records
10	Michigan court case – *Frohriep et al v. Michael Flannagan, et al* (2008)
11	Resignation letter from former Michigan Supreme Court Justice Elizabeth Weaver
12	*Affidavit of Earl Hocquard* – dissemination of CHRI (Lincoln Schools) under FOIA
13	Attorney Grievance Commission complaint – Plunkett Cooney / Michael Weaver
14	"*Order*" (2004) of MI judge Melinda Morris / ordering Schied testimony against himself
15	Michigan court case – *David Schied v. Sandra Harris/Lincoln Consol. Schools* (2006)
16	Letter of recommendation for David Schied from Northville Schools principals #1&2
17	Original federal complaint filing "*Schied v. Davis, et al*" dismissed by Paul Borman (2007)
18	Hearing transcript: Wayne Cnty C.Crt – Cynthia Stephens: "*Expungements are a MYTH*"
19	*Affidavit of Earl Hocquard* – dissemination of CHRI (Northville Schools) under FOIA
20	Original state complaint filing: "*Schied v. State of Michigan, et al*" Ingham Cnty / (2007) Note: Court original has copies of all referenced "*exhibits*;" all others can find at designated website referenced in the body of this motion and in the "*Certificate of Service*."
21	FBI website: definition of "*domestic terrorism*"
22	Hearing transcript: Ingham Cnty Cir.Crt – William Collette: judge ignores legal responsibility
23	"*Amended*" complaint and Motion "Reply" – *Schied v. State of Michigan, et al* (2007)
24	"*Affidavit of David Schied*" (2007) submitted by attorney in *Schied v. Northville Schools*
25	"*Affidavit of Leonard Rezmierski*" (undated) – proof of fraud & perjury / NPS superintendent
26	"*Affidavit of Barbara Schied*" (2008) – received CHRI from Northville Schools by FOIA
27	(2007) Letter from David Schied to Gov. Jennifer Granholm – AG Mike Cox not doing job
28	Webpage and crude history of MI Sup Crt law clerk Justin Zatkoff, intern of USDC EDM
29	*Opinion & Order Dismissing Complaint* (2008) by Lawrence Zatkoff – *Schied v. Daughtery*
30	Complaint of Judicial Misconduct against Lawrence Zatkoff (2009) listing factual basis
31	*Opinion & Order* (striking all facts/evidence) (2008) by L. Zatkoff – *Schied v. Daughtery*
32	Original federal complaint filing "*Schied v. Ward, et al*" dismissed by Patrick Duggan (2007)
33	*Sworn Affidavit and Complaint* by David Schied (2009) – *Schied v. Brighton Schools* (Ward) + all "*Exhibits*" referenced by #32 and #33 above in case ruled "*no facts*" by Duggan (2007)
34	*Sworn Affidavit* of Brighton Schools' HR admin. Ron Ward – admitted to case 2:08-cv-10005
35	Brighton Schools *Teacher Evaluation* for David Schied revealing "satisfactory" (Jan.2008)
36	FMLA & other docs proving Duggan ruling fraud in "*no facts upon which relief granted*"

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FACT AND CONCLUSION #2:

In the context of the actual facts and the evidence presented in each of the federal cases found in the Exhibits introduced by Defendant MMRMA in effort to support their "*barethread*" and "*conclusory*" claim that the Grievant David Schied had been "*dubbed*" by the United States courts as a "*frivolous filer*" or a "paper terrorist" deserving of sanctioning by attorney fees and court costs – or worse – by prosecution and imprisonment as a "*terrorist*," there is reasonable cause to believe that the "*patterns and practices*" found in the "*Opinion(s) and Order(s)*" issued by United States District Court judges Paul Borman, (the late) Lawrence Zatkoff, Patrick Duggan, and Denise Page Hood – minimally – reveal a coercion of government policies and practices and an injurious stigmatizing of Grievant Schied by federal judges who have repeatedly *denied due process* to Grievant *under color of law*.....112

FACT AND CONCLUSION #3:

The Evidence presented (i.e., see the documents of Evidence supporting "*Exhibit #20*" herein with further context and support of the criminal allegations against "*judge*" Sean Cox's brother and sister-in-law, the former Michigan Attorney General Mike Cox and the former Wayne County Commissioner Laura Cox) serves only to further support the contention that this instant case comprises "*more than a de minimus*" appearance of a "*conflict of interest*" for Sean Cox as the judge somehow arbitrarily assigned to this case. Further, as shown by Mellon's own *exhibits* as reasoned in the previous two "*fact(s) and conclusion(s)*" as cited above, all these previous events occurred within the territorial boundaries of the Defendant Charter County of Wayne to cause Grievant injury IN FACT. Thus, the exhibits submitted by State BAR of Michigan attorney Mellon serve only to further support Grievant's previous justification for having issued his "*Writ*" of this District Court of the United States commanding a new "*venue*" and a new "*judge*" for this case.....114

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SUMMARY OVERVIEW

In "*pattern and practice*" of the State BAR of Michigan attorneys that Grievant David Schied has confronted for the past decade of attempts to hold public functionaries accountable for their crimes, Defendant Michigan Municipal Risk Management Authority (hereinafter "MMRMA"), though touted as being a private enterprise comprised of government members, now again uses "*gross omissions and misstatements*" and gross mischaracterizations of Grievant's personal character and intentions in yet another attempt to convince this United States District Court to grant dismissal of this new case. As shown throughout the combined "*response*" filings herein – of **"*Grievant's Combined 'Response' and 'Reply'....*,"** – this is a "*pattern and practice*" that has been successfully used by Mellon's peer group in all other federal cases referenced by "*Exhibit A*" of the **first** of Mellon's two recently-filed "*Index of Exhibits*".

Grievant Schied incorporates by reference as if written herein verbatim his previous 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."* In doing so, Grievant reminds this Court of the following about **the significant manner in which attorney Mellon and other clients related to Defendant Charter Township of Redford Township were promptly provided with INSTANT favorable**

treatment by the Clerk(s) of the U.S. District Court David Weaver, even PRIOR to Grievant's formal "*service of process*" of the *summons and complaint*, which was NOT delivered via 3rd party process server until nearly three weeks after Grievant presented his case to the District Court, which was two weeks *after* attorney Mellon's (admitted) phone call stating that at that time of the call he held a (stolen) copy of the "*complaint*" in his hand. (Bold emphasis added)

As a reminder of the significant statements provided therein under sworn statements submitted in the above-referenced previous filing:

1. Mellon has admitted that he telephoned Grievant on 6/2/15, the very day after the United States District Court Clerk placed Grievant's case into the initial record as initialized **on 6/1/15**.
2. Mellon has admitted that he identified himself on 6/2/15 as the attorney for the named Defendant Michigan Municipal Risk Management Agency and stating:
    a) That he had already read "*most of*" *Grievant*'s filing of Complaint/Claim;
    b) That he had received his copy of the Complaint/Claim from the MMRMA;
    c) That MMRMA had not received the Complaint/Claim along with the Summons, but had instead received their copy from John Clark, the city

attorney for Defendant Redford Township, who is located at Giamarco, Mullins, and Horton law firm.

Below, Grievant Schied places Mellon's written statements under a very different "*color of*" light, being the pure light of actual Truth. Thus, each of the cases listed by Mellon's instant "*Motion to Dismiss in Lieu of Answer*," and the reference he submitted as *exhibits "A" through "I*" with that motion, present quite a different story when placed under a broader set of facts, and in proper context of comparing the exhibits supplied by Mellon to the original "*Complaint(s)*" and other documents found in those earlier cases filed by Grievant Schied.

Essentially, Mellon simply itemizes each of these ***fraudulent*** **federal rulings** and presents only their respective final "*Opinion(s) and Order(s)*" while **summarily** categorizing them as judicially legitimate. Herein the other hand, Grievant Schied reveals a fuller picture for these cases, showing the degree to which **a *conspiracy to sedition and treason* exists between attorneys and judges (and their subordinate clerks), and that is operating here in Michigan with one dominating commonality** (of many) **being that all these members of the State BAR are repeatedly denying due process to Grievant David Schied under "*color of law*".** (Bold emphasis.)

The degree to which each successive case utilizes and relies upon the "*precedence*" established by previous cases demonstrates the *pattern and practice*

of these State BAR members intentionally setting up "*state created dangers*" specifically targeting Grievant David Schied. Incidentally, **attorney Mellon's instant "*Motion to Dismiss*..." and "*Response to Plaintiff's 'Writ' for change of Judge and Venue*..." outright *models* that fraudulent process right before this instant Court. Mellon does such modeling of that "*pattern and practice*" by presenting affirmative allegations that are now designed to precipitate the federal suspicion that Grievant Schied is a notorious "*paper terrorist*" (i.e., in BOTH of Mellon's filings) who should be subject to the "*next step*" of federal arrest and prosecution for his "*now decid[ing] to expand his paper war to the insurance providers and self-insured pools utilized by municipal corporations*" (Def. mot. p.5) – based upon Mellon's own perverted spin on the Evidence that is now readily at hand.**

Grievant Schied therefore herein, otherwise uses Mellon's own evidence (of the federal rulings) in the proper context and under the proper light of Truth of the numerous court cases that are actually referenced by those federal rulings presented by Mellon. These documents, as they related to those previous cases file by Grievant Schied – each with its own set of supporting Evidence – proving overwhelmingly that **it is State BAR attorney Mellon and his peer group of criminal predecessors who are the actual *domestic terrorists*, being identified by their *pattern and (tortuous) practice* of *gross errors and omissions* under**

***color of law*, instituted with a purpose of coercing and perverting government policies, and – in this case – to specifically target Grievant Schied because of his demonstrated history of "*paper redress*" and outspokenness against these types of injustices and usurpations of what are otherwise the People's sovereignty and the governments' constitutionally delegated *limited* rights.**

Such *usurpation* of trusted positions, being by attorney and judges as *judicial officers*, are *patterns and practices* found reminiscent of the infamous words of our Founding Fathers throughout their *Declaration of Independence* in descriptions about the conduct of their tyrannical oppressors. Such conduct clearly justified the early colonists' Revolutionary defiance of the totalitarianism and despotism we see today in the *pattern and practice* that Grievant David Schied will forthwith demonstrate while formally declaring, ***"[My] repeated Petitions have been answered only by repeated injury."*** (Bold emphasis)

Grievant thus presents the Evidence herein that **proves such a *conspiracy of sedition and treason* by Defendants and their "*peer group*" operating within the territorial boundaries of Defendant Charter County of Wayne and elsewhere across the state of Michigan. This "*Grievant's Combined 'Response' and 'Reply'*** to Attorney James Mellon's last two court filings **therefore uses the assertions made by attorney Mellon himself to prove such a "*pattern and practice*" and a "*chain*" of collective events common to Grievant Schied's past**

"*chain*" of named "*defendants.*" These are cases which Mellon himself, and his *fictitious operation* known as "*Mellon Pries, P.C.*," has so conveniently introduced to this case as referencing Mr. Schied's more than the past decade history of case filings – **which Mellon conveniently and hastily mischaracterizes as otherwise exhibiting all of the "*hallmarks*" of what the FBI defines as "*domestic terrorists.*"**

As such, **let this Court Record reflect that the *criminal* allegations levied against Grievant Schied by James Mellon warrant his being called as a "*witness*" subject to personal cross-examination and full "*discovery*" about his personal knowledge of these false criminal claims.** Likewise, Grievant Schied will testify as the personal role Mellon is taking in *aiding-and-abetting* in the subversion and *coercing of government policies and practices* along with those thus far unnamed entities comprising what he otherwise claims to "*represent*" at the MMRMA.

In short, the conduct of all of the State BAR of Michigan members associated with the federal court rulings introduced to this case by Mellon – as well as associated with all of the court cases referenced by those federal rulings – serve intentionally to turn both law and justice on their heads, forcibly coercing government policies and practices to all levels of unauthorized degrees, and undermining the very foundational purpose of the Courts, of getting at the Truth as

founded in Nature's God and upon government's *limited* foundation for otherwise operating with transparency and by *only* by the authority of the Supreme Law of the United States Constitution.

The "*hallmarks*" in "*patterns and practices*" of the "*domestic terrorists*" who are facilitating these "*state created dangers*"

This document, filed with a plethora of supporting Exhibits as itemized attachments, demonstrate how *color of law* has long been used by this Defendant MMRMA, in conjunction with others following the very same *patterns and practices*, to facilitate ever-growing numbers and intensities of *state created dangers*, particularly for David Schied, but also for many others who are mischaracterizing as "*domestic terrorists*" those like Grievant Schied who are otherwise calling government *usurpers* to the carpet of accountability for their own antecedent actions as exhibited in all of Grievant's previous court cases.

Those "*hallmarks*" consist of the following types and patterns of actions as exhibited in this instant case:

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* of an attorney;

2. Defendants initialize their motions with a virtual *wink-and-nod* understanding that their cohorts in the hierarchical system of power mongers, presenting themselves as "*judges*" who are also members of the same State BAR of Michigan, will pretend not to see that Defendant's filings (i.e., whether they are filed by those calling themselves "*government*" or filed by those calling themselves "private *self-insured pools of corporate municipalities*") 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 – the statements presented to their peer group of judges are outright fraudulent on their face.

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 coercing government *policies and practices* to all levels of unauthorized degrees, and undermining the very foundational purpose of the Courts of getting at the Truth as founded in nature's God and the United States Constitution.**

Even a Cursory Review of Attorney Mellon's so-called "*Statement of Facts*" Point to Prima Facie Evidence of Fraud Upon This District Court of the United States

James Mellon, as independent *agent* for the State BAR of Michigan and the Michigan Supreme Court that is simultaneously *representing* the Defendant MMRMA, has committed the crime of *fraud* upon this District Court by his recent formal documents of filing – which Grievant hereby deems to otherwise be "*terrorist documents of government coercion*" – submitted by Mellon as a "*licensed court official*," an operating *agent* for the Court itself. The exact form and nature of such fraud is depicted below as subsequently supported in Evidence. It is an ongoing "*pattern and practice*" designed to cause a furthering of predetermined injuries by setting up antecedent conditions that increase the "*state created dangers*" that have already long been forcibly imposed, specifically, upon Grievant Schied.

1. **BLATANTLY FRAUDULENT "*FACT*" #1** – Mellon begins his instant "*Motion*" by fraudulently claiming that he was "*served*" on 6/10/15 (Def. motion p.2, statement #2) when evidence on record of this Court demonstrates otherwise. This as an "*issue of fact*" – for which ONLY a jury or grand jury can decide – as Grievant Schied contends that Mellon was actually *served* through nefarious means by U.S. District Court clerk David Weaver and/or by "*judge*" Sean Cox, in secret, and through their criminal

agents operating unlawfully in trusted positions of authority in the District Court of the United States.

2. **INTENTIONALLY GROSS OMISSIONS OF "*FACT*" #2** – Mellon claimed (in his "*Motion to Dismiss...*") an "*intergovernmental contract with other members of MMRMA*" securing "*certain coverage*" for Defendant Redford Township. His statement implied inclusiveness of Defendant Redford Township 17th District Court, Defendant Redford Township Police Department, and all other agents of these Defendants named in their individual capacities by Grievant David Schied in this instant action. He then references "*the Coverage Document*," but without providing the Evidence of the Coverage Document itself. (Def. motion p.2, statement #8) This is a gross omission of unsubstantiated and questionable fact, a mere *conclusory* statement **upon which no *relief* may be granted** except through an accompanying *pattern and practice* of corruption and treason by the judicial authorities reviewing that claim. (Bold emphasis)
3. **BLATANTLY FRAUDULENT "*FACT*" #3** – Mellon claims – in both his "motion" and his "response" documents – words to the effect that *"[Grievant David Schied] is apparently part of what has been dubbed the 'sovereign citizen' movement, by various United States Courts of Appeals and District Courts*" (Def. motion p.3, statement 11). Yet Mellon presented

no such Court of Appeals or District Court rulings that actually make such an alleged connection between Grievant Schied and the explicit "*dubbing*" that is otherwise supposed to be so "*apparent*" to these federal courts.

Instead, Mellon resorts to subjectively defaming Mr. Schied, relying upon "*bare allegations*" about this case and out-of-context references to Grievant's own specific allegations and claims pertaining to the actions of Mellon/Pries, P.C.'s client's, the co-Defendants (i.e., *see* Defs. Subparagraphs 11a through 11i).

These are affirmative and intentional acts by Mellon, which furthers the "*state created dangers*" already imposed upon Grievant Schied by those previous co-Defendants. Again, Mellon's assertions are **mere *conclusory* statements upon which no *relief* may be granted** except through an accompanying *pattern and practice* of corruption and treason by the judicial authorities reviewing these misconstrued claims.

4. **BLATANTLY FRAUDULENT "*FACT*" #4** – Mellon and his clients, Defendant MMRMA, first blatantly mislead this court by claim [*see* Def. motion pp.5-6, statement #13(a)(i) and (ii)], that his client(s) *"[are] not authorized to carry out...any law enforcement function, or to train any court or law enforcement personnel...[under] MCL 124.5.*" **This statement is a flat out lie**. Mellon grossly and knowingly omits any mention of the FACT

that **"*authorization*" does not also include "*voluntarily*" carrying out these functions and/or training their co-Defendants in law enforcement anyway, so to serve Defendant MMRMA's own particular purpose**.

Such an underlying purpose is that of ensuring that the *policies and practices* performed – by the Defendant Redford Township 17th District Court and other "*member*" courts, by the Defendant Redford Police Department and other "*member*" law enforcement departments, and by the Charter Township of Redford and other "*member*" municipal corporations – **comport with the coverage requirements imposed upon MMRMA *members* by MMRMA, so that they will continue to *qualify* for Defendant MMRMA's *umbrella* and *excess* coverage under each of their members' *contracts*.** (Bold emphasis added)

5. In FACT, as **"EXHIBIT #1"** attached herein demonstrates, and as Grievant Schied had originally asserted in his "*Complaint / Claim of Damages...*", **MMRMA most certainly DOES conduct "*ongoing education*" and/or "*training*" of the *agents* of its membership.** Moreover, upon information and belief, the content of the training coincides with the "*patterns and practices*" being modeled by the co-Defendants (MMRMA and the Mellon Pries law firm) themselves, of **promoting unethical and unconstitutional conduct that comprises new *state created dangers* or furthers antecedent**

state created dangers. **Again, such modeling can be found in *Attorney Mellon's own demonstration of such policies and practices exhibited herein* by his own *gross omissions and misstatements*.** (Bold emphasis)

6. **"*Exhibit #1*,"** as a PDF download off of the Defendant MMRMA's own website, wholly supports Grievant Schied's *truthful* assertion as initially presented in his "*Complaint / Claim of Damages...*" alleging constitutional rights and civil rights violations, and claims for damages against MMRMA and its co-Defendants. **"*Exhibit #1*"** herein is thus, proof positive that contrary to Mellon's explicit claim, **MMRMA actually DOES TRAIN law enforcement officers in the *mental mindset*, and in the "*reality-based, field-tested*" exercises they proffer and advertise as being hosted by them and conducted through them, for a fee.**
7. Grievant Schied therefore, reasserts herein as a matter of material FACT that this *prima facie fraud* by Attorney Mellon and his clients, along with the Evidence of their *patterns and practices* of unconstitutional *policies and practices* proffered and hosted by MMRMA and their *agents* – with or without the statutory *authorization* of MCL 124.5 – **were void of "*proper ongoing education and training in constitutional issues and the rights of the general public,*" as demonstrated by (Def.) MMRMA's co-Defendants' other affirmative actions against Grievant Schied** as

certifiably trained MMRMA "*members*". Thus, **no *relief* can be granted by this Court to MMRMA on their instant "*Motion to Dismiss in Lieu of Answer*"** except through a repeating of this *pattern and practice* of corruption and treason. (Bold emphasis)

8. **BLATANTLY FRAUDULENT "*FACT*" #5** – Given the Evidence and statements cited above, **it is clear that Attorney Mellon's claims** (see for example Def. motion p.7, statement #18) that, "*Schied's claims against MMRMA are frivolous and thus in violation of Fed. R.Civ.P. 11(b); [warranting] MMRMA['s] pursuing costs and sanctions incurred as a result of having to defend this utterly frivolous suit*" **goes beyond "*frivolous*" itself to be so fraudulent that it warrants not only *sanctions* against Mellon but also disbarment of this attorney in ANY Court – state or federal. It also warrants the criminal prosecution of this "*judicial officer*" usurper for the criminal charge of "*unauthorized practice of law*." Grievant David Schied hereby charges this criminal offense herein and hereafter forbids Mellon from further disgracing and dishonoring this *de jure* Constitutionally-recognized Article III Common Law Court headed for jury trial.**
9. **INTENTIONALLY GROSS OMISSIONS OF "*FACT*" #6** – Mellon misleadingly provides numerous "*official judicial rulings*" produced in a

"*pattern and practice*" of deception as constructed by a combination of State BAR of Michigan members operating as *agents* of the so-called "*United States District Court*" and their peer group of other affiliated BAR members at the so-called "*United States Court of Appeals for the Sixth Circuit*."

Notably, some of the sitting judiciary in Cincinnati have past deep ties with the State BAR of Michigan, and their actions are clearly rooted in the very same "*patterns and practices*" that are operating treasonously here in Michigan, in fostering and supporting the domestic terrorism being carried out within the territorial jurisdiction of Defendant Charter County of Wayne in particular.

10. As the Evidence presented below demonstrates in undeniable FACTS intentionally omitted by Mellon/Pries, P.C. by comparison, the original *Complaints* for each of the "*opinions and orders*" presented by Mellon in his inclusive "*exhibits B through G*" (of Mellon's "*motion*") are significantly void of a proper address – by EITHER the state or federal courts – of Mr. Schied's persistent First Amendment "*redress of grievances*."[5]

11. As this same Evidence demonstrates below, under the broader scope of more thorough and truthful context, there has long been a "*pattern and practice*" of denying these otherwise "*undeniable facts*" submitted repeatedly by Mr.

[5] The simple but persistent nature of this decade-long pursuit of "*redress*" is forthcoming as presented in these pages.

Schied over the course of a decade. **These undeniable facts have long been in evidence that specifically-named individuals – being employed as mostly all members of the State BAR of Michigan – have been operating unlawfully as government usurpers and their *representatives* and *agents*, while committing misdemeanor and felony crimes against Grievant Schied. These are (misdemeanor and felony) crimes known to have been repeatedly denied proper investigation and resolve by any state or federal judiciary, prosecutor, or grand jury;** for reasons that are abundantly clear within the pages of Statements and Evidence of this instant filing of:

> "*Grievant's Combined 'Response' and 'Reply' to Attorney James Mellon's AND Mellon Pries, P.C.'s Fraudulent Conveyances in Their 'Motion to Dismiss in Lieu of Answer' and Their 'MMRMA's Response to Plaintiff's "Writ" for Change of Judge Based on Conflict of Interest and Change of Venue Based on "Proven"History of Corruption on behalf of Defendant "MMRMA," the "Michigan Municipal Risk Management Authority*."

(Bold emphasis added)

EVIDENCE OF A "*PATTERN AND PRACTICE*" OF A *SEDITIOUS CONSPIRACY TO TREASON* AND "*DOMESTIC TERRORISM*" BY GOVERNMENT *USUPERS*

With the underlying basis for Attorney Mellon's motion being proven fraudulent and warranting his dismissal from this case, Grievant Schied hereafter turns toward proving that the Evidence of federal court "*opinions and orders*" submitted by Mellon constitutes a "*pattern and practice*" of "*aiding and abetting*" in the "*obstruction of justice*" through "*fraud by omissions*;" and thus, proves the existence of a seditious conspiracy to treason and a coercing of government policies constituting "*domestic terrorism*" by definition of the FBI

Evidence Listing:

- **Exhibit #2 –** Entirety of the case ruling in, *CUELLAR v. STATE, 70 S.W.3d 815, Court of Criminal Appeals of Texas., February 13, 2002*.

- **Exhibit #3 –** Texas Attorney General Opinion DM-(Dan Morales)-349 (1995)

- **Exhibit #4 –** Texas Gov. Code, Title 4, Subtitle B, Section 411, Subchapter F: 411.081

- **Exhibit #5 –** Texas Attorney General Opinion JC (John Cornyn)-0396 (2001)

- **Exhibit #6 –** "*Early Termination Order of the Court Dismissing the Cause*" (Harris County, 183 Criminal District Court; 12/20/79)

- **Exhibit #7 –** "*Full Pardon and Restoration of Full Civil Rights*", issued by Governor Mark White on 4/28/83.

- **Exhibit #8 –** Sworn statements of a California lead prosecutor, Steven Ipsen, crediting Grievant David Schied with being solely responsible for justice in the arrest and prosecution of a serial con man and sex offender, through his dogged persistence and investigative prowess.

- **Exhibit #9 –** Letter dated 2/20/04 from local teacher's union leader acknowledging a legal dispute on salary at the Lincoln Consolidated Schools.

- **Exhibit #10 –** Class action court case ruling in 2007 featuring teacher plaintiffs in suit against the Michigan Superintendent of Education for a "*policy and practice*" of issuing lists of "*criminals*" without verification of accuracy.

- **Exhibit #11 –** Resignation letter of former Michigan Supreme Court chief justice Elizabeth Weaver stating her reason for leaving as being the unchanging corruption of Michigan's highest court (and all courts on down).

- **Exhibit #12 –** "*Affidavit of Earl Hocquard*" in testimony of having received a FOIA answer from the Lincoln Consolidated Schools proving unresolved criminal misdemeanor offenses being perpetrated against Grievant David Schied.

- **Exhibit #13 –** Complaint by David Schied to the Attorney Grievance Commission and Crime Report to the Oakland County Prosecutor Jessica Cooper, both regarding Plunkett-Cooney attorney Michael Weaver.

- **Exhibit #14 –** "*Motion Granting Defendants' Motion to Compel Discovery*" issued by Washtenaw County Circuit Court "judge" Melinda Morris (now retired) unconstitutionally compelling Mr. Schied to testify against himself so to cause the condition of "*double jeopardy*."

- **Exhibit #15 –** "*Unpublished*" 2006 ruling of the Michigan Court of Appeals tribunal (Fort Hood, Cavanagh, Servitto) concluding – by use of a substantive pattern of "*gross omissions and misstatement of facts*" – that neither *judicial* clemency nor *executive* clemency occurring in Texas a quarter-century prior were sufficient to erase an otherwise nonexistent "*conviction*" under their own deceptive interpretation of Texas (i.e., the ruling was designed to deprive Mr. Schied of due process while failing to litigate the "public policy" violation and crimes of Sandra Harris and Lincoln Consolidated Schools of disseminating a "*nonpublic*" FBI report to the public by FOIA response.)

- **Exhibit #16 –** Two honorary letters of recommendation for David Schied written by two principals of the Northville Public Schools in 2004 and 2005 respectively.

- **Exhibit #17 –** Original "*Complaint...*" filed by Michigan attorney Daryle Salisbury in the U.S. District Court against agents of the Texas Dept. of Public

Safety, the Lincoln Consolidated Schools, the Northville Public Schools, and the governor of the State of Michigan.

- **Exhibit #18 –** "*Official*" hearing transcript of the 3rd Judicial (Wayne County) Circuit Court in the case of "*David Schied v. Northville Public School District*," presented before and dismissed by "*judge*" Cynthia Diane Stephens (subsequently promoted to the Michigan Court of Appeals) in **literal ruling** that **"*Expungements are Myths*"** and interpreting the letter and intent of Michigan legislation to mean **"*Teachers are subject to a Life Sentence*"** for any type of "*conviction*" they have ever received in life.

- **Exhibit #19 –** "*Affidavit of Earl Hocquard*" in testimony of having received a FOIA answer from the Northville Public Schools proving unresolved criminal misdemeanor offenses being perpetrated against Grievant David Schied.

- **Exhibit #20 –** This is the first case of Grievant Schied suing a plethora of "state actors" – in both their individual and official capacities – in both of Michigan's judicial and executive branches. This court is popularly referred to by those state actors as "*Schied v. State of Michigan*." This case was originally filed with 404 pages of well detailed Facts and 180 total exhibits of supporting Evidence. Though all of the pages for that case are being to the federal court herein, including copies of all those exhibits, the Defendant and its peer group of other "*members*" and co-insurers will not receive "paper" copies due to their allegations of Grievant being a "paper terrorist." Instead, Defendants will only be "served" with the 404 pages of original "Complaint" for that case. They can – as well as anyone of the public desiring to do so also can –find and download any of the "Exhibits" referenced by that filing by way of independently listed downloadable files that can be found online in a file folder at the following location on the Internet:
http://constitutionalgov.us/Michigan/Cases/2007DavidSchiedvStateofMichigan/

- **Exhibit #21 –** Downloaded PDF copy of the FBI's website defining "*domestic terrorism*"

- **For remaining exhibits, refer to the *Index of Exhibits* at the beginning of this document.**

PERSONAL BACKDROP OF FACTS THAT SHOULD HAVE HAD ONLY A POSITIVE BEARING ON MICHIGAN COURTS DETERMINING THE CHARACTER AND QUALIFICATIONS OF GRIEVANT SCHIED AS A PROFESSIONAL SCHOOLTEACHER IN YEARS 2003 THROUGH 2010

In 1974 at the age of 17, Grievant Schied had a catastrophic car accident in which he lost multiple internal organs and was brought back to life by doctors of the Ben Taub Emergency Hospital in Houston, Texas. Despite these injuries, Mr. Schied continued his high school studies and graduated along with the rest of his high school class in 1975, going on to a full year at the University of Houston.

Two years later in 1977, seeing himself unable financially to complete a second year of university education, seeing no available professional opportunities, and being rejected from military service because of his earlier physical injuries, Mr. Schied took a wrong turn and was alleged to have been arrested for a first-time-ever criminal offense.

He was 19 at the time of the alleged offense, and the solution to this situation at the time was similar to that of Michigan's "*Holmes Youthful Trainee Act*" (MCL 762.11 *et seq*.) which provides first-time offenders under the age of 21 to receive – in the spirit of justice to the individual and to society – conditional *probation* followed by a *set aside* and *sealing* of the redeemed offenders previous record. At that time (1977) in Houston, the law (Art. 42.12 of Tex. C. Crim. Proc.) presented two distinct forms of such a "*set aside,*" which are described as follows:

The first form of Texas set aside was – and under information and belief has continued until the present – governed by the completion of the entire sentencing term of probation, and upon release, a *final disposition* of "*conviction*" is retained but that criminal record of offense is *set aside*.

The second form of set aside under Texas Art. 42.12 – the one for which Mr. Schied qualified, to which a **jury of The People** recommended after hearing the testimonies and evidence, and to which was actually applied by the adjudicating judge in 1979 – was one in which **"*there was to be no final disposition of 'guilt' or 'conviction*" if, upon proper review finding and at the discretion of the judge, the criminal *accusation is dismissed* and *the probated sentence is terminated early*.** In such a case, the Court orders the "*withdrawal of plea*," the "*dismissal of indictment*," and the "*set aside of judgment*" amounting to a *nullification* of the so-called conviction, a *wiping clean* of the offense, and the granting of probationer of a *clean slate* upon which a *second chance* is provided without reference to anything except what might remain of the *arrest record*.

A full legal explanation of the preceding paragraphs is captured by the attached **"EXHIBIT #2"** as the case of *CUELLAR v. STATE, 70 S.W.3d 815, Court of Criminal Appeals of Texas., February 13, 2002*.

Further supporting the contention that "*no conviction exists*" for anyone discretionarily granted such a set aside as the one accompanied by a *withdrawal of*

plea, and a *dismissal of indictment*, after an "*Early Termination Order of the Court Dismissing the Cause*," and supporting the FACT that under this second, more distinguished and *discretionary* form of *set aside*, there was no "*final disposit*ion" of *conviction* because of these aforementioned ***judicial clemency*** conditions – is **"EXHIBIT #3"** as the Texas Attorney General Opinion DM-(Dan Morales)-349 (1995) which continues to demonstrate the following:

a) That Texas Article 42.12 (a) through (c) provided that after receiving a "*guilty*" plea, the judge (acting either alone or by a jury's recommendation) may "*defer further proceedings without entering an adjudication of guilt, and place the defendant on community supervision;*"

b) That if a probationer is arrested subsequent to release from community supervision ("*probation*") then the Court may move forward with a proceeding upon the successful completion of probation to determine a "*final disposition*" of *guilt* and a "*conviction*" on the original charge "*as if the adjudication of guilt had not been deferred*" by a period of probation.

c) That if a probationer successfully completes probation, **even "*a finding of substantiated guilt under section 5(a) of code article 42.12 is not a 'conviction' for purposes of the governor's constitutional pardon power*" because "*a subsequent dismissal of the proceeding without an 'adjudication of guilt' pursuant to section 5(c)...remove[s] the matter from***

***the governor's pardon power*" for "*lack of an object*" to pardon**.

(Emphasis added)

In the State of Texas, the conditions for "*sealing*" remaining arrest records was done by "*Application for Nondisclosure*" upon five years expiring after receipt of either type of *set aside* received under Art. 42.12. (*See* **"EXHIBIT #4"** as *Texas Gov. Code, Title 4, Subtitle B, Section 411, Subchapter F: 411.081*.) There was no other legal means by which such remaining records of arrest could actually be "*expunged*" or obliterated from the criminal history database. On the other hand, there was such a means available to people who have been "*convicted*" and subsequently awarded executive clemency by the Texas Governor by formal pardon of the underlying offense and by restoration of full civil rights. [*See* **"EXHIBIT #5"** as the Texas Attorney General Opinion JC (John Cornyn)-0396 (2001)]

Significantly, **"*Exhibit #5*"** clarifies that **"*The term ["conviction"] does not include an adjudication of guilt or an order of deferred adjudication that has been subsequently: a) expunged; or, b) pardoned under the authority of a state or federal official.*"** (Emphasis added)

As a matter of legal fact for the alleged 1974 offense, by the time Grievant David Schied arrived to Michigan with his beginning family and moved instantly into the territorial boundaries of Defendant Charter County of Wayne and obtained

instant employment as a special education schoolteacher at the Lincoln Consolidated Schools in the corporate municipality of Washtenaw County, he had long been in possession of the second type of set aside described above, having received an "*Early Termination Order of the Court Dismissing the Cause*" **in 1979** that included a "*termination*" of probation, a "*withdrawal of plea*," a "*dismissal of indictment*," and a "*set aside*" of judgment. (*See* **"EXHIBIT #6"** as an exact duplicate of the front and back of that original document)

As such, the "*non-final (or 'deferred') adjudication of guilt*" was supposed to have *disappeared* leaving what might have been only a remaining *arrest* record which could be "*sealed*" after 5 years by "*Application of Nondisclosure* under Tex. Code 411.081 as shown by the referenced attachments. Moreover, the issuance of that document and its legal implications, as shown by Gov. Dan Morales' attorney general Opinion (DM-349), precluded Mr. Schied being subsequently eligible for a governor's full pardon for **"*lack of a [conviction]*" to pardon**. (See again, **"*Exhibit #3*"**)

Nevertheless, as shown by **"EXHIBIT #7,"** Grievant David Schied applied for and obtained a Texas governor's executive "*Full Pardon and Restoration of Full Civil Rights*" **in 1983**, effectively doubling his legal assurance that at minimum, as shown by Gov. John Cornyn's attorney general Opinion (JC-0396), **since 1983 Mr. Schied could confidently state with no degree of uncertainty**

whatsoever that "*no conviction exists*" after that *executive clemency* action. (Emphasis added)

Unbeknownst to Grievant Schied at the time or for the next two full decades, the only practical reason why Mr. Schied might have "*qualified*" for such a pardon is by the dereliction of the Texas government officials operating the courts and the criminal history report information (CHRI) database for the State of Texas. As only time would uncover, these Texas officials failed throughout that time to update their records after the Harris County court issued the 1979 *set aside*.

Moreover, despite the Texas governor's *pardon* document stating that this pardon would be filed with the Texas Secretary of State, the FACT is that for the next 20 years, that information was never updated in the Texas CHRI (criminal history information) database. Thus, for those next two decades, and despite Texas Administrative Codes clearly commanding that the Texas Department of Public Safety ensure the updating of their criminal history records every six (6) months, **that Texas government agency wrongly left their record(s) to reflect an inaccurate *disposition* of "*conviction*" and a *status* of "*probation*."** (Bold emphasis)

GRIEVANT DAVID SCHIED HAS LIVED AN EXEMPLARY LIFE SINCE 1974

Grievant David Schied had pursued that governor's full pardon in 1983 after having taken up the mental and physical disciplines of the martial arts, and after also having done each of the following: (Bold emphasis added)

a) Earned his First Degree Black Belt (in 1981) from a 1964 Vietnamese Olympian in Judo, Nguyen Van Binh;

b) Trained as a stuntman (1980 through 1983) in a facility later owned and operated by the U.S. Men's Gymnastics Olympic Coach, Kevin Mezeika;

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U.S. Men's Olympic Gymnastics Coach Kevin Mazeika and HGA Has Entered Into an Agreement With The Airrosti Center

Houston Gymnastics Academy teams up with the leading experts in sports related injuries.

(PRWEB) October 29, 2005

To give their gymnasts a competitive edge, reduce lost training time due to injuries, and provide the most state-of-the-art sports recovery care for their athletes, the Houston Gymnastics Academy, headed by the U.S. Men's Olympic Gymnastics coach Kevin Mazeika, has entered into an agreement with the Airrosti Center. "The Airrosti treatment provides exactly what we need in our sport - rapid recovery. Whether an athlete has an acute or chronic injury, Airrosti's goal is synonymous with ours, to get the athlete back to training or competition as soon as possible. Thank you Airrosti!" Kevin Mazeika - 2004 U.S. Men's Olympic Gymnastics Team Head Coach

Current National Team Members Sean Golden and Todd Thornton as well as former Olympian Sean Townsend have all benefited from the Airrosti Rapid Recovery Treatment.

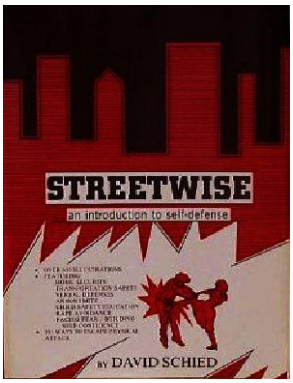
"Because of Airrosti's rapid recovery program, I was able to have more consistent training with substantially less pain. In turn that led me to my first World Championship Team!" Sean Golden -US National Gymnastics Team Member

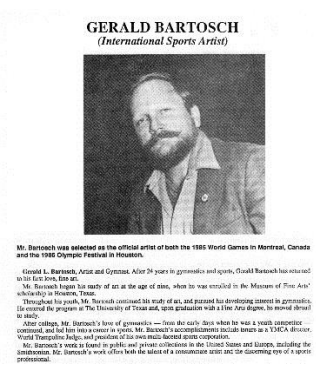
c) Trained under the tutelage of Coach Gerald Bartosch (1980 through 1993), who later become the "*official artist*" of the 1986 Olympic Festival in Houston, Texas and the artist of Mr. Schied's two books (i.e., see below);

d) Became an expert in rape avoidance and verbal defense strategies, and wrote and produced two fully-illustrated books on these topics, as well as on self-defense strategies for escaping dangerous situations without harm:

1) *Streetwise: An Introduction to Self-Defense*; and,

2) *Safe at Last! A Complete Manual for Home and Personal Security*.




GERALD BARTOSCH
(International Sports Artist)

Mr. Bartosch was selected as the official artist of both the 1985 World Games in Montreal, Canada and the 1986 Olympic Festival in Houston.

Gerald L. Bartosch, Artist and Gymnast. After 24 years in gymnastics and sports, Gerald Bartosch has returned to his first love, fine art.

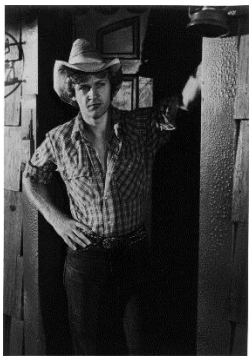
Mr. Bartosch began his study of art at the age of nine, when he was enrolled in the Museum of Fine Arts' scholarship in Houston, Texas.

Throughout his youth, Mr. Bartosch continued his study of art, and pursued his developing interest in gymnastics. He entered the program at The University of Texas and, upon graduation with a Fine Arts degree, he moved abroad to study.

After college, Mr. Bartosch's love of gymnastics — from the early days when he was a youth competitor continued, and led him into a career in sports. Mr. Bartosch's accomplishments include tours as a YMCA director, World Trampoline Judge, and president of his own multi-faceted sports corporation.

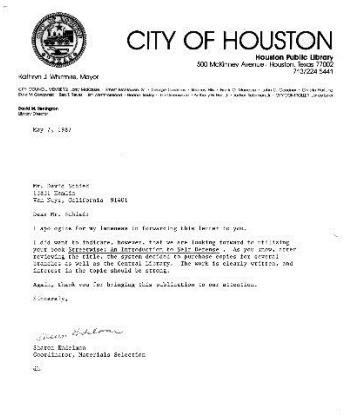
Mr. Bartosch's work is found in public and private collections in the United States and Europe, including the Smithsonian. Mr. Bartosch's work offers both the talent of a consummate artist and the discerning eye of a sports professional.

e) Appearing in a supporting acting role in a local Houston feature film; and working with film and television star, Chuck Norris, as a professional stuntman.



In 2005, believing that the Circuit Court for Harris County, Texas, the clerks employed by the Texas judiciary and the Governor, and the Texas Department of Public Safety had done as they promised by **providing him not only with a "*clean slate*" in 1979 but formal "*forgiveness*" by the state in 1983**, Mr. Schied moved to Southern California with excellent personal credit and no debts whatsoever. His aim was to pursue a career in the film and television industry and in book publishing.

Over the course of the 20 years following the 1983 issuance of the Texas Governor's pardon, Grievant David Schied earned his way with dignity in Burbank, California as a gymnastics teacher to children of parents in the film industry, including the Disneys, the Winklers, and numerous others. He used that time to market his book, getting it into various California and Texas book stores, sharing his personal protection program with the United States Department of Treasury, and donating a plethora of his book proceeds to the United States Olympic Training Team.

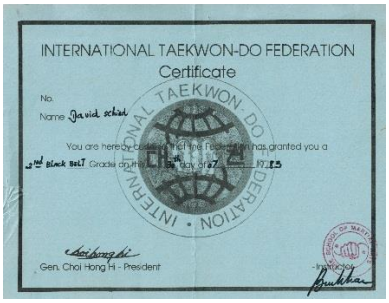

CITY OF HOUSTON
Houston Public Library
500 McKinney Avenue · Houston, Texas 77002

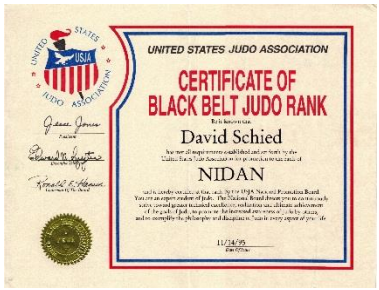

DEPARTMENT OF THE TREASURY
FEDERAL LAW ENFORCEMENT TRAINING CENTER


UNITED STATES JUDO ASSOCIATION

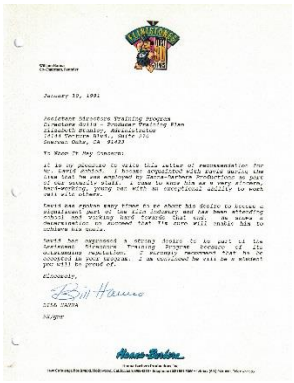
In that same 20 years, Mr. Schied:

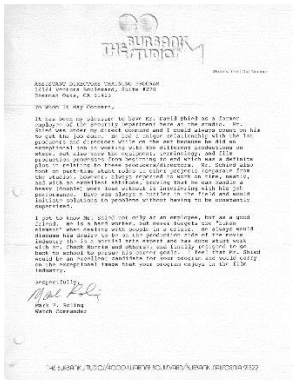
a) Earned five more black belts in three differing styles of martial arts;

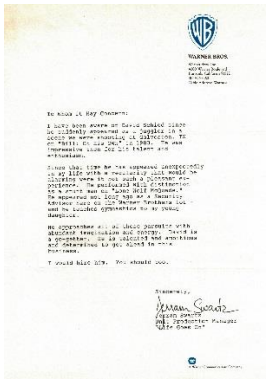

INTERNATIONAL TAEKWON-DO FEDERATION
Certificate


UNITED STATES JUDO ASSOCIATION
CERTIFICATE OF BLACK BELT JUDO RANK
David Schied
NIDAN

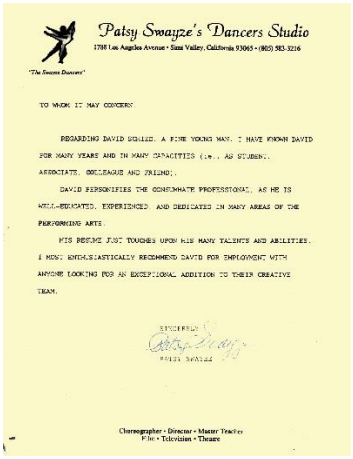
b) Worked full-time as security for the Hanna-Barbera Studios and Warner Brothers Studios where he was trusted with back-stage access and keys to all of the offices of the Hollywood executives at each of those studios.







c) Studied dance from famed dance choreographer Patsy Swayze, and taught gymnastics at the private dance school owned by this "*star mother*" to the late Patrick Swayze.



Patsy Swayze's Dancers Studio
1798 Los Angeles Avenue • Simi Valley, California 93065 • (805) 583-3216
"The Swayze Dancers"

TO WHOM IT MAY CONCERN:

REGARDING DAVID SCHLEE. A FINE YOUNG MAN. I HAVE KNOWN DAVID FOR MANY YEARS AND IN MANY CAPACITIES (i.e., AS STUDENT, ASSOCIATE, COLLEAGUE AND FRIEND).

DAVID PERSONIFIES THE CONSUMMATE PROFESSIONAL, AS HE IS WELL-EDUCATED, EXPERIENCED, AND DEDICATED IN MANY AREAS OF THE PERFORMING ARTS.

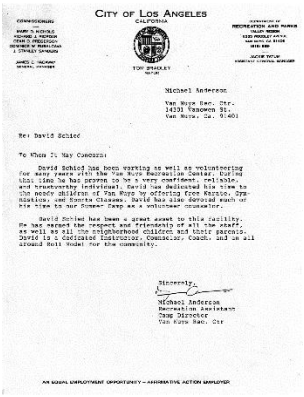
HIS RESUME JUST TOUCHES UPON HIS MANY TALENTS AND ABILITIES. I MOST ENTHUSIASTICALLY RECOMMEND DAVID FOR EMPLOYMENT WITH ANYONE LOOKING FOR AN EXCEPTIONAL ADDITION TO THEIR CREATIVE TEAM.

SINCERELY,
PATSY SWAYZE

Choreographer • Director • Master Teacher
Film • Television • Theatre

d) Volunteered his time for numerous years as a camp counselor for underprivileged children in predominantly Hispanic neighborhoods.

e) Taught aspiring actors as a substitute for the Stage Movement professor, Tom Orth, at the UCLA Department of Theater Arts.



CITY OF LOS ANGELES
CALIFORNIA

Michael Anderson
Van Nuys Rec. Ctr.
14301 Vanowen St.
Van Nuys, Ca. 91401

Re: David Schied

To Whom It May Concern:

David Schied has been working as well as volunteering for many years with the Van Nuys Recreation Center. During this time he has proven to be a very confident, reliable, and trustworthy individual. David has dedicated his time to the needy children of Van Nuys by offering free Karate, Gymnastics, and Dance Classes. David has also devoted much of his time to our Summer Camp as a volunteer counselor.

David Schied has been a great asset to this facility. He is well liked by the majority of all the staff, as well as all the neighborhood children and their parents. David is a dedicated instructor, Counselor, Coach, and an all around Role Model for the community.

Sincerely,

Michael Anderson
Recreation Assistant
Camp Director
Van Nuys Rec. Ctr

AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER

UNIVERSITY OF CALIFORNIA, LOS ANGELES — UCLA

To Whom It May Concern:

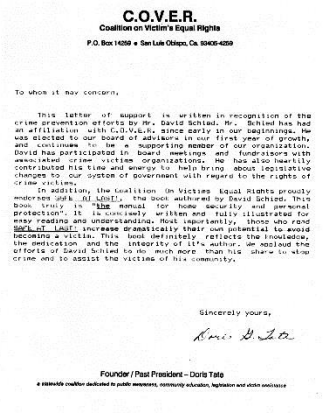
Imagination, energy, and joy are words that come to mind when I recall observing David Schied's teaching at Gymnastics Olympica and at several locations throughout the San Fernando Valley. His greatest strength is his positive approach to the rigors of the physical disciplines. He is also an inspiration to his students, constantly challenging them to creatively reach beyond their known abilities.

David is first and foremost a teacher. His chosen field in movement related to performance. Closely linked to his work with actors is an expertise in the fields of gymnastics, all apparatus, stunt work, falls, stage fight techniques, circus techniques and an extraordinary gift for clowning. David is zero in his love of teaching, and actors who study under him will carry a lifelong memory of the process by which they discovered the physical world of the actor.

Sincerely,

Tom Orth
UCLA
Professor, Theater
Stage Movement

f) Was an Founding Advisory Board member alongside of Doris Tate, mother of the Manson-murdered actress Sharon Tate, who was founder of the Coalition On Victims' Equal Rights that promoted nationwide legislation in every state on the **<u>equal rights of crime victims</u>** (such as the *William Van Regenmortor Crime Victims' Rights Act* integrated into the <u>Michigan Constitution, Art. I, Sec. 24</u>) during the 1980's. (Bold emphasis added)



C.O.V.E.R.
Coalition on Victim's Equal Rights
P.O. Box 14259 • San Luis Obispo, Ca. 93406-4259

To whom it may concern,

This letter of support is written in recognition of the crime prevention efforts by Mr. David Schied. Mr. Schied has had an affiliation with C.O.V.E.R. since early in our beginnings. He was elected to our board of advisors in our first year of growth, and continues to be a supporting member of our organization. David has participated in board meetings and fundraisers with associated crime victims organizations. He has also heartily contributed his time and energy to help bring about legislative changes to our system of government with regard to the rights of crime victims.

In addition, the Coalition On Victims Equal Rights proudly endorses Stalk of Lost!, the book authored by David Schied. This book truly is "the manual for home security and personal protection". It is concisely written and fully illustrated for easy reading and understanding. Most importantly, those who read BACK AT LAST! increase dramatically their own potential to avoid becoming a victim. This book definitely reflects the knowledge, the dedication and the integrity of it's author. We applaud the efforts of David Schied to do much more than his share to stop crime and to assist the victims of his community.

Sincerely yours,

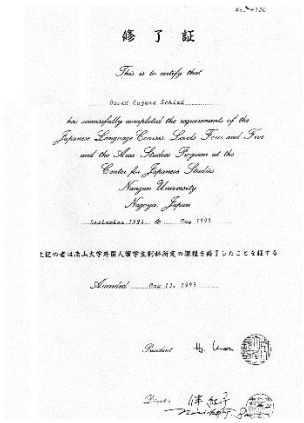
Doris D. Tate

Founder / Past President – Doris Tate
a statewide coalition dedicated to public awareness, community education, legislation and victim assistance

Diploma
Mr. David Eugene Schied
Tokyo, June 17, 1996

g) Entered and won Japanese judo competitions, earning a judo Black Belt directly from the Kodokan of Japan;

h) Finished a rigorous overseas studies undergraduate degree program in Japan, earning one of two Bachelor's degrees in East Asian Language and Culture;



修 了 証

This is to certify that

David Eugene Schied

has successfully completed the requirements of the Japanese Language Courses, Levels Four and Five and the Area Studies Program at the Center for Japanese Studies Nanzan University Nagoya, Japan

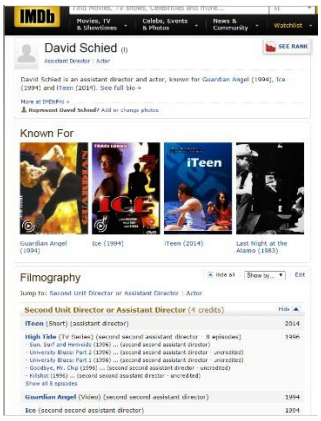
September 1993 to May 1995

上記の者は当大学外国人留学生別科所定の課程を修了したことを証する

Awarded May 13, 1995

President

i) Worked regularly as a full-time stuntman on the Mighty Morphin Power Rangers television series; and worked regularly as a full-time 2nd assistant director alongside Hollywood stars, Rick Springfield and Yannick Bisson.



IMDb

David Schied

Known For

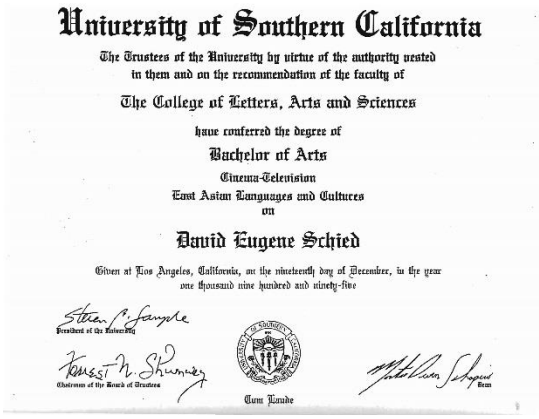
Filmography

Second Unit Director or Assistant Director (4 credits)

iTeen (Short) (assistant director) 2014

Guardian Angel (Video) (second second assistant director) 1994

Ice (second second assistant director) 1994



University of Southern California

The Trustees of the University by virtue of the authority vested in them and on the recommendation of the faculty of

The College of Letters, Arts and Sciences

have conferred the degree of

Bachelor of Arts

Cinema-Television

East Asian Languages and Cultures

on

David Eugene Schied

Given at Los Angeles, California, on the nineteenth day of December, in the year one thousand nine hundred and ninety-five

President of the University

Chairman of the Board of Trustees

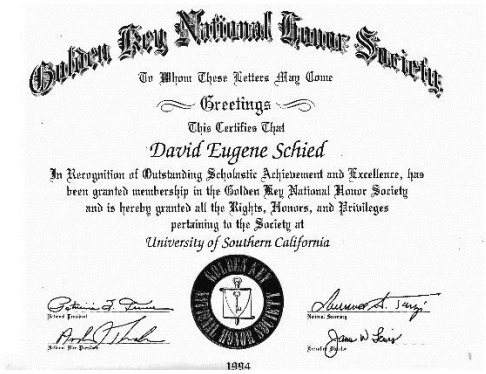
Secretary

Cum Laude

j) Graduated *cum laude* from the famed USC's School of Cinematic Arts with a second BA degree.

k) Granted membership in the Golden Key National Honor Society by earned recognition of his outstanding scholastic achievement and excellence.

l) Completed over 40 post graduate credits of educational work, earning his California teaching credential as a public special education schoolteacher.



Golden Key National Honor Society

To Whom These Letters May Come

Greetings

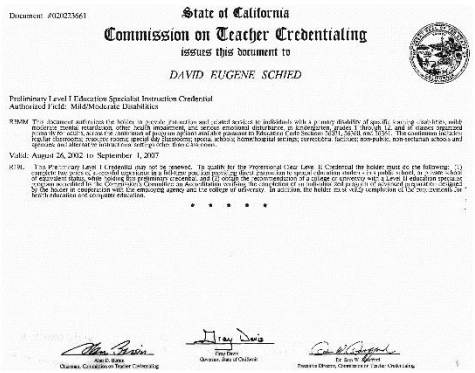
This Certifies That

David Eugene Schied

In Recognition of Outstanding Scholastic Achievement and Excellence, has been granted membership in the Golden Key National Honor Society and is hereby granted all the Rights, Honors, and Privileges pertaining to the Society at

University of Southern California

1994



Document #02023661

State of California

Commission on Teacher Credentialing

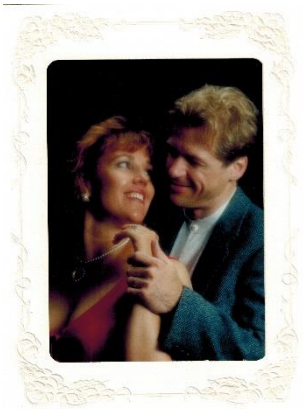
issues this document to

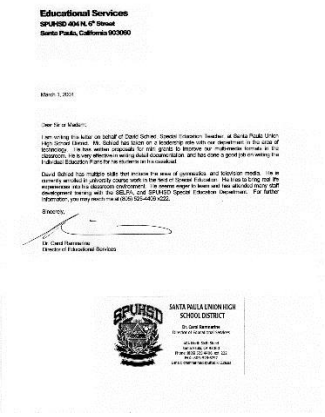
DAVID EUGENE SCHIED

Preliminary Level I Education Specialist Instruction Credential
Authorized Field: Mild/Moderate Disabilities

Valid: August 26, 2002 to September 1, 2007

m) Married, had a child, and completed two years of full-time paid employment as a public schoolteacher.

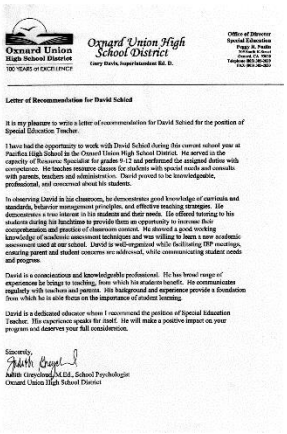




Educational Services
SPUHSD 404 N. 6th Street
Santa Paula, California 903060

SPUHSD SANTA PAULA UNION HIGH SCHOOL DISTRICT

Pacifica High School
Excellence in Arts, Academics, and Athletics



Oxnard Union High School District
100 YEARS of EXCELLENCE

Letter of Recommendation for David Schied

In 1998, just after his first and only child was born, Mr. David Schied was the victim of a professional con artist. The story of that victimization and the year-long search for justice amongst complacent law enforcement, prosecutors, California attorney general, and congressmen is well-documented in video format of the story of "John Golfis" at:

http://www.powercorruptsagain.com/category/videos/page/2/

At the end of that year, that criminal was arrested for the reasons depicted in the above-referenced video link. Subsequently, having long been a crime victims' advocate and equal rights activist, Mr. Schied attended each criminal hearing, sometimes alone and sometimes along with other of the con man's (and sex predator's) crime victims. At the final hearing for this criminal, the chief prosecutor for the case – Stephen J. Ipsen – awarded Mr. Schied particularly favorable mention to the California judge, **crediting Mr. Schied's relentless efforts as the sole reason why justice took place.** That prosecutor later wrote a personal email letter repeating his gratitude. **"EXHIBIT #8"** is a copy of that

email from California Prosecutor Ipsen, to also include copies of the relevant sections of that hearing transcript in which Mr. Ipsen made clear his bottom line to the judge when he stated,

> **"*Really, but for Mr. Schied and his efforts, no measure of justice would have been meted out and numerous victims, which I did pursue, there were victims in other cities, other counties, Mr. Schied gave me information of. I spoke with individuals in Texas and I don't know if anything else will ever be done, but Mr. Schied is certainly solely responsible for justice occurring in this case.*"**

Subsequently, Mr. Schied moved to the Eastern District of Michigan where his reputation, finances, career, and family were thereafter utterly destroyed.

Notably, the person described above is the very one that Attorney James T. Mellon and his associates and clients, Defendants MMRMA, now try to mislead this District Court of the United States to believe otherwise exhibits all the *hallmarks* of a "*sovereign citizens*" movement terrorist and "*paper terrorist*." This is Mellon's FRAUD upon this Court.

Therefore, the remainder of this instant "*Grievant's Response to Attorney James Mellon's....Motion to Dismiss*" serves forthwith to show that what Mr. Schied really is exhibiting is his natural and inalienable right to defend himself, his family, his property, and the constitutional foundation upon which this nation of the United States was built. These are rights upon which Mr. Schied had so long relied in living freely – since 1979 and 1983 while greatly valuing that freedom that he almost lost – **as he pursued his own**

youthful "*American Dream*"....that is, until he was stopped cold by the corruption going on here in Southeastern Michigan.

THE PROBLEMS BEGAN WHEN GRIEVANT SCHIED MOVED TO MICHIGAN FROM OUT OF STATE, LANDING IN CESSPOOL OF GOVERNMENT CORRUPTION AND RACKETEERING

In 2003, Grievant David Schied moved his family to Michigan based upon national research then showing the Ann Arbor area to be listed as one of the "*Best Places*" to raise and educate a family. Mr. Schied moved here with no family or friends in the area, but had planned ahead in obtaining from the State of Michigan a temporary license to teach with four special education certifications transferred from his California teaching license. He got a job right away with the Lincoln Consolidated School District whereby his departmental supervisor (Lisa Desnoyer), seeing that he was a self-defense teacher at the time of his interview, had asked Mr. Schied to teach her privately after school because her ex-husband was purportedly "*beating [her] up in front of [her] kids*." (*See* payment from Desnoyer to Mr. Schied as "*Exhibit #3*" enclosed in "**EXHIBIT #20"**)

This special education director paid Mr. Schied out of pocket for those weekly lessons as a separate contract from Mr. Schied's school employment. Finding out the Mr. Schied was a self-defense book author, she also promised to assist Mr. Schied in delivering *professional development* workshops to teachers arrive or depart their jobs after dark; and to assist Mr. Schied in setting up

community safety workshops for seniors and others in the area surrounding the school district. All that came to an abrupt halt as a result of a dual track of corrupt *railroading* activities stemming from the school district's *superintendent* office.

Track One: At Mr. Schied's time of hire, coming by recommendation of the special education director, Lisa Desnoyer, to the "*Assistant Superintendent of Human Resources*" – a woman by the name of "Dr." Sandra Harris – who was soon thereafter to take the position of "*interim*" superintendent at the Lincoln Consolidated Schools, as the then-acting superintendent was preparing to resign his position and to go into politics. [See "*Exhibit #1*" as a copy of Desnoyer's recommendation of Mr. Schied and "*Exhibit #22*" as a news article about Harris taking the helm as "interim" superintendent. Both are enclosed in "**Exhibit #20"**]

Though Harris hired Mr. Schied (in September 2003) based upon his previous two years of California teaching experience, she nevertheless wrongfully placed Mr. Schied on the lowest teacher salary step. **This was a violation of the Collective Bargaining Agreement with the local teacher's union at the Lincoln Consolidated Schools.** When Mr. Schied cordially asked to meet with Harris in her office, she closed the door and basically told him that if he did not like it, he should leave. About that time, Governor Granholm had also announced publicly that all Michigan school districts would be receiving deep budget cuts. Thereafter, Mr. Schied took the *wrongful salary* issue to his union reps just as the previous

Superintendent turned in his resignation, and the Board of Education nominated "Dr." Sandra Harris to the position of "*interim superintendent*." (*See* **"EXHIBIT #9"** as a copy of a letter from union rep, Linda Soper, who later became a key *witness* to the eventual firing of Mr. Schied from the school district by Harris. Note that Soper's letter is accompanied by evidence of two previous years of paid teaching experience, and the relevant pages of the Collective Bargaining Agreement in effect at that time.)

Track Two: Grievant David Schied was quite unaware when he moved to Michigan that there was a series of events taking place that would eventually result in a class action case moving to the Michigan Court of Appeals. This was a case whereby, about the time Mr. Schied moved his family to Michigan from California, there was an unconstitutional statewide "*policy and practice*" occurring, and a whirlwind of legislative changes taking place to cover the tracks of the government offenders. The case was brought by the Michigan Education Association (i.e., the teacher's union) against the executive offices of the Superintendent of Instruction, Michael Flannagan and the Michigan Department of Education. As the case reads, Flannagan and other Michigan government officials had been unconstitutionally constructing and **disseminating "*lists*" of teachers with unverified "*criminal histories*" to school district across the state**, causing

numerous teacher claims for damages that were consolidated into this one class action case.

The case, as ruled upon by the Court of Appeals in May 2007, as found in **"EXHIBIT #10"** as a copy of that 2007 ruling. As shown, the *corrupt* Court of Appeals eventually found their way of ruling in favor of Department of Education while awarding Flannagan "*absolute immunity*" for his unconstitutional deeds of depriving these other schoolteachers of their due process rights.

Truthfully, this case was a prime example of the type of "*political ruling*" that has so long characterized the judiciary of Michigan, as verified beyond all reasonable doubt by the written public resignation of former Michigan Supreme Court chief justice Elizabeth Weaver from office, and in the video testimony she issued at the time of her resignation as found in the press conference she delivered in August 2010. (*See* **"EXHIBIT #11"** as a copy of Justice Weaver's resignation explaining the high number of political ruling based upon various biases of the judges, and for that public speech, see the website location: https://www.youtube.com/watch?v=Lzr_SoCP0sY)

With that background taking place in the "*education*" setting and involving other teachers, Grievant David Schied, on the more local level, was being deprived of his due process rights by the new "*interim*" superintendent "Dr." Sandra Harris, who had initially made so many mistakes in her new "*superintendent*" position –

particularly as it pertained to her dealings with Mr. Schied over the erroneous CHRI report received by the Lincoln School District from the FBI.

As a result of Harris' untenable errors in mishandling Grievant David Schied's case as her first "*official*" action at the school district's new "*interim*" superintendent. Harris saw no other choice but to terminate Mr. Schied's employment to cover up her dereliction and so to buy her the needed time for her use her *interim* status to move on to another school district. This then actually occurred while Mr. Schied's civil case against the Lincoln Consolidated Schools moved forth **to otherwise reveal the truth about Harris having committed multiple counts of CRIMINAL MISDEMEANORS against Grievant David Schied immediately after stepping into her new *interim superintendent* position.** (Bold emphasis)

As the history of Mr. Schied's *plethora* of state and federal court cases reveal, both the judicial branch and the executive branch were willing to *aid-and-abet* in the cover up of Harris' crimes, which have thereafter been perpetuated and repeated throughout the years.

What is the nature of Harris' crimes? She placed a federally protected FBI fingerprint result – instantly deemed erroneous and subject to Mr. Schied's right to keep his job while challenging and correcting that report – into the public personnel files of Lincoln Consolidated School District, disseminating those

documents to the public under FOIA request, along with multiple defamatory letters she personally wrote calling Mr. Schied a criminal and a liar on his job application. Notably, **since Harris left that school district a year and a half later (in 2005), the administration and Board of Education of the Lincoln Consolidated Schools have continued to release that erroneous information to the public under FOIA request.**

THE UNDERLYING "*FIRST TIER*" OF CRIMES IN THE LONG "*CHAIN*" OF CORRUPTION: "*DR*." SANDRA HARRIS AND THE LINCOLN CONSOLIDATED SCHOOL DISTRICT

The *truthful* history of the legal background of facts shows that the Michigan State BAR members of the Plunkett-Cooney law firm, the Washtenaw County Circuit Court, and the Michigan Court of Appeals criminally deprived Grievant David Schied's rights under *color of law* (i.e., Michigan's wrongful interpretation of Texas law). This was done to aid-and-abet in the cover-up of public policy violations and crimes by other these state *actors'* other government peers, as all being *usurpers* of constitutionally enunciated government rights proven herein to be abusing their executive and judicial powers.

"EXHIBIT #12" is a true copy of an original "*Affidavit of Earl Hocquard*."

This document contains itemized "*exhibits*" of information referenced by Grievant Schied throughout numerous years of Mr. Schied's crime reporting and litigation of multiple cases against the Lincoln Consolidated School District, being against each of the *superintendents* being employed by that school board since Harris left that school district.

This FIRST of **two** "*Hocquard Affidavits*" was initially presented by Mr. Schied's paid attorney to the U.S. District Court "*judge*" Paul Borman in Detroit, and later again to the Sixth Circuit Court of Appeals. Mr. Hocquard was a Christian social worker who had been assisting Mr. Schied's family through pre-divorce counseling and he saw firsthand how the "*pattern and practice*" of "*gross errors and omissions*" (i.e., turning a blind eye and looking away from the clear evidence of crimes being committed) of BOTH Michigan's judicial and executive branches has destroyed – by years of such victimization – the integral fabrics needed for holding the Schied family together.

Significantly, and as shown prima facie on the cover page of **"*Exhibit 12*,"** this first *Affidavit of Earl Hocquard* and itemized *Exhibits* referenced by Mr. Hocquard were presented formally by Mr. Schied himself to the Sixth Circuit on appeal after "*judge*" Paul Borman held sanctions in abeyance against Mr. Schied's attorney for his having brought Mr. Schied's persistent "*redress of grievances*" out of the corrupted Michigan state courts and Michigan attorney general's office into the federal court and U.S. Attorney of this region. **The documents are self explanatory; however, the following is a summary of their contents and significance as he found them in the FOIA response by the Lincoln Consolidated Schools in 2009:**

1) **Hocquard's Affidavit "*Exhibit A*"** – The cover letter proves the FOIA response was conducted by Cathy Secor as the Lincoln Consolidated School's business manager on 3/12/09, three years after the Michigan Court of Appeals ruled against Mr. Schied's first case against Lincoln Consolidated Schools. [6] Importantly, the FOIA answer from the business office of that school district was sent to Mr. Hocquard's home address, demonstrating that this *due process* violation of Mr. Schied's federally protected right cannot be even remotely authorized "*under color of*" any school district information-sharing statute (i.e., Michigan's *Revised School Codes*) as has been the persistently fraudulent claim every time this topic of information sharing has been brought up. See for example, pages 5 and 11 of Def. "*Exhibit B*" to their "*motion to dismiss*" as the "*Amended Opinion and Order (1) Granting Defendants' [government] Motion for Summary Judgment...*" issued by Borman.

[6] This was a case in which the Washtenaw County Circuit Court judge Melinda Morris, and the Michigan Court of Appeals (with "*judges*" Fort Hood, Cavanagh, and Servitto sitting on that tribunal), *failed to litigate the merits* of these specific "*public policy*" (and criminal) violations of Mr. Schied's right to privacy. These two levels of Michigan court thus, did so while simultaneously also "*failing to litigate*" the outstanding FACT that **Mr. Schied was denied his federally guaranteed right to keep his job while *challenging and correcting* the erroneous FBI report that he had personally authorized – only under strict guidelines of the Privacy Act of 1974 (5 U.S.C. §552a) – to verify his qualifications on his application for public school employment.**

On page 5 ("*Exhibit B*" to Def. *motion*), Borman used *color of law* (in *cut and paste* style from the government defendants' arguments laced with *gross omissions and misstatements*) to completely gloss over the FOIA issue while referencing the "*Schied v. Lincoln Consolidated Schools*" case. He quickly moved on to yet another alleged violation by the Northville Public Schools (tortuously) disseminating the "*expungement*" executive clemency document to a yet THIRD school district that then had hired Mr. Schied and had requested information that was strictly related to "*unprofessional conduct while under [Northville Public Schools'] employ*" (without litigating the FACT that the "*conduct*" referenced by the expungement document was alleged to have occurred fully 30 years prior when Mr. Schied was a mere teenager and NOT a teacher under employ at the Northville Public Schools.)

On page 11 ("*Exhibit B*" to Def. *motion*)**, Borman exhibited another *affirmative* tactic used by his predecessors of other *state* judges. For nearly the entire page, Borman fraudulently asserted that Rezmierski's FOIA answer was sent to the State Administrative Board – referring to Barbara Schied's affidavit (found attached herein as "EXHIBIT #26") – as "*'new' evidence*" to even further distance this "*official*" judicial ruling from the factual Truth, and while essentially constructing a**

<u>fraudulent</u> (i.e., government endorsed) history of the case being under formal federal consideration. In this fashion, and with Defendant MMRMA's "*exhibit*" <u>placed in the proper context</u>, it is clear that Borman again unlawfully *deprived* Mr. Schied of his *due process right* to "*litigation on the merits*" *under color of law*. (Bold and underlined emphasis added)

2) **<u>Hocquard's Affidavit "*Exhibit B*"</u>** – This is a copy of the 2003 state-level criminal history report information received by Lincoln Consolidated Schools on 10/10/03. It reveals "*no criminal history*" records existed for *David Schied* in the records of the Michigan State Police. This makes sense given that Mr. Schied was a new resident to Michigan at that time.

3) **<u>Hocquard's Affidavit "*Exhibit C*"</u>** – This is a copy of the 2003 state-level criminal history report information received by Lincoln Consolidated Schools on 10/10/03 revealing (erroneous) "*matching data*" of criminal history was found for *David Schied*, being what was (erroneously) provided by the FBI in response to Mr. Schied's submission of fingerprints under the terms of the <u>Privacy Act of 1974</u> as codified as <u>5 U.S.C. §552a</u>, which clearly maintains:

> **"*Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than $5,000*."**

And under the terms of numerous employment Michigan's "*Revised School Codes*" (MCL 380.1230 et. al):

> *"(6) An applicant for employment shall give* ***written consent*** *at the time of application for the criminal records division of the department of state police to conduct the criminal history check required under this section....*
> ***...A representative of the individual's employer who receives a copy of a report, or receives results of a report from another source as authorized by this subsection, shall not disclose the report or its contents or the results of the report to any person outside of the employer's business or to any of the employer's personnel who are not directly involved in evaluating the individual's qualifications for employment or assignment. A person who violates this subsection is guilty of a misdemeanor punishable by a fine of not more than $10,000.00."*** (Bold emphasis added)

4) **Hocquard Affidavit "*Exhibit D*"** – This is a copy of the erroneous original FBI report that Mr. Schied truthfully challenged in opposition to this report. It stemmed from the FBI's search of Texas Department of Public Safety Databases. The FBI had forwarded these results to the Michigan State Police. The 2003 report falsely reflected that the "disposition [was a] *conviction*" and "status [was] *probation.*" Importantly, **both the "*disposition*" and the "*status*" were clearly dated 12/15/77**. **Moreover, stating right on the face of this document is the warning to handlers that,**

> **"*The use of this record is regulated by law....It may be used solely for the purpose requested and may not be disseminated outside of the receiving department...*"** [7]

[7] Bear in mind that Mr. Hocquard received this in 2009, fully six (6) years after "Dr." Sandra Harris unlawfully terminated him. **This was also fully three (3) years after the Michigan Court of Appeals had issued its fraudulent "*unpublished*" ruling** (another "*pattern and practice*" of the Court of Appeals

And,
"***The official making the determination for suitability for licensing or employment shall provide the applicant the opportunity to complete the accuracy of, the information contained in the FBI identification record. The deciding official should not deny the license or employment based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so.***"

5) **Hocquard Affidavit "*Exhibit E*"** – Copy of the "*Early Termination Order of the Court Dismissing the Cause*" issued in 1979, as further evidence that the above-referenced "*disposition*" and "*status*" recorded in the above-referenced erroneous FBI report (as updated last on 12/15/77) was seriously outdated and erroneous; and that Mr. Schied had otherwise been denied his

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judges) **laced with numerous "*omissions and misstatements;*" while failing entirely to litigate the relevant merits of these previously reported actions by Harris and her business manager Cathy Secor. Moreover, this FOIA response also occurred fully four (4) years since Mr. Schied had reported these types of offenses as crimes to the Michigan State Police, to the Internal Affairs of the Michigan, to the Michigan Attorney General, and to the Governor, documenting the manner in which each of these government "*usurpers*" covered up these crimes through a similar DOCUMENTED *pattern and practice* of aiding and abetting in the continuance of these NEW CRIMES.**

(Note that the Evidence of this is provided in "*Exhibits 1 through 180"* accompanying **"EXHIBIT #20"** attached herein.) Thus, it is clear that Cathy Secor knew what she was doing and was committing these crimes because she was well aware that, not only would state government officials "*fail to do*" anything about it, they would go so far as to "*affirmatively act*" to cover up these crimes for her. **Thus, these became new "*state created dangers*" for Mr. Schied by increasing the likelihood that further victimization would occur by the same people or other people working in government. As the history of Mr. Schied's documentation thereafter proves, Mr. Schied and his family were all targeted and INJURED as a result.**

due process right to challenge and correct that report as he had been entitled to do by law.

6) **Hocquard Affidavit *"Exhibit F"*** (3 teacher union officials' Affidavits)[8]

a) (Doc1) "*Affidavit of Linda Soper*"[9] – This is a document used in the first Michigan case of "*David Schied v. Dr. Sandra Harris and the Lincoln*

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[8] Notably, the three affidavits described below were collected by attorney Joseph Firestone, who by this time was being supported in his legal work by payment of the Michigan Education Association (teacher union). The FACT that this attorney also used affidavits and regularly engaged in "*frequent litigation*" does not make him suspicious of being either a "*sovereign citizen*" movement member or a "*paper terrorist*" as Defendant MMRMA's attorney Mellon and Mellon-Pries would like this court to otherwise believe if he had NOT been an attorney.

[9] Linda Soper – a local union "*rep*" who was savvier than most with Michigan laws – attended the two meetings (i.e., a "*pre-termination*" and "*termination*" held three days apart) ordered by the Lincoln Schools' *interim* superintendent Sandra Harris in which Harris denied Mr. Schied his lawfully guaranteed due process right to challenge and correct the erroneous FBI report. Significantly, after the second of these two meetings (on 11/6/03) when Harris fired Mr. Schied and stole his contracted year of pay, **Ms. Soper submitted her own FOIA request for documents from the "*public personnel file*" being maintained by Cathy Secor in the Lincoln business office in Mr. Schied's name.**

Upon receiving the response to that FOIA request, Ms. Soper forwarded the entire FOIA package to Mr. Schied. [See the documentation of these actions by Linda Soper by referring again to the supporting "*exhibits #20 and #21*" accompanying **"EXHIBIT 20"** to this instant filing.] Upon opening that package, Mr. Schied saw that in 2003, **it was Harris herself who had unlawfully placed into that "*public personnel file*" the FBI report, two defamatory letters calling Mr. Schied a "*convict*" and "*liar*," and the "*clemency*" documents that Mr. Schied had provided to Harris in attempt to substantiate the answer that he gave on his employment application** and to argue that he needed the opportunity to challenge and correct the erroneous FBI report received by the school district. [To view copies of the two defamatory letters referenced herein, *refer again* to the supporting "*exhibits #12 and #19*" accompanying **"EXHIBIT 20"** to this instant

Consolidated School District, et al," which was dismissed by Washtenaw County Circuit Court "*judge*" (now retired) Melinda Morris **without litigation of the merits, by blatant constitutional violations against Mr. Schied by – again – the Plunkett-Cooney *partner* attorney Michael Weaver and the Judge Melinda Morris; without allowance**

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filing.] **It was that package sent to Mr. Schied by Linda Soper that, together with Mr. Hocquard's "*Affidavit*" that minimally proves two things: a) a *pattern and practice* of intentional crimes by retaliation of the staff of the Lincoln Consolidated Schools; and, b) though the offenses of 2003 were deemed by the Michigan Court of Appeals to have already been "*litigated*" (despite that they had not) by their "*unpublished*" ruling of 2006, that in 2009 the business office managed by Cathy Secor was committing NEW OFFENSES, subject to entirely NEW litigation. Thus, U.S. District Court "*judges*" Paul Borman and Denise Page Hood, committed crimes of *perjury, obstruction of justice, interference with victim/witness testimony*, and other crimes when they chose in 2008 and 2012 to unjustifiably rule in favor of Plunkett Cooney "*partner*" attorney Michael Weaver in claim that there was "*no genuine issue of material fact and [Weaver] is entitled as a matter of law*"** (i.e., see Def. "*Exhibit F*" bottom of p.3); **and ruled that such (unlawful) dissemination of the (erroneous) FBI records – as based upon the ruling of her counterpart – "*judge*" Paul Borman – is an offense "*upon which NO relief can be granted*."** (See Def. "*Exhibit F*" pp.4-8)

For these actions between the attorney Weaver and the federal judges Borman and Hood, as all joint members of the corrupt State BAR of Michigan, **Mr. Schied filed a "*Judicial Misconduct Complaint*" against Hood (i.e., see "*Exhibit #18*" of Grievant's previously submitted "*Response to Attorney Davide A. Stella's, Attorney Zenna Alhasan's and Wayne County Corporation Counsel's Fraudulent Conveyances in their 'Motion to Dismiss'*.") Mr. Schied also filed a SECOND "*Attorney Grievance Complaint*" against Attorney Weaver. [*See* "EXHIBIT #13" as copies of both the first (2008) and second (2011) AGC complaint against Weaver)** and a criminal complaint with Oakland County Prosecutor Jessica Cooper. (See also "***Exhibit #13***") Notably, all three of these formal filings were denied and dismissed against Mr. Schied – *without* ***due process*** **and** ***under color of law***.

for "*discovery,*" by a *conspiracy to deprive of rights* between State BAR members Weaver and Morris.

Notably, Morris had taken that drastic *dismissal* action after having first issued an unconstitutional ruling compelling Mr. Schied to appear in deposition in 2004 and again in 2005, so to unlawfully subject him to forced questioning about the circumstances surrounding the issuance of the "*set aside*" and "*pardon*" documents. [10], [11] (See also,

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[10] **Simply because of the existence Texas Governor's pardon document** (wrongly referencing a **"*conviction*" that was otherwise *nonexistent*** and not properly *wiped clean* in accordance with Texas Art. 42.12 as previously discussed above) – and despite that by that time Mr. Schied had successfully *challenged and corrected* the erroneous FBI report to the extent of obtained a legal Texas *expunction* of whatever remained of that erroneous Texas criminal history record (**which also made clear that Mr. Schied had legal right to remain silent about those circumstances and only respond by statement on the record that "*the matter under inquiry has been expunged*"**) – Washtenaw County Circuit Court **"*judge*" Melinda Morris had dismissed that case.** That action caused Mr. Schied and his MEA-supported lawyer(s), in turn, to take that case to the Michigan Court of Appeals where this *corrupt* tribunal (Fort Hood, Cavanagh, Servitto) concocted an "*unpublished*" ruling archaically deciding – in answer to the MEA attorney Firestone's important question about the "*symbiotic significance*" of Mr. Schied having BOTH a *set aside* (as ***judicial clemency*** under Art. 42.12) AND a governor full pardon and restoration of full civil rights (as *executive clemency*) – that NEITHER the set aside nor the pardon (nor the quarter century of time since those clemency events had occurred and Mr. Schied moved on with his life) had the legal effect of erasing the persistent "*conviction.*"

Again, that Court of Appeals tribunal concluded that **without litigating the FACT that Mr. Schied had been denied by Harris and the Lincoln Consolidated School Board his RIGHT to challenge and correct that FBI report**). (Bold emphasis) (*See* **"EXHIBIT #15" as a copy of that intentionally deceptive and unconstitutional 2006 Michigan Court of Appeals "*unpublished*" ruling that can still be easily found today on the public**

"EXHIBIT #14" as "*judge*" Melinda Morris' "*Order to Compel Discovery,*" which unconstitutionally authorized Plunkett-Cooney Michael Weaver to conduct forced questioning of Mr. Schied under Oath

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internet. Note also that Grievant Schied has properly redacted the **unlawful re-publishing of the harmful words contained in this ruling, as repeating the words of the erroneous FBI report that were perpetually denied a "*correction*" all the way to Michigan's highest court.) Seriously OMITTED from this Michigan Court of Appeals' ruling is any consideration that Grievant Schied was *denied proper litigation on the merits* of: a) the FACT that the clearly outdated FBI report was erroneous in reporting there being a "*conviction*" in the first place; b) the significance of the Texas Attorney General Opinions (DM-349; JC-0396) determining "*no conviction exists*" after EITHER judicial or executive clemency; and, c) Sandra Harris and the Lincoln Consolidated Schools had placed that erroneous FBI report into their public personnel files and had been disseminating these documents in violation of clear federal "*public policy*" as set forth by the Privacy Act of 1974 codified in 5 U.S.C. §552a**. (Emphasis added)

[11] As is plainly available in transcripts and other lower court documents under review of the Michigan Court of Appeals in 2005-2006, it was the fact that Mr. Schied had stated, **"*the matter under inquiry has been expunged*"** in the first place – as he had otherwise walked into deposition testimony ready to present a "*3-foot stack of* [two decades of film and television and higher education history] *documents*" that supported the TRUTH of his history – that drew the ire of defendants' (and their insurance company's hired) Plunkett Cooney Law Firm "*partner*" attorney Michael Weaver. As a consequence, the *DOMESTIC TERRORIST* Michael Weaver, became irate at that unfinished deposition. (Meanwhile at that deposition, **Mr. Schied was shocked to find his own paid attorney Richard Meier** (who was privately employed and not working on behalf of the MEA teacher's union) **sat back chuckling at seeing Mr. Schied's rugged standoff to Attorney Weaver's threats to confiscate all of Mr. Schied's treasured *original* film and television career documents and to label them all as "*evidence*."** It was therefore this combination of unethical State BAR of Michigan attorneys that first resulted in the unlawful "*Order to Compel*" issued by Melinda Morris by Weaver antecedent "*Motion to Compel,*" which Weaver filed in October 2004.

in a civil deposition under threat against Mr. Schied of this "*judge*" dismissing Mr. Schied's civil claims without due process if he failed to "*testify against himself*" about a criminal matter in which he had already been exonerated (and then reinstituting and compelling him to **once again defend himself – by way of *Double Jeopardy* –** against the so-called "*admission of guilt*" associated with that charge without consideration for the "*withdrawal of [that "guilty" plea]*" by Texas court Order in 1979.)

Morris' action then in 2004, was a blatant violation of the 1977 Texas jury recommendation, a blatant violation of the Texas judicial clemency awarded in 1979, a blatant violation of the executive clemency of the Texas Governor in 1983, and a blatant violation of the Fifth Amendment of the U.S. Constitution which has long stated,

> **"*No person shall... be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation*."**

b) (Doc2) "*Affidavit of Donnie Reeves*" – This affidavit, like the one above submitted by Linda Soper on Mr. Schied's behalf, presented eyewitness verification that "*Dr*" Sandra Harris tortuously, unlawfully, and unconstitutionally terminated Mr. Schied AFTER he had been coerced –

under threat by Harris at the first meeting of terminating Mr. Schied employment based on the results of the reportedly "*erroneous*" FBI "*identification record*" – and AFTER Mr. Schied had provided her with copies of the "*Early Termination Order*..." and Texas governor's "*pardon*" clemency documents while attempting to explain to Harris why these documents justified his checking the one of two boxes on the employment application that stated that Mr. Schied had "*not*" been *convicted of*, pled *guilty* or *nolo contender* to a crime.

c) (Doc3) – "*Affidavit of Claudia Gutierrez*" – Note that Ms. Gutierrez's affidavit is accompanied by three pages of typewritten "*meeting notes*" in even more detail of the TWO events that took place behind closed doors (i.e., the "*pre-termination*" and "*termination*" meetings held by Harris on 11/3/03 and 11/6/03 respectively) when she subjected Mr. Schied to humiliating and embarrassing treatment while tortuously rejecting Mr. Schied's repeated attempts to reason with Lincoln School District *interim* superintendent "*Dr*." Sandra about his answer on the district's job application and the unexplained reason why the FBI identification record was erroneous. [12]

[12] Importantly, the tortuous treatment – the "*state created danger*" created by Harris – is recorded by Ms. Gutierrez documenting (about the 11/6/03 meeting) that Mr. Reeves had taken clear notice at the meeting that, "*He is experiencing an*

7) Hocquard Affidavit "*Exhibit G*" – This is a letter written on 11/6/03 by **Sandra Harris addressed to eight (8) of Mr. Schied's school district coworkers, schools and district administrators, union leaders, and personnel file**.[13]

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increase in anxiety" by reason that the actions of Harris clearly "*shocked the conscience*" of all who took part in this meeting. **Notably, the reason why Harris continued to act in this fashion, is because this was near to be her very first action in the new position of "*interim*" superintendent; and she had so strongly thought that she had Mr. Schied *over a barrel* when retaliating against him for challenging her authority of placing him at the bottom of the teacher salary ladder (despite the union contract entitling him to two steps higher in salary) – AND AS OTHER EVIDENCE (subsequently submitted to both state and federal courts) SHOWS – Harris had already committed misdemeanor crimes by disseminating the contents of the FBI report to others around the Bessie Elementary School and the district BEFORE EVEN CONFRONTING MR. SCHIED (and his union representatives) WITH THE RESULTS OF THAT FBI REPORT.** (Note that the Evidence of this is provided in "*Exhibit 7*" accompanying **"EXHIBIT #20"** attached herein **in context of the FAX information showing at the top of the FBI identification record and in the added context of above-referenced disclosure printed on the face of the Faxed FBI identification record stating that the document is "*NOT to be disseminated outside of the receiving office*".**)

[13] This letter, which is similar to the one written three days earlier about a "*pre-termination*" meeting held the week prior, demonstrates Harris' ill-fated attempts to correct and cover up for her fraudulent statement (written also in the first of her two letters) that Mr. Schied would not allow her to see the Texas clemency documents (i.e., of 1979 "*set aside*" and 1983 "*pardon*") at that first meeting the week prior. In this second letter, submitted by Mr. Hocquard as inclusive of what he found in the school district's FOIA answer from their public personnel file, attempted to clean up the FACT that at the second meeting on 11/6/03 Mr. Schied and the union leaders were outraged at Harris initial claim of Mr. Schied refusing to comply with Harris requests; so in this second letter Harris qualified her earlier written statement by admitting that Mr. Schied had otherwise offered her a "*gander*" at his clemency documents during that previous meeting.

This letter, like a previous letter written by Harris just the day before on 11/5/03, caused Mr. Schied a great deal of humiliation and embarrassment. As the (two) letters show (but with only one letter included along with Mr. Hocquard's affidavit), Harris publicly defamed Mr. Schied by accusing him of having a "*criminal record*," a "*conviction*," and naming the nature of the crime listed in the erroneous FBI report, as all somehow being evidence to her that Mr. Schied had *misrepresented himself* on his job application.

8) Hocquard Affidavit "*Exhibit H*" – "*Authorization for Release of Information and Employee History Check*..." **on Northville Public Schools letterhead.** The significance of this document lay in the FACT that after being terminated by Harris, one of the very limited means Mr. Schied pursued in effort to continue working in his career field as a special education teacher was at the school district for the area where he was then living, and where his son was going to elementary school.

Significantly, though Mr. Schied was hired by the Northville Public Schools as a substitute teacher doing tasks for which he had never been trained (i.e., nursing, hygiene, and toileting tasks for children and adults up to age 26 with severe multiple mental and physical disabilities for which was uncertified or experienced), Mr. Schied earned 2 letters of

recommendation. (*See* **"EXHIBIT #16"** as copies of the two letters.) He received those letters from two separate school principals just prior to be similarly victimized by the district administration and human resources office of the Northville Public Schools, done in clear retaliation for Mr. Schied seeking both civil and criminal remedies against Harris and the Lincoln Consolidated School district as "*peers*" of the Northville Public School administration. [14]

9) Hocquard Affidavit "*Exhibit I*" – "*Request for Information Pursuant to the Michigan Freedom of Information Act (FOIA)*" – This document was submitted to Lincoln Consolidated Schools' business office by the teacher's local union leader Linda Soper. It is dated 12/5/03.

Again, this document is significant because, upon receipt of the documents of Mr. Schied's file, Ms. Soper forwarded those results to Mr. Schied to reveal –as repeated had occurred in 2006 and again in 2009 – **that the Lincoln Consolidated Schools had knowingly, intentionally, and wantonly maintained and disseminated documents from public**

[14] In the effort to keep things less complicated in this section, further explanation and evidence of this "*pattern and practice*" of victimizing Mr. Schied in retaliation for his exercising his right to be in the courts in exercise of his First Amendment right to "*redress of grievances*" are found going forward in this instant "*Grievant's Combined 'Response' and 'Reply' to Attorney Mellon's...*" two briefs.

personnel files that constitute violations of "*public policy*" and prosecutable criminal misdemeanor offenses.

Importantly, no state-level judicial or executive branch *public functionary* (a.k.a. "*government servants*") would acknowledge, much less address these civil and criminal issues. Thus, **each of these people Mr. Schied trustingly went to for help subsequently turned around and vexatiously placed Mr. Schied even further into a "*state created danger*" for which he eventually became repeatedly injured** – by others – every time he went to those others for just remedy on these First Amendment "*redress of grievances*;" and with Mr. Schied having done all this in accordance with and relying upon these others' statutory Oaths and Duties of their individual government offices.

SIMPLY COMPARING GRIEVANT SCHIED'S EVIDENCE (THUS FAR) TO THAT SUBMITTED BY ATTORNEY MELLON AND DEF. "*MMRMA*" ON THIS MOTION SHOWS A "*PATTERN AND PRACTICE*" OF CRIMINAL GROSS NEGLIGENCE BY THE FEDERAL JUDICIARY REPEATEDLY PUBLISHING FRAUDULENT RULINGS IN GROSS OMISSION OF THE UNDERLYING FACTS, IN A *MULTI-TIERED CONSPIRACY TO DEPRIVE OF* MR. SCHIED'S *RIGHTS UNDER COLOR OF LAW*

As shown by the cover page of Mr. Hocquard's "*Affidavit*" pertaining to Lincoln Consolidated Schools as found in **"*Exhibit #12*,"** this was a key exhibit that was submitted to but completely disregarded by the United States Court of Appeals for the Sixth Circuit.

Note that this case also corresponds to Mellon's recent *motion* submission of "*Exhibit B*" captioned by U.S. District Court Paul Borman with gross omission of the underlying Michigan state "*actors*" committing these persistent underlying crimes (i.e., the chief administrators of the Lincoln Consolidated Schools and Northville Public Schools, as well as the Governor of the State) and those like the Governor(s) Jennifer Granholm (and Rick Snyder) and the Attorney General(s) Mike Cox (and Bill Schuette) who are defying all laws, state and federal constitutions, and common sense in refusing to do anything about being duly noticed about this continual destruction of Mr. Schied's reputation, career and family.

To drive this point home, Mr. Schied submits herein as **"EXHIBIT #17"** showing the content of the original Complaint **(No. 2:08-cv-1005)** that was filed on

1/2/08 (according to **Mellon's "*Exhibit A*" <u>listed as case item #4</u> in sequence**) in the U.S. District Court by Michigan attorney Daryle Salisbury (P-19852) on Mr. Schied's behalf. Note that the document filed with the Court of Paul Borman (and his magistrate Steven Whalen) by attorney Salisbury was captioned in 2008 as, "*42 U.S.C. § 1983 Complaint Regarding Deprivation of Rights and Request for Injunctive Relief.*"

Mr. Schied's attorney Salisbury had multiple reasons to "*tenderfoot*" this case rather than to call out the state-level deprivation of rights by the **Michigan "*licensed*" BAR attorneys and judges that had exhibited a very same "*pattern and practice*" of publishing damaging statements in arguments and rulings laced with numerous gross omissions, errors, and misstatements that effectively deprived Mr. Schied of his ongoing rights to due process "*discovery*" of the facts about which he claimed had occurred, <u>in every single court case filed</u>, <u>both at the state level and at the federal level</u>.** (Bold emphasis)

Though this case was no different, Salisbury's added intent for his choice of complaint captioning was to demonstrate Grievant Schied's extreme sensibility and motivation to merely request that the Defendant stop doing what they continue to be doing in violating the plethora of state and federal statutes referenced by this simple initial filing. **All Grievant was asking for was for Defendants to stop "*disseminating*" erroneous and/or constitutionally protected private**

information and using it to intentionally mischaracterize and injure Mr. Schied ability to righteously *pursue happiness* and support his dependent family. This is far from the "*frivolous*" history and terrorist tactics that State BAR of Michigan attorney Mellon now claims on behalf of his clients, the insurance provider and TRAINER to the other co-Defendants tyrannically operating as *domestic terrorists* throughout the territorial boundaries of Defendant Redford Township. (Bold emphasis)

The United States District Court "Opinion(s) and Order(s)" submitted by Mellon and his Mellon-Pries cohorts, demonstrate the *pattern and practice* of *usurpers* of delegated authority as federal "*judges,*" of delivering fraudulent official rulings couched with *gross omissions and misstatements under color of law*

Importantly, Mellon's submission of "*Exhibit B*" as the "*Amended Opinion and Order (1) Granting Defendants' Motions for Summary Judgment and (2) Holding in Abeyance Defendants' Motions for Sanctions*" also **exhibits the familiar "*pattern and practice*" of couching gross omissions and misstatements under *color of law* and court rule procedure.** This is clearly proven – prima facie – by the following points of FACT about this federal ruling:

a) Borman's ruling used the *gross omissions and misstatements* of the Michigan Court of Appeals' ruling **(see again, "*Exhibit #15*)** to "*summarize the background facts of the instant case*" (p.2 of Def. "*Exhibit B*") as shown below;

b) In providing the procedural history of the Michigan Court of Appeals' ruling, **Borman's own written ruling** (p.3 of Def. "*Exhibit B*") significantly **OMITTED the FACT that Washtenaw County Circuit Court "*judge*" Melinda Morris had "*compelled*" Mr. Schied to what amounts to "*double jeopardy*"** to secure an "*admission of guilt and a conviction*" in order to explain how he had obtained an "*Early Termination Order*...." (i.e., the Texas "*set aside*") that included a "*withdrawal of (guilty) plea*" and a governor's executive pardon of a "*conviction.*"

Significantly, that **gross omission of substantive FACT** is what initiated the perpetual claim throughout the state courts thereafter, that Grievant had somehow "*agreed*" that he *pled guilty* and he was indeed still *convicted* at the time the Texas governor issued that 1983 executive pardon. All the while, and continuing until the present, Grievant has been denied by both Michigan and federal "*judges*" his right to constitutional *full faith and credit* to the Texas Attorney General Opinions (DM-349; JC-0396) and the *Cuellar v. State of Texas* explanatory case. (See again, "***Exhibits #2, 3 and 5***")

c) Borman's ruling significantly OMITTED the FACT[15] that throughout the lower court (Washtenaw County Cir. Crt.) and Court of Appeals

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[15] Importantly, Borman's ruling also references two other "*state*" cases which were brought into the scope of this federal ruling by the FACT that Grievant Schied's attorney Daryle Salisbury had also named the superintendent of the Northville Public Schools (Leonard Rezmierski) and the (former) Governor Jennifer Granholm. **The basis for this** – i.e., the reason for Mr. Salisbury having filed this case in the federal court rather than deciding to take two differing "*state*" cases "*on Appeal to the Michigan Court of Appeals*" that had been nearly simultaneously dismissed in 2007 – **was simple: "*The definition of insanity is doing the same thing again* (i.e., going to the Michigan Court of Appeals for justice) *and expecting different results* (i.e., a just ruling based on any other than *gross omissions and misstatements* justifying their *denial of due process under color of law*)**.

Notably, **the FIRST of those preceding cases** was one filed by Salisbury himself in the Wayne County Circuit Court as a case that Mr. Salisbury had previously filed against the Northville Public Schools, which was instantly dismissed at the first motion of the government defendants by Wayne County Circuit Court "*judge*" Cynthia Diane Stephens; who incidentally, was promoted to become a Court of Appeals judge just after issuing her ruling against Grievant Schied stating – UNBELIEVABLY – that **"*expungements are a MYTH*"** and that **"*any individual who worked in the public schools who had ever had a 'conviction' of any kind did, in fact, subject themselves to a pretty much life sentence*."** (*See* pp.11-12 and p.15 of **"EXHIBIT #18"** enclosed herein as the hearing transcript on 3/30/07 in the case of *David Schied v. Northville Public School District*.")

The SECOND case, which was the second-ever case that Grievant Schied had filed on his own. He filed it directly into the Michigan Supreme Court as a *Quo Warranto* action, to compel superintending control of the lower court insanity of repeatedly failing to litigate the FELONY offenses (i.e., criminal malfeasance and *aiding-and-abetting* in a *conspiracy to deprive of rights* when constructing fraudulent investigations and manufacturing fraudulent "*incident reports*") being carried out by the Michigan State Police, the City of Northville Police Department, the Wayne County and Washtenaw County prosecutors, the Michigan Attorney General (then **Mike Cox**), and the Michigan Governor (Granholm). (*See* the website – footnote next page –

proceedings, Mr. Schied had for years been denied his due process right to complete competent "*discovery*" of documents and deposition questioning of evidence that would have otherwise shown that:

1) Defendant "*Dr*." Sandra Harris had denied Mr. Schied his federally guaranteed right to *challenge and correct* the FBI report in 2003;

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http://michigan.constitutionalgov.us/Cases/DavidSchiedQW/ for access to all of the documents filed for that case.

That 2007 Michigan Supreme Court case was being pursued as an entirely NEW case in report of a "*conspiracy to deprive of rights under color of law*" by the entirety of Michigan's executive branch (to also include the Michigan Department of Civil Rights, **the Department of Attorney General**, the Department of Education, and the Office of the Governor) **refusing to acknowledge and prosecute the unlawful dissemination of "*nonpublic*" ERRONEOUS documents.** (This included copies of the documents – i.e., the Texas "expunction" document – used by Mr. Schied in the process of exercising his right to challenge and correct the erroneous FBI reports delivered to Lincoln Consolidated School **AND** the Northville Public Schools). Clearly, despite all of Mr. Schied's documented efforts – which Attorney Mellon otherwise mischaracterizes as "paper terrorism" – **these state actors relentlessly pretended to ignore the dissemination of the documents that were generated in the course of seeking employment and – most importantly – were disseminated by the administrators of these two school districts to the public under FOIA request FOR YEARS in tortuous retaliation against Mr. Schied for pursuing both civil and criminal charges against all these "*state actors*" at successive points in time over the ensuing decade.**

NOTE that more details of the Northville Public Schools case are further explained in the further reading of this instant "*Grievant's Combined 'Response' and 'Reply' to Attorney James Mellon's....*" **Altogether, these two additional cases** (*David Schied v.Lincoln Consolidated Schools*; *David Schied v. Northville Public Schools*) **provide even further evidence of the "*pattern and practice*" of judges (as all being members of the State BAR of Michigan) who are all dismissing Mr. Schied's cases while denying him proper "*discovery*" and "*depositions*" and other forms of constitutional due process *under color of law*.**

2) Harris had personally committed **multiple counts of criminal misdemeanors** against Mr. Schied even PRIOR to holding her pre-termination and termination meetings in November 2003[16];

3) Harris and her cohorts in the business office of the Lincoln Consolidated Schools had placed the erroneous FBI report into the district's public personnel file and disseminated it unlawfully to the public [by answer(s) to FOIA requests], along with Mr. Schied's other clemency documents, thereby committing **additional counts of criminal misdemeanor offenses**.

4) Given the above-set of FACTS about both the Michigan Court of Appeals ruling and Borman's own federal ruling, **it is amply clear that Borman's application of "*Res Judicata*" and "*Collateral Estoppel*" to the case against Sandra Harris and Fred Williams** (i.e., Williams was Harris' successor after she ditched Lincoln Consolidated Schools and left them and their tort liability insurance company to clean up the mess she created with Mr. Schied) **was clearly an erroneous decision.** (*See* pp.9-12 of Def. "*Exhibit B*")

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[16] *See again,* the Evidence in "*Exhibit 7*" accompanying **"EXHIBIT #20"** attached herein **in context of the FAX information showing at the top of the FBI identification record and in the added context of above-referenced disclosure printed on the face of the Faxed FBI identification record stating that the document is "*NOT to be disseminated outside of the receiving office*".**

5) The plain and simple FACT is that – as shown by the combination of Exhibits at the "*www.constitutionalgov.us*" website, the Exhibits introduced herein by Grievant Schied as copies of the original documents supposedly still held in the numerous state courts, and the Exhibits in the federal courts admitted into Evidence by what was submitted in this instant case by State BAR of Michigan attorney Mellon as he referenced the previous rulings of Borman (ruling in Case No. 08-cv-10005); Zatkoff (Case No. 08-cv-14944); and Hood (ruling in Case No. 2:10-cv-10105) – **NONE of these numerous lower court judges**, as all being fellow State BAR of Michigan member attorneys and judges, **acknowledged or "*litigated the merits*" of Grievant Schied's Statements and Evidence pertaining to the FOIA dissemination of "*nonpublic*" documents by the Lincoln Schools and Northville Schools.** (Bold emphasis added)

6) Instead, as is clearly in the Evidence submitted by Defendant MMRMA, these state and federal court judges and the defendants' attorneys continually caused even further injuries to Grievant under *color of law*. This is shown in virtually all of the federal court rulings introduced by Mellon, **by these federal "*judges*" re-publishing the libelous statements harmfully uttered by Sandra Harris as she otherwise**

shockingly abused her power, held steadfast to what she found in the 2003 erroneous FBI identification record, and denied Grievant codified due process of *challenging and correcting* that erroneous FBI identification record.

SIMILAR *CRIMINAL MISCONDUCT* BY THE ADMINISTRATORS OF THE NORTHVILLE PUBLIC SCHOOL DISTRICT RESULTED NOT ONLY IN A SEPARATE SERIES OF RETALIATORY OFFENSES THAT WERE COVERED UP BY LOCAL, COUNTY, AND STATE POLICE, AND THE MICHIGAN ATTORNEY GENERAL(S) *COX* AND *SCHUETTE*; BUT ALSO RESULTED IN RETALIATION AGAINST MR. SCHIED'S HELPLESS CHILD IN THE NORTHVILLE PUBLIC SCHOOL DISTRICT ELEMENTARY SCHOOL, IN VIOLATION OF THE "*IDEA*" ("*Individuals With Disabilities in Education Act*")

One of Grievant Schied's administrative supervisors at the Lincoln Consolidated Schools who bore witness to Sandra Harris committing crimes of disseminating the contents of the erroneous 2003 FBI report, both before and after she fired Mr. Schied and stole his contract for a year of pay, was Lincoln High School assistant principal Scott Snyder. As fate would have it, as Grievant Schied turned to substituting teaching for the Northville Public Schools, Scott Snyder was looking for a promotion and "Dr." Sandra Harris provided Snyder with a positive letter of referral which he used to replace Mr. Schied's first grade elementary school principal at the Northville Public School District.

During the short time that both Snyder and Grievant Schied were employed at the Lincoln Consolidated Schools' high school, both got along admirably,

respecting each other professionally. That level of professionalism remained, for the most part, when Mr. Schied re-introduced himself a year later at the Northville Public Schools' elementary school public introduction of Mr. Snyder and announcement that he was to become the school principal for Mr. Schied's son as he was then going into second grade.

For the next four years, the relationship rapidly worsened however, between Grievant Schied and Scott Snyder, and between "*principal*" Snyder and Mr. Schied's young son who was – throughout elementary school – qualified for special education services by way of a speech and language difficulty, making him covered for qualified assistance through an "IEP" ("Individualized Education Program") under the federal Individuals With Disabilities in Education Act ("IDEA").

Additionally, that child had received multiple years of professional psyche testing, to uncover that this child otherwise possessed a very high IQ, and that he was then operating between two to three grade levels ***above*** his peers in both language arts and mathematics. As a result, he was behaviorally annoying in the classroom, blurting out answers and acting out **for a lack of being challenged by his teachers otherwise teaching to a classroom of lower level knowledge and functioning.** (Bold emphasis)

There was dual track reason for the breakdown in the two (adult and child) relationships with the new elementary school principal, Snyder. The first (predicate) reason had a direct impact on the second (consequence) reason.

The first reason was because, shortly after Scott Snyder began his new position at the elementary school, he confessed privately to Grievant Schied – behind his closed door of his new principal's office – that he was indeed privy to the contents of the FBI report that had been disseminated by Harris at the beginning of the 2003-2004 school year when she terminated Grievant Schied. Upon receiving that information, Mr. Schied informed Mr. Snyder that he had therefore "*witnessed*" Sandra Harris having committed a crime (i.e., criminal misdemeanor) against him and that he would be named as Mr. Schied's witness in the crime report that Grievant Schied was then preparing (in the summer of 2004) for the Michigan State Police.

From that point forward, Scott Snyder became a "*hostile*" witness; and he used his position as the elementary school principal to retaliate against Mr. Schied for naming "Dr." Sandra Harris (as the person providing him with the positive written referral that helped him get interviewed for his new job at the Northville Public Schools) as a criminal; and for naming Snyder as a key witness to Harris' crime while at the Lincoln Consolidated Schools that prior school year.

In retaliation, Scott Snyder – as did the executive administrators of the Northville Public Schools – refused to "*qualify*" Mr. Schied's "*exceptional*" child into more challenging, higher level classrooms for the "*gifted and talented*." Additionally, "*Principal*" Snyder resorted to suspending Mr. Schied's son from elementary school, punishing Mr. Schied's son for "*fighting*" when he was actually getting beat up by the other kids on the playground. [17]

Finally, Snyder also failed his obligation to show up as legally required at IEP meetings, which were demanded by (fully credentialed special education teacher) Mr. Schied (who was familiar with the federal laws governing special education) in effort to compel the elementary school administration and special education service providers to deal with the "*needs of the child*." All of these efforts, like Mr. Schied's efforts to seek justice with the court system on his own personal case, only resulted in Mr. Schied obtaining vast amounts of evidence of dereliction and "*deprivation of rights*" of Mr. Schied child *under color of law*, **particularly when the school districts' "*Keller Thoma law firm*" stepped in to reinforce those deprivations of rights.** (Bold emphasis added)

While the above set of FACTS were playing out at the elementary school (and at the school district offices protecting their new elementary school principal

[17] Note that the Evidence of this is provided in **"*Exhibits #46-47, #49-50, #56-61, and #63*"** accompanying **"*Exhibit #20*"** attached herein and/or available through the link provided for the "*Michigan.constitutionalgov.us*" website.

at all costs), Grievant Schied had his own personal battles taking place with the district administrators, which resulted from his having (early in 2004 and just after being terminated by Harris at the Lincoln Schools) entrusted the Northville Public Schools (hereinafter "NPS") human resources director Katy Doerr-Parker with both the "*Early Termination Order...Dismissing the Cause*" and the "*Texas Governor's Pardon*" (i.e., the judicial and executive clemency documents) in return for her oral – **and then subsequently written** – promises to do the following:

a) Keep those entrusted documents OUT of the school district's public personnel file unless in a securely *sealed* envelope;

b) Provide Mr. Schied with an immediate job as a substitute special education teacher (which was sorely needed by the NPS school district because it operated a pre-K through age 26 adult program for the severely, multi-impaired, most of which were children (and adult males) that were unable to toilet themselves (i.e., despite that Mr. Schied's special education interest, education, and experience were NOT in this "highly qualified" area).

c) Provide Mr. Schied with the time to "*challenge and correct*" the erroneous FBI report that the Northville Public School District was inevitably expected to get upon submitting another set of fingerprints in the immediate aftermath

of Mr. Schied's catastrophic experiences at the previous Lincoln Consolidated School District.

All Statements and Evidence submitted to the federal courts pertaining to the retaliation against Mr. Schied's child – by Scott Snyder as well as the Northville Public School administration – throughout the four additional years that Mr. Schied's child remained at that same elementary school are already well-documented in the federal court records associated with Defendant's "Exhibit E" to Mellon's instant "*motion to dismiss*," cited as Case No. 09-11307 that was ruled upon by ("*judicial usurper*") John Corbett O'Meara.

However, for purposes of disproving the fraudulent claims of State BAR Attorney Mellon and his client(s), Def. MMRMA, as these claims by Mellon are associated with that case, **the following set of FACTS are hereby re-submitted again – as concisely as humanly possible – in summary Evidence that <u>ALL</u> of the rulings of federal "*judges*" Paul Borman (Def. "*Exhibit A*"), the now deceased Lawrence Zatkoff (Def. "*Exhibit C*") Hood, Patrick Duggan (Def. "*Exhibit D*"), John Corbett O'Meara (Def. "*Exhibit E*"), Denise Page Hood (Def. "*Exhibits F and G*") are, in the context of the Evidence herein FRAUDULENT ON THEIR FACE(S).**

THE UNDERLYING "*SECOND TIER*" OF CRIMES IN THE LONG CHAIN OF CORRUPTION; LEONARD REZMIERSKI, DAVID BOLITHO, KATY DOERR-PARKER, SCOTT SNYDER, AND THE NORTHVILLE PUBLIC SCHOOL DISTRICT

The Evidence presented by Mr. Earl Hocquard's SECOND "*Affidavit of Earl Hocquard*" demonstrates a conspiracy to deprive of rights and to cause injury that were undertaken by the administrators of the Northville Public School District were aided-and-abetted by the State BAR attorneys at the Keller-Thoma law firm and numerous judges of Defendant Charter County of Wayne, the Ingham County Circuit Court, and the Michigan Court of Claims, as well as the judges of the U.S. District Court in Detroit who are also all members of the State BAR.

Notwithstanding the other mounds of Evidence referenced above that is also in the federal court records, **"EXHIBIT #19"** concisely underscores and concisely lays out the underlying crimes committed by the administrators of the Northville Public School District and their crooked State BAR attorneys at the Keller-Thoma law firm. These are clear crimes of retaliation against Grievant Schied lasting for the near entirety of this past decade which, because they were *aided-and-abetted* by the judges employed by the Defendant Charter County of Wayne in the Wayne County Circuit Court, these crimes continue today to remain unresolved.

"*Exhibit #19*" is the SECOND sworn and notarized "*Affidavit of Earl Hocquard*" in testimony of his findings in 2009 when, as a professional Christian counselor acting on behalf of the Schied's only child in pre-divorce proceedings, Mr. Hocquard submitted FOIA requests to the Lincoln Consolidated School District and to the Northville Public School District. While **"*Exhibit #12*"** contains

documents that he found in the *FOIA response* from the Lincoln Consolidated School District, **"*Exhibit #19*"** contains the documents that he found in the *FOIA response* he received back from the Northville Public School District.

The above-referenced documents present the *second tier* of crimes perpetrated against Mr. Schied that were feloniously covered up by state and federal prosecutors, by state and federal courts, and by the highest offices of Michigan's executive and judicial branches, **being the Michigan Attorney General**(s) (**Mike Cox** and Bill Schuette) and the (corrupt) Michigan Supreme Court. (Bold emphasis added)

The following is a summary of the contents of what Mr. Hocquard found in the FOIA response sent to him by the Northville Public Schools in 2009, and the significance of these documents relative to this instant case in debunking Attorney Mellon's fraudulent allegations that Grievant Schied is a "*paper terrorist*":

Earl Hocquard's SECOND Affidavit "*Exhibit A*" – This is a copy of the outside of the outside of the envelope sent to Mr. Hocquard at his home address, demonstrating that the NPS was aware that they were not sending their documents in FOIA reply to another school district's administration. In other words, **this is Evidence that NPS administrator knew they were NOT replying to the "*authorized release*" of the information from Mr. Schied's public personnel file *for purposes of employment* as otherwise fraudulently argued in multiple**

state and federal courts by attorneys for the Keller-Thoma law firm as actions being carried out by "*color of*" authority of Michigan's *Revised School Codes*. Administrators of the NPS knew they were sending this to an individual.

Earl Hocquard's SECOND Affidavit "*Exhibit B*" – This is a letter written by the NPS "*assistant superintendent*" David Bolitho, a long-time *conspirator to deprive* Grievant Schied of [his] rights *under color of law*. His letter was written to Mr. Hocquard as the cover letter to the contents of the *FOIA response*. This letter acknowledges – under a false pretext – that "*results of criminal history/records checks conducted by the Michigan Department of State Police and/or the FBI*" are exempt from disclosure.

This letter by Bolitho demonstrates and act "*under color of law*" in that subsequent documents presented herein show that instead of sending the "*results of criminal history/records checks...FBI*" as referenced above, Bolitho sent instead the document entrusted to NPS – obtained by Bolitho and his co-conspirators by fraudulent promise of Human Resources Director, Katy Doerr Parker – who had reassured Mr. Schied, both orally and in writing, that she would keep this (Texas "*clemency*") document confidential and away from access of "*public*" personnel files.

Parker had also promised to eventually "*return or destroy*" that document, once time had run its course for the Texas agencies subject to the "*Agreed Order of*

Expunction" had finally obliterated all files associated with the "*arrest*" and/or "*prosecution*" of the underlying "*accusation,*" and once Mr. Schied had submitted to another fingerprinting and found a "*clean*" FBI report coming back to the NPS administration that "*proved*" that Mr. Schied had successfully *challenged and corrected* the erroneous FBI identification reports that were separately sent to the Lincoln Consolidated School District (in 2003) and to the NPS (in 2004).[18]

Earl Hocquard's SECOND Affidavit "*Exhibit C*" – This is a copy of the Texas "*Agreed Order of Expunction*," a document issued to petitioners who qualify to have their "*arrest*" and "*prosecution*" records erased after receiving a Governor's Full Pardon that otherwise obliterates all *disabilities and liabilities* caused by a past "*conviction*."[19]

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[18] That clearance actually took a full year for Texas to implement. Thus, the fingerprinting for the "*corrected*" and "*cleared*" FBI identification record did not occur until 2005.

[19] As was clearly determined by both **"*Exhibit #2*"** and **"*Exhibit #3*"** attached herein as the Texas case of "*Cuellar v. State of Texas*" and Texas Attorney General Opinion (DM-349), any *set aside* such as the one received by Mr. Schied in 1979 (fully four years prior to his receipt of the pardon) has the same effect – of obliterating the "*conviction*" and eliminating any "*disabilities and liabilities*" otherwise imposed. **For this reason, the State of Texas had determined long prior to either "*Dr.*" Sandra Harris or the State of Michigan, that anyone in receipt of the former (i.e., the "*set aside*" allowing for the "*withdrawal of plea*" and "*dismissing the indictment*") is NOT ELIGIBLE FOR A PARDON, for a "*lack of an object*" (i.e., a "*conviction*") to pardon. This effectually made the Texas Gov. Mark White's executive pardon, issued to Mr. Schied in 1983 *moot* and insubstantial for establishing that there was EVER anything except records related to "*arrest*" and/or "*prosecution*" remaining for the following**

The significance of this Texas "*Agreed Order of Expunction*" document is fourfold:

1) First, there is significance in the FACT that **NEITHER the official court document OR the Texas laws that authorize this document establish that any "*conviction*" remains to be "*expunged*" after the receipt of the governor's pardon. Instead – *prima facie* – what is expunged is all records related to the remaining *arrest records*. This is evidence that "*no conviction exists*" from the moment of the pardon itself.** (Bold emphasis added)

2) Second, the document presents *prima facie* Evidence (i.e., see p.2, para 1 of **"*Exhibit 19*"** that **"*all release, dissemination or use of records pertaining to such arrests and prosecutions is PROHIBITED*."** The significance of Mr. Hocquard's "*Affidavit*" is eyewitness testimony of his having received this document from the NPS by way of *FOIA answer*. This has long been criminal Evidence that David Bolitho, knowingly and intentionally deprived Mr. Schied of his constitutional right to "*full faith and credit*" of the controlling Texas laws governing this document.

The prevailing conditions under which the Evidence (i.e., the documents referenced by **"*Exhibit #20*"** and found as accompanying

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quarter century since Mr. Schied was awarded the "*Early Termination Order of the Court Dismissing the Cause*" in 1979.

"*exhibits*") **proves that Michigan government operatives and state "*actors*" repeatedly and tortuously failing to honor the laws of another state – Texas – *under color of law* of Michigan's "*Revised School Codes*."** This is found by the instant example in paragraph 3 of Bolitho's cover letter referenced above.

3) Third, the dissemination of this document by Bolitho has long created a clear legal dilemma for Grievant Schied – a deliberate "*state created danger*" specifically targeted at Mr. Schied – by the fact that **while the *expunction* court Order itself makes it legally permissive for Mr. Schied** (i.e., see bottom paragraph of p.2 of **"*Exhibit #19*"**) **to deny the existence of the expungement document itself under Oath,** the dissemination of this document to the public by Bolitho or anybody else predicates a deliberate and conditional "*set up*" – by this government "*actor*" Bolitho and perpetually by the NPS staff – **whereby Grievant Schied could be criminally prosecuted for *perjury* if he exercised this right while under Oath.**

4) Fourth, the "*set up*" for later "*perjury*" prosecution outlined above by this school district administrator Bolitho using an official document used by Mr. Schied to "*clear*" the erroneous FBI report initially received by the NPS district **while KNOWING in advance that the FBI report was**

being corrected in such fashion, followed the "*pattern and practice*" of the previous "*set up*" that "*Dr*." Sandra Harris created (under advisement of the State BAR attorney for the Lincoln Consolidated Schools) by punishing Grievant Schied while KNOWING (as based upon the Evidence presented by Affidavits of Lincoln Schools union leaders in **"*Exhibit #12*"** had otherwise received – a quarter century earlier – both judicial and executive clemency in the State of Texas, and acted anyway to intentionally harm Grievant Schied (and by implication, also harm his family).

Earl Hocquard's SECOND Affidavit "*Exhibit D*" – Simply put, this is a copy of Michigan's Freedom of Information Act (Act 442 of 1976). It clearly reflects, in **MCL 15.243 (Sec.13)(1)(a)** and (b)(iii) and (d) minimally which "*exempts from disclosure*":

(a) "*Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy*."

(b) (iii) – "*Investigating records compiled for law enforcement purposes...to the extent that disclosure as a public record would...Constitute an unwarranted invasion of personal privacy*."

(d) "*Records or information specifically described and exempted from disclosure by [Texas] statute.*"

Under color of law, Bolitho's co-conspirators' disregarded both the spirit and the letter of this Michigan FOIA law, choosing instead to disseminate publicly

– from the district's own "*public personnel files*" – the Texas "*expungement*" of the criminal history that was supposed to have been pardoned by the Texas governor two decades prior – tortuously revealing the *erroneous* criminal history that was presented in the FBI identification record received by the NPS in 2004; and despite the explicit language of the expungement document itself lawfully PROHIBITING the use and dissemination of the document.

Hocquard SECOND Affidavit "*Exhibit E*" – The compilation of documents in this *exhibit* contains the Evidence of how the NPS school district administrators Leonard Rezmierski, David Bolitho, and Katy Doerr-Parker criminally conspired to deprive Grievant Schied of his rights, in clear retaliation for Mr. Schied having pursued his constitutional right to escalate his civil "*redress of grievances*" remedies in the Michigan courts, through crime reports with the State Police and the Washtenaw County prosecutors (Brian Mackie and Joseph Burke), and all the way up to the Michigan Attorney General – while naming NPS elementary school principal Scott Snyder as a key ("*hostile*") witness to the "*predicate*" crimes of "*Dr.*" Sandra Harris and the Lincoln Consolidated School District. (Bold emphasis)

The first page of Mr. Hocquard's "*Exhibit E*" is an email dated 5/1/04 from Mr. Schied to the administrative secretary under employ of (now retired) NPS

Human Resources Director Katy Doerr-Parker. The letter documents as Evidence that

> "*[T]here is information in [the school district's personnel file in Mr. Schied's name] and substitute teacher employment application that [Mr. Schied] was reluctant to provide to [the] HR department...*"

The letter goes on to state,

> *"[Mr. Schied is] in the process of getting a Texas court order for having those records "expunged" from all public and private agencies that [Mr. Schied] believe[s] has possession of such information. The court representative that is processing [his] 'petition' is requiring the following since over the next several months the original judge's order will be circulating from agency to agency for notice and signatures. Please provide [Mr. Schied] with the following information at [the secretary's] earliest convenience."*

Essentially, not having any knowledge of legal processes when this was written in 2004, Grievant David Schied had naively construed Texas court jurisdiction pertaining to an "*order*" to "*expunge*" records to include the records that Mr. Schied had entrusted to Katy Doerr-Parker and the NPS. His objective therefore, was to have the name and other information of the "*representing attorney*" for the NPS for proper service of process of the Texas order commanding that the NPS "*expunge*" the information Mr. Schied had entrusted to its possession, which Mr. Schied had – in good faith and based upon Katy Doerr-Parker's oral and written promises – to otherwise keep "*sealed*" in an envelope, far away from any public scrutiny.

The <u>second</u> page of Mr. Hocquard's "<u>*Exhibit E*</u>" is an email dated 5/19/04 from NPS Human Resources Director Katie Doerr Parker to Grievant

David Schied, written in response to Mr. Schied wishing to include the NPS as the subject of a Texas court order of "*expungement*." Her letter of response clearly demonstrates that at this time over a decade ago, Mr. Schied was using this "*expungement*" process to expeditiously *challenge and correct* the erroneous content of the FBI reports delivered to the Lincoln Consolidate Schools (in late 2003) and the NPS (in early 2004).

As conveyed by the document, Ms. Parker and the (Keller-Thoma law firm) attorney representing NPS did not want Mr. Schied to legally involve the NPS in that out-of-state "*litigation*." So Parker issued the following written promise as indicative of her earlier oral promises to Mr. Schied to "*return or destroy*" the information entrusted to her by Mr. Schied upon his completion of the task of "*clearing*" that erroneous information from the FBI's criminal history report information stemming from Texas.

Parker thus wrote the following while copying this letter to that crooked Keller-Thoma attorney, another State BAR-licensed *domestic terrorist*, Gary King:

> "*I received your paperwork and the request to sign off. Our attorney does not understand why our district should be involved in anything that has to do with expunging the records of your past actions...He does not feel comfortable signing anything....As I understand the documents you initially shared with me [i.e., the 1979 set aside and 1983 governor's pardon being kept by Parker in a 'sealed' envelope under promise of return once the FBI record is successfully challenged and corrected], you were pardoned in Texas for actions in Texas.* ***We certainly can and will destroy or return all implicating documents if your record is expunged by court order....***" (Bold emphasis added)

The third and fourth pages of Mr. Hocquard's "*Exhibit E*" is a series of emails sent back and forth between Grievant David Schied and NPS's Katy Doerr-Parker a full year later (i.e., between 6/14/05 and 8/15/05) and after Mr. Schied had earned two letters of recommendation from two NPS school principals. (See also **"*Exhibit #16*"** by attachment) This email dialogue reveals Evidence of the following:

1) That on June 14, 2005, Parker notified Grievant Schied that Keller-Thoma attorney Gary King had wanted Mr. Schied to pay $54 for his own fingerprinting and return of a new FBI report to be sent – at Mr. Schied's own personal cost – to the NPS for purposes of proving that he was successful in "*challenging and correcting*" the erroneous FBI reports received by the Lincoln Consolidated Schools and the NPS in 2003 and 2004 respectively.[20]
2) As shown the footnote referenced above, the document demonstrates the "*intent*" between Katy Doerr Parker and Keller Thoma attorney Gary King to "*conspire*" to change the earlier "*contract*" between Mr. Schied

[20] Note that, in contrast with Mr. Hocquard's previous page in this exhibit, the attorney Gary King and Parker were no longer promising to "*return or destroy*" the "*incriminating documents*" being held by NPS but instead adopting a new strategic legal position of later "*mak[ing] the determination to remove [the documents] to [the attorney's] office in a sealed envelope or totally destroy any document [they] possess*"....thereby eliminating the earlier promise of the previous email to "*return*" the "*incriminating*" documents (containing the ERRONEEOUS information) to Mr. Schied.

and the NPS administrative about the terms under which the "*expungement*" information would be treated once Mr. Schied fulfilled his end of this personally sensitive *contractual agreement*.

3) As the time comes for the "*rubber to meet the road*" in Katy Parker living up to her end of the commitment, she strategically dropped out and passed Mr. Schied off to her supervisor, assistant superintendent David Bolitho. [21]

The <u>final two</u> pages of Mr. Hocquard's "<u>*Exhibit E*</u>" are shown to be two (then unanswered) emails sent from Grievant David Schied to Katy Doerr Parker – written on 6/1/05 and again on 6/14/05 respectively, in which Grievant Schied called attention that his attempts to contact Parker by email and in person were unsuccessful. The two emails also make clear the high level of Mr. Schied's concern that the details of his earlier agreement(s) with Katy Parker, on the exact information that needed to be returned to him or destroyed included ALL records, naming specifically...

> **"*...the copies of the Expungment paperwork that [Parker] copied for the attorney [King] to keep on file...to ensure that all records of my trying to get this [erroneous FBI] record permanently cleared are obliterated*"**
>
> (Bold emphasis)

[21] Parker also subsequently quit working for the NPS and took retirement. She never again assisted Mr. Schied in his efforts to secure proper action on Parker's earlier assurances, despite that she was both named as a principal *defendant* who was served in subsequent state and federal lawsuits filed against the NPS.

THE U.S. DISTRICT COURT RULINGS, PLACED IN THE PROPER CONTEXT OF THE ABOVE-REFERENCED *FACTS* SUPPORTED OVERWHELMINGLY BY A PLETHORA OF *AFFIDAVITS* AND *EVIDENCE*, DEMONSTRATE *NO EVIDENCE* WHATSOEVER THAT EITHER THE STATE OR FEDERAL JUDGES' RULINGS ON GRIEVANT SCHIED'S CASES PROVIDED MR. SCHIED WITH PROPER DUE PROCESS, BUT INSTEAD ONLY CRIMINAL *COLOR OF LAW*

To bring proper context to ALL of the rulings presented by State BAR attorney Mellon on behalf of himself and Defendant MMRMA, by presentation of what he calls *evidence* that Mr. Schied is a "*paper terrorist*," Grievant Schied provides the proper background evidence – again in the form of required documentation of Evidence – to prove that **the actual *terrorists* are those under "*licensing*" employ by the corrupt Michigan Supreme Court, and under the professional supervision of the State BAR of Michigan and the Judicial Tenure Commission, the two regulatory arms of the Michigan Supreme Court for attorneys and judges operating in state and federal courts**. (Bold emphasis)

The proverbial *question* before this instant Article III Court, in this instant case, and in response to Mellon's instant "*Motion to Dismiss in Lieu of Answer*" and this instant "*MMRMA Response to [Grievant's] 'Writ' for Change*...." is whether the instant judge assigned to *administrate justice* and bring this case to a jury trial is going to demonstrate the familiar "*pattern and practice*" exhibited by the plethora of Evidence now before this Court, by dismissing the case before it reaches a jury under *color of law*; or whether the judge will follow due process of

law and the constitutions of the state and the United States, by properly allowing this case to be prosecuted to a jury trial, based upon the UNDENIABLE FACTS under its nose.

Both state and federal judges failed to litigate failed to litigate the unlawfulness Of the Lincoln Consolidated Schools and Northville Public Schools disseminating to the public, under FOIA, erroneous FBI identification records and other information obtained in the course of hiring Mr. Schied (as a public schoolteacher); while denying Mr. Schied either his longstanding right to "*challenge and correct*" the FBI identification records – as is otherwise spelled out under the Privacy Act of 1974 (codified as 5 U.S.C. §552a) – and these state and federal judges failed to litigate the unlawfulness of a plethora of county and state officials *manufacturing fraudulent official documents* to cover up their refusal to prosecute these crimes against Mr. Schied for over twelve (12) years of this persistent victimization.

Grievant David Schied herein presents **"EXHIBIT #20"** into Evidence to prove that the following factual events took place to cause Mr. Schied further injury by unconstitutional failure to *litigate based on the merits*, and/or by the feloniously publishing of fraudulent documents **bearing the official government seal and signatures of the usurpers of the People's sovereign powers and the People's enunciated authorities.** (Emphasis added)

"*Exhibit #20*" is a 404-page document that was filed with the Ingham County Circuit Court in the Michigan Capital of Lansing in "*Petition for Writ of Mandamus and Order for Injunctive Relief*" based on **180 itemized Exhibits of Evidence**; and in "*Petition for Order of Grand Jury Investigation OR Appointment*

of a 'Special Master'" to investigate Mr. Schied's allegations of felony racketeering and corruption on the above-referenced school district officials, and a host of other public functionaries listed on the cover page of this extensive document.

"***Exhibit #20*,"** attached to this instant "*Grievant's Response to Attorney James Mellon's....Motion to Dismiss*" and incorporated as if written herein verbatim, can also be found on the Internet at the link below for easy download by any of the Defendants.

DOWNLOAD LINK:

As the above-referenced exhibits of Evidence and the referenced 180-itemized additional documents of Evidence for **"*Exhibit #20*"** clearly show in proper context of the statements of the federal judges' "*Opinion(s) and Order(s)*" presented by Def. MMRMA's "*motion exhibits A through G*," Grievant has long been a crime victim in FACT, and reporting himself to be a crime victim demanding both Constitutional protection (Art.I, §24 of the Michigan Constitution) from "*the accused*" criminal perpetrators and relief from the "*state created dangers*" these criminals have imposed by their racketeering and corruption schemes *under color of law*.

The defendants on this Ingham County STATE case – **about which the Ingham County "*chief*" judge dismissed in their entirety along with all of the**

evidence presented, TWICE, after requiring Mr. Schied to rewrite, submit, and serve all of the co-Defendants again with an "*Amended Complaint*" with a "*More Definite Statement*," – are listed as follows in direct quote:

1) State of Michigan;
2) Governor Jennifer Granholm
3) Kelly Keenan (attorney for Granholm)
4) Michelle Rich (attorney for Granholm)
5) Michigan State Administrative Board
6) Attorney General Mike Cox
7) Office of the Michigan Attorney General
8) Wayne County Commissioner Laura Cox
9) Wayne County Commission
10) Wayne County Office of the Prosecutor
11) Michigan State Police
12) Northville City Police
13) Michigan Department of Civil Rights
14) Michigan Department of Education
15) Wayne County RESA
16) Northville Public Schools Board of Education
17) Scott Snyder
18) Katy Parker
19) David Bolitho
20) Leonard Rezmierski
21) Keller Thoma Law Firm
22) Sandra Harris
23) Lincoln Consolidated Schools Board of Ed
24) Michigan Supreme Court et al
25) DOES 1-30

Importantly, when initially filing this massive "*Complaint*" and (two) "*Petition(s),*" Grievant Schied had meticulously constructed a "Reference Table of Contents" complete with a breakdown of page numbers where each of *the accused* could locate the specific allegations against them. Mr. Schied also color-coded the

tabs, dividing them into appropriately colored sections to properly identify the *de jure* public functionary departments and offices where these government *imposters* and *usurpers of de jure government power and authority* were being unconstitutionally employed. **(*See* pp. 2-4 of "Exhibit #20")**

As a further enhancement to the beginning pages, after the *Reference Table of Contents*, listed under "*Causes for Bringing This Complaint*," Grievant Schied completed paragraph summaries for each and every one of the accused up to page 36. That section of the Complaint was followed by a section of "*Overview of the Case*" that continued through page 47. The high number of multi-level listings of crimes was meticulously assembled well enough that anyone actually opening the pages could follow it. Throughout the remainder of the pages of this filing, all allegations were backed by itemized, documented Evidence and supported by Michigan Penal Codes, Compiled Codes, and Michigan Court Rules to support the factual evidence in proof of the allegations of dereliction, malfeasance, and other tortuous civil and criminal offenses.

Of course, the various "*causes of action*" cannot be re-explained and re-supported inside of this instant federal motion "*response*." Therefore, the pages of the original complaint is to be read and considered by the presiding judge of THIS INSTANT DISTRICT COURT OF THE UNITED STATES – "*de novo*" – in opposition to the summaries about this case that have otherwise been provided by

Defendants' "*motion*" exhibits which are, within the context of this added evidence, otherwise chock full of "*gross omissions and misstatements*" of the original FACTS presented...which were actually NEVER LITIGATED on the merits.

The Evidence presented in "*Exhibit #20*" also demonstrates that Grievant Schied has, time and time again been placed in ever-increasing "*state created dangers*" by the endless FRAUDULENT rulings that resulted by Mr. Schied's ceaseless *hunt for justice* in either the executive or judicial branches of Michigan government. This Evidence proves a *modus operandi* of a "*chain conspiracy to deprive of rights*" and a "*pattern and practice*" of criminal gross negligence, dereliction of duties, and malfeasance of office so pervasive as to no doubt be an overwhelmingly widespread *racketeering operation*. (Bold emphasis)

The fact that Mr. Schied's *hunt for justice*, given the proof as extensive as this and his still finding no practical results in any of these state "*actors*" actually *litigating* or rectifying the crimes originating from the illegal acts of the Lincoln Consolidated Schools and Northville Public Schools district administrators as outlined clearly above, proves overwhelmingly that the government of the State of Michigan has been coerced and overthrown by the foreign entity of the State BAR of Michigan members operating under the

corrupted model of the Michigan Supreme Court itself. (*See again*, **"*Exhibit #11*") This, by definition by definition of the FBI's own webpage, constitutes "*DOMESTIC TERRORISM.*" (*See* **"Exhibit #21"**)

ANALYSIS OF DEFENDANT'S *MOTION* EXHIBITS IN CONTEXT OF EVIDENCE PROVING THE JUDGES' "*OPINIONS AND ORDERS*" (AND "*JUDGMENTS*") AS FRAUDULENT AND CONTRIBUTING TO A *CHAIN CONSPIRACY* TO *DEPRIVE OF RIGHTS UNDER COLOR OF LAW* AND COMPRISING ONE COMPLEX EXAMPLE OF *FORCED COERCION OF GOVERNMENT POLICIES AND PRACTICES* THROUGH "*DOMESTIC TERRORISM*"

In consideration of the preceding "Exhibits" introduced thus far and others referenced below, Grievant David Schied presents the following analysis by way of comparison of the undeniable FACTS that have been repeatedly presented in multiple state and federal courts – with attorney "*representation*" and without – in proper context to prove the patterns and practices used by the federal judges who have written the "opinions and orders" submitted by their fellow State BAR of Michigan attorney James Mellon on behalf of the Defendant "*Michigan Municipal Risk Management Authority*."

Outline of the *Patterns and Practices* used by a "*Foreign Occupation*" of usurpers in government offices for the purpose of subverting Constitutional Due Process and coercing "*We, The People's*" prior written establishment of constitutionally authorized Policies and Practices

The Michigan Constitution of 1963 begins, "*We, the People of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution*." This preamble makes certain the following:

1. "*Freedom*" comes to "*We, the People*" (individually and collectively) from the Almighty God; not by any act of government or other corporate or municipal decree.
2. "*We, the People*" have the *undiminished* right to secure our gift of freedom "*earnestly*" for our own posterity, not for the posterity and sustenance of governments that no longer work for "*We, the People*."
3. We had the right then to "*ordain and establish this constitution*" by which government is created for the sole purpose of securing our undiminished freedoms; and we have the right now to abolish such government when we find that those in offices no longer adhere to their "*contract*" and their "*oath*" to these constitutional guarantees.

What follows below in analysis may not strictly adhere to the standards of federal codes, state laws, civil procedures, federal or state court rules, or local court

rules, though every attempt is being made by Grievant Schied to comply with all of these. Grievant recognizes first and foremost that, as fraudulent as the judicial rulings of the "*judges*" are being proven, there is recognition by the federal Court that litigants without an attorney as their spokesperson and "*representative*" have "*less stringent standards*" in writing briefs than do attorneys and judges *licensed* to *practice* law. [*See* Def. "Exh. D" p.7; "*Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 596 (1972) (quotation omitted)]

All First Amendment rights then are hereby reserved to "*redress*" these grievances as written below, should the presiding judge in this instant case choose to engage in the same types of *pattern and practice* complained about herein and described below.

Grievant incorporates from the statements already written herein above, any and all previous references to state and federal rulings that have exhibited the following *patterns and practices*, even as many of these patterns are also modeled by State BAR of Michigan attorney James Mellon in his instant two filings now being responded to by this instant "*Grievant's Combined 'Response' and 'Reply' to Attorney Mellon's*...." Thus, Grievant also adds the following imbedded charts, in effort not to repeat what he has already addressed in Evidence to challenge the validity of attorney Mellon's judicial "*opinions and orders*" written by judges as his key "*exhibits*." These charts also help to show that the named judges have an

overriding "*pattern and practice*" of treating Grievant's previous reports of a previous pattern of *government abuses* by yielding a corresponding pattern of *fraud upon the court* resulting in an increased "*state created danger*" and the furthering of personal injuries to Grievant Schied and his family.

Note that some of these patterns incorporate elements of other patterns (i.e., such as mischaracterizing Mr. Schied as personally reprehensible and procedurally incompetent while incorporating gross omissions and misstatements about the substance of his filings). Therefore, there may be some inkling of repetition in the charts below. Grievant Schied has tried to minimize those written occurrences.

CHART OF PATTERN AND PRACTICE #1 – Gross Omissions and Misstatements of Actual Facts.....and the Delivery of rulings *without litigating the facts* and *without deciding on the merits*

(This also includes the predisposed nature of offering favoritism to the statements and evidence proffered by the government defendants and the failure to address summary motions in proper context of the issues raised in the original Complaints)

Case & Judge Name	Page	Nature of Omission or Misstatement	Proof of Untruth
David Schied v Thomas Davis, et al; Paul D. Borman	1	The ruling is captioned as an "*Amended*" opinion and order by admission that the original ruling used to dismiss the case (and hold sanctions in abeyance over the Grievant's attorney's head) falsely claimed that the attorney presenting this case had NOT revealed at initial filing that a "related state case" had also been filed. That was Mr. Schied's case as presented in **"*Exhibit #20*"** plus all referenced "exhibits" to that filing in the Ingham County Circuit Court dismissed by "*judge*" William Collette.	Def. "*Exh.B*" cover page footnote #1
David Schied v Thomas Davis, et al; Paul D.	2	In giving the "*history*" of the case and from what "*this case arises*," Borman refers to "*records pertaining to Plaintiff's 1977 criminal record*." He then relies solely upon the erroneous 2006 Michigan Court of Appeals ruling (depicting that the	See Grievant's **"*Exhibit #10*"** as the class action case. See also,

Borman		"*conviction*" existed for a quarter century despite all of the evidence and arguments cited already above in evidence that the Court of Appeals' decision was a political maneuver to cover up for the adjoining political jostling that the Court of Appeals was doing with the class action case of <u>*Frohriep v. Flannagan*</u>.) This section (as well as the remainder) of the ruling disregarded all of the references of attorney Daryle Salisbury's "<u>*Complaint*</u>" to Texas and Federal laws pointing to criminal misdemeanors for dissemination of set aside, pardoned, and expunged information (as cited by Salisbury on pp.5-16. Instead, Borman literally "*cut and pasted*" (from p.2 through and into p.5) directly from the erroneous Michigan COA ruling of 2006 pertaining to the Washtenaw County (which failed to "*litigate*" the fact that Morris compelling Mr. Schied to testify against himself then using his testimony to claim Mr. Schied "*admitted*" to having pled guilty and being "*convicted*" **without full faith and credit to the "*symbiotic significance*" of his having BOTH a set aside and pardon when case law and Texas attorney general opinions reflect "*no conviction exists*" after <u>either</u> judicial clemency or executive clemency is received.)**	Exhibits #2,3,4,5 and #12 in evidence that "*no conviction*" exists. Note especially that the "<u>*Agreed Order of Expunction*</u>" never mentions the expungement of anything related to a "*conviction*" but only "remaining records" associated with the "*arrest*" and/or "*prosecution*." Note also that "*probation*" is not a "*final disposition*;" hence, the judge's "*discretionary*" ability to "*dismiss the accusation*" and the indictment along with withdrawing the plea, as was awarded to Mr. Schied in 1979.
<u>*David Schied v Thomas Davis, et al*</u>; Paul D. Borman	All pages	Borman, like all other state and federal judges, entirely neglected to address the SUBSTANTIVE significance of Mr. Schied having led an exemplary life from 1979, fully a quarter century, prior to being treated as a criminal by Dr. Sandra Harris.	*See* Grievant's imbedded "*exhibits*" on the earlier pages of this instant filing for what transpired during that quarter century.
<u>*David Schied*</u>	5	The ruling uses a <u>*distraction*</u> by focusing on the less	See Grievant's

v *Thomas Davis, et al*; Paul D. Borman		relevant fact that the Northville Public Schools (like the Lincoln Consolidated Schools did under color of Michigan's Revised School Codes governing the "*sharing*" of teacher information from one school to the next upon signed release from the teacher to the new employer), had obtained a signed release "*authorizing*" NPS administrator David Bolitho to share the Texas "*expungement*" document with his new employer at the Brighton School District in 2005. Borman copied this focus on this *color of law* to coincide with state courts having done the very same thing. Nevertheless, the pattern of both the state and this federal court was to grossly omit any consideration for the underlying promises of NPS Human Resources Director Katy Doerr-Parker who established the contractual agreement to "return or destroy" the Texas "*Agreed Order of Expunction*" once Mr. Schied paid – out of his own pocket – for another fingerprinting and FBI background report to prove that he had successfully "*challenged and corrected*" the earlier reports received by the Lincoln and Northville school administrations .	"Exhibit #19" for the collection of emails between Mr. Schied and NPS Katy Parker as she placed her promise into writing on two occasions a year apart (i.e., the first promise was as Mr. Schied was beginning the process of getting the Texas court order and wanting to have that order include the NPS, and the second promise after all of the named Texas agencies had completed their own destruction of the information and Parker reneged on her promise while referring Mr. Schied to Bolitho for the NPS accountability.
David Schied *v* *Thomas Davis, et al*; Paul D. Borman	6	Borman thought it important to list all of the 25 named co-defendants in Grievant's 2007 first "*pro se*" filing against what other courts typically refer to as "*Schied v. State of Michigan.*" Borman merely reiterated the Ingham County judge's fraudulent ruling by claim that *"[Grievant Schied] failed to abide by the Michigan Court Rules*" while referring to a Defendant exhibit as an Order referencing a "*hearing*" that occurred on 11/7/07. What is omitting from both that Order of Ingham County "*judge*" William Collette and Borman's order is found in **"EXHIBIT #22"**	**"EXHIBIT #22"** is a copy of the hearing transcript from 11/7/07 at the Ingham County Circuit Court attended by assistant attorney general Joseph Potchen, who had full knowledge of

		whereby, at a hearing attended by the Michigan Attorney General (Mike Cox) by his representative assistant, Ingham County "*chief judge*" ridiculed Grievant Schied and quashed him with threatening words and demeanor when Mr. Schied had reported himself as a crime victim. Moreover, **Collette had cut Mr. Schied off at which point Mr. Schied was reciting for Collette (i.e., see pp.5-6 of the transcript) the laws making it incumbent upon the judge himself to "*issue a warrant*" (MCL 764.1) for an "*arrest without delay*" (MCL 764.1b); and at minimum, order an investigation upon such probable cause to believe that a crime has been committed. (MCL 767.3)** (Bold emphasis added)	alleged crimes, the names of the perpetrators, and the laws alleged to have been broken. Yet as the "*chief law enforcement officer*" of the State of Michigan, this attorney general did nothing to follow up or prosecute these crimes; and he ignored all of Mr. Schied's constitutional "*victims' rights*" (i.e., see Art.I,§24 of the Michigan Constitution).
David Schied v Thomas Davis, et al; Paul D. Borman	7	Borman went beyond the unethical and unprofessional conduct of the state court "*judge*" William Collette, who in 2007 "struck" the entirety of Mr. Schied's initial "*Complaint*" and ordered Mr. Schied to rewrite and re-serve upon all of the named 25 co-defendants (effectively granting the government co-defendants' "*motion to strike*" the entirety of the 404-page complaint and 180 Exhibits found herein in its entirety as **"*Exhibit #20 + referenced exhibits*")** with an "*Amended Complaint*" (as otherwise referred to in writing). Federal "*judge*" Borman's wording misleads all readers of this ruling to believe that Mr. Schied filed nothing at all when he wrote, *"[T]he judge provided Plaintiff twenty-eight days ...to file a compliant complaint...Plaintiff failed to do so; and the judge dismissed Plaintiff's case...*" Grievant Schied notes that as *Haines v. Kerner* requires "*less stringent standards*" for litigants without an attorney, there really was nothing so substantially wrong with Mr. Schied's submission of his "*More Definite Statement*" that any *rational* person would take such	**See "*Exhibit #20*" plus all of the referenced exhibits #1 through 180.** See also **"EXHIBIT #23"** as the *Summary* and *Table of Contents* for that "*Amended Complaint*" (a.k.a. the "*More Definite Statement*" that Mr. Schied was ordered by Collette to rewrite from his 404-page, 180 exhibit original

		drastic action as to "*dismiss*" based upon a "*failure to comply with court rules*." (*See* **"EXHIBIT #23"** as a copy of the *Summary* and *Table of Contents* from that "*Amended Complaint*") In FACT, this "*judge*" Collette **tortuously** imposed an even *higher* standard upon Mr. Schied by dismissing even his best effort to rewrite of the entire matter more concisely while paying the full cost for new copies of everything to be distributed again to the co-defendants.	filing.)
David Schied v Thomas Davis, et al; Paul D. Borman	7	In discussing the dismissals of the Washtenaw County and Wayne County cases, Borman omitted all reference to the "*public policy*" issues being IN FACT the dissemination of the FBI identification records (by Lincoln Schools in Washtenaw County) and the Texas "*Agreed Order of Expunction*" (by Northville Schools in Wayne County) **by way of FOIA answers to the public.** Significantly, Borman followed suit with Wayne County "*judge*" Cynthia Stephens having failed entirely to address Grievant Schied's attorney Salisbury's submission of Mr. Schied's sworn 22-page "*Affidavit of Plaintiff David Schied*" (i.e., see **"EXHIBIT #24"**) as witnessed by attorney Salisbury, which clearly outlined the "*contract*" that NPS HR Director Katy Parker established when agreeing with Mr. Schied to "*return or destroy*" the clemency documents that he had entrusted to her until he could obtain proof that the State of Texas had "*corrected*" the FBI identification records to reflect that "*no conviction exists*." The problem with Borman refusing to allow attorney to continue with Discovery on the federal case would reveal why attorney Salisbury and Grievant Schied decided NOT to take the Wayne County ruling of Stephens on appeal in Michigan. It was clear to both that the Court of Appeals was leading in the corruption and modeling it for the lower courts.	Note that **"EXHIBIT #24"** is significant evidence showing that Wayne County Circuit Court "*judge*" (who was subsequently promoted to the Court of Appeals shortly after making her ruling on Mr. Schied's case) corruptly disregarded the significant FACTS in this "*Affidavit of David Schied*" **when she ruled that "*expungments* are a MYTH" and that teachers are otherwise subject to a "*life sentence*"** for their youthful indiscretions long before becoming teachers.

David Schied v Thomas Davis, et al; Paul D. Borman	13-14	Borman granted the Attorney General's motion on behalf of Governor Jennifer Granholm based on the ***fraudulent*** claim that "*Plaintiff had failed to state a claim upon which relief can be granted.*" Borman then went on to MISSTATE the allegation that Grievant "*allege[d] that Granholm has refused to apply the Full Faith and Credit Clause to the Texas expungement order and to order the school districts to remove the criminal record from Plaintiff's file...*" The statement is fraudulent on its face because the school district's "*public personnel file*" is clearly neither the properly or the control of Mr. Schied. It was only partially true that attorney Salisbury was indeed requesting the removal of the record and an injunction from the federal judge to stop further disseminating of the erroneous record of "*conviction*" in accordance with the PROHIBITION of "*use or dissemination*" written into the Texas court order itself. Had Mr. Schied not been denied his due process right to discovery and deposition of the Governor the "*relief*" mechanism would have been revealed by the unveiling of the letter that Mr. Schied had written to the Governor on 6/2/07 spelling out the statutes governing her own duty to compel the Michigan Attorney General Mike Cox to act upon the criminal complaints of Mr. Schied or to take steps to remove Mike Cox from office for his dereliction. (*See* **"EXHIBIT #27"** as a copy of that 22-page letter fully supported with a list of Evidence of statewide dereliction of Michigan law enforcement and prosecutor abusing their "*discretion*.")	See "Exhibit #12" as the "*Affidavit of Earl Hocquard*" containing a copy of **the Texas "*Agreed Order of Expunction*"** that, in the first paragraph, **makes clear that the "*use or dissemination*" of the information pertaining to the offense is PROHIBITED.** **See also "EXHIBIT #27"** as the letter written by Mr. Schied to Jennifer Granholm demanding that she compel Mike Cox to proper action or remove him from his position as the highest level *law enforcement official* in Michigan as the Attorney General.
David Schied v. Martha Daughtrey, David McKeague, Gregory Van Tatenhove,	1	Herein, this entry draw the clear connection between the "*favoritism*" and the "*nepotism*" between the U.S. District Court for the Eastern District of Michigan and the Michigan Supreme Court, where in both places there exists unethical people doing reprehensible things with no shame or accountability. As Evidence to this claim is the nephew of the late "*judge*" Lawrence Zatkoff. His name is "Jason	*See* **"EXHIBIT #28"** as three pages reflecting the Michigan Supreme Court "*law clerk*" in a couple of poses: 1) one with his

Stephen Murphy, Terrence Berg, Rod Charles, Andrew Arena, Margaret Love, Greg Abbott, Michael Mukasey, Marie O'Rourke, Shanetta Cutlar, and John Does; Lawrence Zatkoff *(deceased 2015)*		Zatkoff;" and **though his own background reeks of corruption and public misstatements, he is now flying high under the employ as a "*law clerk*" researching and writing the "*official*" government material of the Michigan Supreme Court.** Of course, this must have been arranged through "*Uncle*" Zatkoff after Jason interned for the U.S. District Court while going to law school. As shown by the printed material found freely on the World Wide Web, apparently Jason Zatkoff got too exuberant with his "*woman*" and couldn't take "*no*" for an answer. Apparently, he also has no problem lying to the press. According to the former Michigan Supreme Court chief justice Elizabeth Weaver who wrote the book, *Judicial Deceit: Tyranny and Unnecessary Secrecy at the Michigan Supreme Court*, this U.S. Supreme Court "*trainee*" should feel right at home with the outlaws calling themselves the Michigan "*Supremes*". Furthermore, for more explicit explanation and evidence of "*judge*" Lawrence Zatkoff's actions with regard to unethically using "*color of*" procedure to first command Mr. Schied to rewrite his "*194 pages and 374 paragraphs (excluding subparagraphs), including 80 footnotes and 80 exhibits...total[ing] nearly 600 pages*," go to the following video link to view information about Zatkoff that was founded upon the *Truth* and presented at the alternative media website of: http://www.powercorruptsagain.com/category/videos/	hand on a woman's breast; and, 2) one next to what appears to be that same woman, both with swollen black eyes. That picture is adjacent to Zatkoff's "*Linked-In*" cover page promoting himself on the constitutional integrity of the Michigan Supreme Court. Another page is a news article indicating that Jason Zatkoff was less than straightforward when claiming he did not know where he got the black eye. The fourth page is the promotional cover for Justice Weaver's book "*Judicial Deceit*"
David Schied v. Martha Daughtrey, et al	2	Zatkoff begins his "*background*" of the case against federal government officials by the misleading claim that "*the present matter originates from [Plaintiff's] plea of guilt to....in Texas in 1977*," without clarifying at that instant the truth in the FACTS that: 1) in 1977 Mr. Schied had no ties whatsoever to ANY of the co-defendants named in the "*matter*" before the Court; 2) the "*plea of guilty*" was legally "*withdrawn*" as was the underlying accusation in 1979; 3) That by **the explicit *prima facie* wording on the Texas "*Agreed Order of Expunction*," the dissemination by publishing of the information**	*See* **"*Exhibits #2, 3, 5, 6, and 19*"** at minimum proving that Zatkoff's publishing of this information was a violation of Texas laws and a new injury for Grievant Schied.

		pertaining to the arrest and prosecution of that accusation is PROHIBITED by Texas law. Clearly, the *gross omissions and misstatements* herein and elsewhere throughout Zatkoff's "*Opinion and Order*" by early reference in this document to the "*conviction*" that was otherwise unlawfully reinstated and imposed upon Mr. Schied under *color of law* and by a **conspiracy to deprive of rights between State BAR members ("*judicial officer*") Michael Weaver and ("*judge*") Melinda Morris**. This was done intentionally by Zatkoff to mischaracterize Mr. Schied and to provide favorable disposition and relief to the government Defendants by shifting their more recent accountability – as documented in Grievant's complaint – to a period decades prior to Mr. Schied's interaction with these co-defendants.	
David Schied v. Martha Daughtrey, et al	3	Zatkoff repeated the unlawful "*pattern*" initiated by the Michigan Court of Appeals of claiming "*A subsequent FBI criminal background investigation, however, revealed Plaintiff's felony conviction*" as a matter of FACT, **while grossly OMITTING as a more significant, recent, and relevant FACT that the Lincoln Consolidated Schools "*interim*" superintendent "*Dr.*" Sandra Harris openly deprived Mr. Schied of his FEDERALLY GUARANTEED right to "*challenge and correct*" the accuracy of the FBI report, and to keep his job while that task unraveled.** Moreover, Zatkoff also grossly omitted the FACT that the FBI report – prima facie – reflected a last "status" update in 1977, despite the readily available evidence, that was even mentioned by Zatkoff himself, the proved cause for that antiquated record to be updated before acted upon (since even someone as ignorant and corrupt as this "*judge*" would have easily recognized that a person cannot remain on "*probation*" for a quarter century).	See again, ***"Exhibit #12"*** and the federal laws referenced above relative to the *Privacy Act of 1974*.
David Schied v. Martha Daughtrey, et al	4	U.S. District Court "*judge*" (for the Eastern District of Michigan in Detroit) Zatkoff followed the "*same pattern*" as the other state and federal judges, of maintaining a narrow scope on the issue of the "*dissemination*" of the otherwise PROHIBITED "*use or dissemination*" of the Texas "*Agreed Order of Expunction*" by the named administrators of the NPS, Parker, Bolitho, and Rezmierski, under *color of* Michigan Revised School Codes.	See ***"Exhibits #12, 19, and 26"*** at minimum.

		Like the others, Zatkoff pretended to ignore the more relevant FACT that Mr. Schied had long been equally referring to the *public* dissemination of that "*nonpublic*" document via answers to FOIA request as found in the evidence of: 1) the FOIA request of Linda Soper found by Earl Hocquard when he later similarly received a FOIA answer from Cathy Secor in 2009 **("*Exhibit #12*")**; 2) the "*Affidavit of Barbara Schied*" **("*Exhibit #26*")** referring to her receipt of the non-public expunction order from NPS in 2006; 3) the two "*Affidavit(s) of Earl Hocquard*" showing that he received nonpublic documents by FOIA answer from both the Lincoln and Northville school districts in 2009. (See **"*Exhibits #12 and #19*"**)	
David Schied v. Martha Daughtrey, et al	4	In stark contrast to the Evidence to the contrary (being **"Exhibit #23"**), Zatkoff misrepresented that, when the crooked Ingham County Circuit Court "*judge*" William Collette "*dismissed [Grievant's] 405-page, 180-exhibit complaint for failure to adhere to the Michigan Court Rules*" (i.e., **"*under color of law*"**) that *"[Grievant] did not avail himself of the opportunity to file a compliant complaint...*"	See **"Exhibit #23"** as the cover page, case summary, and *Table of Contents* for the document Zatkoff ***fraudulently omitted*** reference to in his ruling.
David Schied v. Martha Daughtrey, et al	4	Zatkoff had little more to relate about the *Schied v. Northville Public Schools* case than to state the surface feature of that case as *"[Grievant] sought an injunction to remove all information pertaining to his 1977 conviction from the personnel file,*" and that *"[O]n April 19, 2007, the state court granted summary disposition in favor f the defendants based on the [fact] that [Grievant] signed the release authorization of his file.*" **Again, in pattern and practice" with all the other federal judges, Zatkoff grossly OMITTED the underlying significance of the "*information*" being disseminated, being the Texas "*Agreed Order of Expunction*" strictly PROHIBITING that document to anybody.** Moreover, Zatkoff misstated that Mr. Schied had a "*conviction*" as a matter of "*fact*" when that is – and always has been blatantly false – and only being used by state and federal judges to perpetuate the ongoing FELONY cover-up of the *misdemeanor* crimes, as well as the felony "*conspiracy to commit*"	See again, **"*Exhibits #2,3,5, 6, and 19*"** for determining that **"*no conviction*" ever existed because a status of *probation* is a "*non-final disposition*" and the dismissal of the accusation (i.e., indictment) and withdrawal of plea preclude a "*final disposition*" of *conviction*.** Additionally, see **"*Exhibit #19*"** for the reasons

		crimes, that have continued to be tortuously conducted against Mr. Schied by the administration of the Lincoln Consolidated Schools and NPS ***under color of law***. **Significantly, "*Exhibit #19*" to verify that the Texas court *order of expunction* stated NOTHING about the existence of a conviction to be expunged; but only referred to any records pertaining to the *arrest* and/or *prosecution*. This document also proves "*no conviction existed*" after the governor's *full pardon and restoration of full civil rights* in 1983.**	stated.
David Schied v. Ron Ward, Ken Hamman, Kirk Hobson, Karen Ellsworth, Jessica Murray, Jennifer Bouhana, Patricia Ham, and Joe D. Mosier Patrick Duggan "*judge*"	2-3 all	In *pattern and practice* of other state and federal judges, Duggan resorted to vagueness, gross omissions, and misstatements when presenting and discussing Mr. Schied's "*voluminous*" documentation. He began on p.2 by fraudulently stating that *"[Grievant] asserts various claims arising out of his employment relationship..."* This is vague. **Duggan's 12/22/09 ruling also bears the "*hallmark*" of being intentionally misleading when considering: 1) That Mr. Schied's own "*background*" description to the case made amply clear – even in the first sentence of the first paragraph – that Mr. Schied was being retaliated against because he had been pursuing legal remedies for civil rights issues "*taken against the Superintendents of two other school districts*."** (See p.2, para 1 of "*Statement of Background and Facts*" found in **"EXHIBIT #32"** of the "*Complaint and 'Brief in Support...*" for that case) **2) Significantly, nowhere in Duggan's ruling does this (corrupt) "*judicial usurper*" even refer to this PRIMARY cause of action that was placed right in Grievant's opening paragraph in explanation that the "*Complaint stems from a series of events occurring along two separate 'streams' of CIVIL RIGHTS complaints that...David Schied has been pursuing over the course of the past two years now*."** **The above is obviously is a gross intentional omission and a deliberate misstatement of the actual foundational facts as formally presented by Grievant. This constitutes FRAUD and PERJURY by Duggan.**	*See* Grievant's **"EXHIBIT #32"** in comparison to Duggan's 12/22/09 "*Opinion and Order*" submitted by Defendants as "*Exhibit D*" to their *motion* filing.
David Schied v.	all	As shown on p.5, paragraph #11 of **"*Exhibit #32*"**, Grievant made clear that his "*civil rights*" complaint	Again, *see* Grievant's

Ron Ward, et al		was based squarely upon the FACT that he was also being retaliated against because, "*Prior to [the] Arbitration proceedings beginning, which was not until nearly nine months after Mr. Schied's on-the-job presence had ceased and nearly seven months after he received notice of termination, Mr. Schied filed a CIVIL RIGHTS complaint with the Michigan Department of Civil Rights (MDCR), the Michigan Department of Labor and Economic Growth (MDL&EG), the Michigan Department of Education (MDE), the U.S. Equal Employment Opportunity Commission (EEOC), the U.S. Department of Health and Human Services (USDHHS), and the U.S. Department of Education's Office of Civil Rights (USDOE OCR).*" **Yet again, NOWHERE in the ruling by Duggan is there any such mention of ANY of those state or federal agency names, nor mention of the FACT that Mr. Schied had even filed any type of civil rights complaint anywhere. Again, This is obviously a <u>gross intentional omission</u> and a deliberate <u>misstatement of the actual foundational facts</u> as formally presented by Grievant. This constitutes FRAUD and PERJURY by Duggan.** **Clearly, the fraudulence with which Duggan constructed this document VOID of the actual facts, was an act in which he incorporated color of law to deprive Grievant of his due process right to access the court, to access the jury, and to recover losses in damages caused by the named co-defendants. <u>This is a criminal obstruction of justice</u>.** (There is no point in arguing all of the other "issues" raised by Duggan's ruling since these major factors render those other issues relatively "*moot.*")	**"<u>EXHIBIT #32</u>"** in significant dispute to the authenticity and the untruthfulness of Duggan's 12/22/09 "<u>*Opinion and Order*</u>" submitted by Defendants as "*Exhibit D*" to their *motion* filing.
David Schied v. Ron Ward, et al	all	Upon filing his claims with the federal Court, Grievant Schied had provided a 140-page sworn and notarized statement that was fully supported by mounds of Evidence to demonstrate that the Brighton Area School District retaliated against him in the immediate aftermath of the Brighton district administrator Ron Ward being solicited in the <u>*Schied v. Davis, et al*</u> case, by the attorney general for the Defendant State of Texas, for an Affidavit outlining the procedures that school district used when conducting a criminal background check on Grievant Schied upon his being hired by that school district in	Again, *see* Grievant's **"<u>EXHIBIT #33</u>"** in significant dispute to the authenticity and the untruthfulness of Duggan's 12/22/09 "<u>*Opinion and Order*</u>" submitted

		2005. Such retaliation occurred despite that, in the preceding two and a half years of employment as a special education teacher for the Brighton Area School District, Mr. Schied had received satisfactory formal reports from his supervisors about his performance under that employer until such point that the Brighton Schools administration found out that Mr. Schied was suing the Superintendents of two other school districts (Lincoln Schools and Northville Schools) in federal court. Moreover, as the Evidence provides (as excerpted from **"Exhibit #33,"** Mr. Schied had taken leave of his job between 3/11/08 and 4/13/08 by doctors' orders due to the high stress he was experiencing on the job; and that despite federal protection of his job while out on medical leave, Ron Ward placed Mr. Schied on notice then that the school district had decided that he should not be returning to his place of employment. **See "EXHIBIT #36" as a copy of the FMLA Medical form which included a narrative page signed by Mr. Schied explaining the cause of his illness was directly related to his being retaliated against at work for his "*pursuing civil and criminal claims in Court against administrators of other school districts and against the Michigan Department of Education; and because [Grievant] had complaied that his employer [was] violating federal laws governing compliance with student rights under the Individuals with Disabilities in Education Act....*"**	by Defendants as "*Exhibit D*" to their *motion* filing. See **"EXHIBIT #34"** as the "Affidavit of Ron Ward" the assistant superintend of human resources at the Brighton School District. See also, **"EXHIBIT #35"** as the "*satisfactory*" teacher evaluation written just prior to the period when the retaliation began.

CHART OF PATTERN AND PRACTICE #2 –
Dismissing Mr. Schied by placing procedure over substantive statements and evidence

(This includes mischaracterizing Grievant Schied as a deranged "*screwball*" who is deserving of having the alleged 1974 criminal offense named in the first pages with his "*admission*" that he did it; then moving on to portray him as one who does not know or follow legal *procedure*, who cannot write effectively or efficiently, who does not provide facts (upon which relief can be granted), and whose voluminous "*pleadings*" and extensive number of exhibits *are not substantively relevant*.)

Case & Judge Name	**Page**	***Color of Procedure* Used Against Grievant**	**Proof**
***David Schied v Thomas Davis, et al*; Paul D. Borman**	1	Borman reinjured Grievant Schied right away in his ruling – by publishing in the middle of p.2 the renaming of the **1977** allegation that was supposed to have been "*wiped clean*" (according to the *Cuellar* case) in **1979** as supported by Texas attorney general opinion (DM-349) and without even mentioning either the Cuellar ruling or the AG Opinion.	Grievant's **"*Exhibit #2*"** as the *Cuellar* case and "*Exhibit #3*" as the DM-349.
***David Schied v Thomas Davis, et al*; Paul D. Borman**	8-10	In the context of all of the above and below in these charts, Borman cited the U.S. Court of Appeals for the Sixth Circuit ruling to justify the so-called "*standard*" for granting a "*motion to dismiss which is based on the **failure to state a claim upon which relief can be granted***" UNDER COLOR OF LAW. He then moved on in successive pages to *fraudulently* claim – in granting the government defendants' motions – that the preceding "state" cases were indeed "*decided on the merits*" when clearly **DISCOVERY WAS BARRED ON ALL THREE OF THE REFERENCED "*STATE*" CASES**, and: 1) The Washtenaw County Circuit Court Case (Lincoln Consolidated Schools) and the Michigan Court of Appeals (2006) had NOT litigated all of the public policy issues pertaining to Linda Soper's FOIA request and the *criminal* dissemination of the FBI fingerprint records; and **had NOT litigate the denial of Mr. Schied's due process right to "*challenge and correct*" the FBI report and keep his job while doing so**;	*See* Grievant's: **"*Exhibit #12-14, 17- 20, 22-23*"** at minimum.

		2) The Wayne County Circuit Court judge **Cynthia Stephens was out of her mind when determining that "*expungments are a MYTH*" and that "*teachers are subject to a LIFE SENTENCE*", while also failing to litigate NPS Parker's promise to "*return or destroy*" the expungement document once a new FBI fingerprint record arrived**; and, 3) The Ingham County Circuit Court "*chief judge*" was similarly unreasonable when dismissing Mr. Schied's "*Amended*" civil complaint, as well as his criminal complaint, in violation of his obligation to honor "*Haines v. Kerner*" and his obligation to investigate Mr. Schied's criminal allegations or else provide for him the grand jury investigation or "*special master*" that the face of his original Complaint had requested.	
	11	Borman mischaracterized and misled readers of his "*Opinion and Order*" that Grievant Schied "*attempts to avoid the res judicata bar by arguing that he has suffered "new" injuries since the conclusion of his state court proceeding*" before then proceeding to MISSTATE the "*new injuries*." **What was significantly OMITTED and/or MISSTATED by Borman here was based upon a PERJURED "*Affidavit of Dr. Leonard Rezmierski*" (i.e., *see* "EXHIBIT #25") that was manufactured fraudulently by the attorneys for the Keller-Thoma law firm and signed by Leonard Rezmierski to detract away from Grievant Schied's claim that in 2006 NPS David Bolitho had answered a private FOIA request and disseminated the Texas "*Agreed Order of Expungment*" through the mail to a person outside the school system and WITHOUT authorized "*color*" of the Michigan Revised School Codes that the law firm had so ardently been asserting in the Wayne County Circuit Court case.** (*See* **"EXHIBIT #26"** as the "*Affidavit of Barbara Schied*" that	**"EXHIBIT #25"** is the fraudulent "*Affidavit of Dr. Leonard Rezmierski*" and **"EXHIBIT #26"** is the "*Affidavit of Barbara Schied*" **which, along with "*Exhibit #19*" presents clear evidence that it is NOT Leonard Rezmierski that receives and responds to all FOIA requests but more likely his NPS "assistant superintendent, David Bolitho.** See also **"Exhibit #24"**.

		makes this a triable "*issue of fact*" that was disregarded by Borman. **What was so <u>dually</u> fraudulent about Rezmierski's affidavit was claim that he "*received all Freedom of Information Act (FOIA) requests which are served on Northville Schools...and that Northville Schools <u>has not received a FOIA request of any kind</u> from the Michigan 'State Administrative Board' or <u>any other such entity relative to David Schied</u>*."** Moreover, Borman went on (i.e., middle of p.11 of his ruling) to fraudulently claim that the "new" injury could have or should have been ruled on in Wayne County Circuit Court (by Stephens), when that was clearly not possible since that "*judge*" Stephens was completely derelict in refusing to "*litigate the merits*" of the "*<u>Affidavit of David Schied</u>*" **("<u>Exhibit #24</u>")** as submitted by attorney Daryle Salisbury; and because she dismissed the case on the first motion by Rezmierski and his equally crooked attorneys at the Keller-Thoma law firm.	
<u>David Schied v Thomas Davis, et al</u>; Paul D. Borman	12	Borman presented an entire page of gross misstatements and mischaracterizations about Grievant Schied on p.12 of his ruling. Besides claiming that the Washtenaw case was actually "*decided on the merits*," Borman *<u>fraudulently</u>* claimed that "*the Washtenaw County case was 'limited' to Plaintiff's employment issues*" and that *"[Grievant's] contention was not an accurate characterization of the Washtenaw County action*." Borman then went on to list items that had nothing to do with "*FOIA*" issues which were otherwise completely unrelated to Sandra Harris and the Lincoln School district committing multiple criminal counts and publicly defaming Mr. Schied, then stealing his contracted salary for a year, and firing him while denying him due process in properly challenging and correcting the erroneous FBI identification record.	

		Borman then also cited "*Exhibit A*" of the Lincoln Schools co-defendants as his "*factual*" reference for these mischaracterizing and misleading statements.	
David Schied v. Martha Daughtrey, et al	all	Clearly, Zatkoff tortuously applied tortuous "*legal standard*" **under color of law**. He acted like so many other judges who ignored and OMITTED the SUBSTANCE of what is in such a filing a Mr. Schied's 194-pages, 374 paragraphs, 80 footnotes, and 80 exhibits otherwise documenting a compounding of criminal offenses and successive "*accessories after the fact.*" In "*pattern and practice*" **Zatkoff displayed favorable (i.e., prejudicial) treatment toward the government perpetrators; summarily dismissing Mr. Schied's case before he had time enough to begin due process of legal "*Discovery*."** In Zatkoff's case, he first "*dismissed*" the entirety of Mr. Schied's Complaint and Evidence, and tortuously made him rewrite the entirety of his complaint, despite that Mr. Schied was "*pro se*" and despite that **Zatkoff otherwise knew well that Mr. Schied was a *pauper* who was unable to afford the cost of re-printing and re-serving everything again to all parties named by the initial complaint** (plus provide extra copies to the U.S. Attorney since he was suing the federal government). (See **"EXHIBIT #29"** as Zatkoff's "***Opinion and Order Dismissing Complaint Under [color of]*** *Fed.R.Civ.P.8*") Note that **"*Exhibit #29*"** demonstrates that, by mischaracterizing Grievant Schied's original filing as a "*large mass of conclusiory, argumentative, evidentiary and other extraneous allegations*" – **despite that the filing, with all of the attached "*exhibits*" documented the "*chain*" of criminal dereliction, gross negligence, intentional tort, malfeasance, obstruction of justice and a plethora of other crimes that had occurred over a period of years.**	See Mellon's "*Exhibit C*" to the instant "*motion*" as the THIRD and final ruling Zatkoff made in this case **(dated 3/25/09)** when dismissing the entirety of Mr. Schied's "*Amended Complaint*." *See* **"EXHIBIT #29"** attached herein as Zatkoff's 5-page FIRST ruling of this case **(dated 12/28/08)** dismissing the entirety of Mr. Schied's complaint and instructing him to rewrite and re-serve all of his allegations as an "*Amended Complaint*." Additionally, see **"EXHIBIT #30"** as the detailed "*Judicial Misconduct*" complaint filed by Grievant Schied against Zatkoff in the Sixth Circuit.

		Zatkoff committed blatant FRAUD in this official public record (p.3 bottom paragraph) when he wrote, "*Plaintiff filed his civil rights complaint...asserting claims for relief based on alleged injuries suffered by virtue of the disclosure of a 1977 felony charge that was later expunged from his record*." **First, the claims against the federal government co-defendants were NOT that they "*disclosed*" anything. The actual complaints were individualized, and primarily based upon their aiding and abetting in the cover-up of their each being fully informed about lower-level crimes being perpetrated by administrators of the Lincoln Consolidated Schools, and NPS and feloniously covered up through the construction of fraudulent state-level police "*incident*" and "*investigative*" reports and abuse of prosecutorial discretion, and other crimes found in public office usurpers engaging with corrupt organizations and racketeering activities.** **Next, in systematic fashion, Zatkoff resorted to again "*striking*" from the official court record, all of Mr. Schied's significant references to the Evidence already "*served*" and received by the government co-defendants. Subsequently, Zatkoff summarily dismissed the entire of Mr. Schied's case "*with prejudice*" to ensure that what he did remained sealed and without any opportunity for an appeal.** (See below for more details and for reference to that separate *exhibit*.) As such, the conduct of Zatkoff warranted Mr. Schied having filed a "*Judicial Misconduct*" complaint against Zatkoff. (See **"EXHIBIT #30"**)	
David Schied v. Martha Daughtrey, et al	all	Upon submitting his "*First Amended Complaint*" to the U.S. District Court, Mr. Schied submitted three other accompanying motions captioned as follows and as found	See **("EXHIBIT #31")** dated 2/10/09.

		in Zatkoff's "*Opinion and Order*" dated 2/10/09 **("EXHIBIT #31")** : 1) "*Motion to Demand this Court Read All Pleadings Plaintiff Files with this Court, and to Adhere Only to Constitutionally Compliant Law and Case Law, and More Particularly, the Bill of Rights in Its Rulings*" 2) "*Motion to Claim and Exercise Constitutional Rights, and Require the Presiding Judge to Rule Upon the Motion for All Public Officers of this Court to Uphold Said Rights*" 3) "*Motion for Judge to Disqualify Himself*" 4) "[Second Brief in Support of] *Motion for Order for Criminal Grand Jury Investigation*" **As shown – prima facie – in the content of the document itself, Zatkoff struck several *key* paragraphs of the Amended Complaint (i.e., paragraphs 1-50 in their entirety) under color of law**. (See p.2) **He then additionally struck 23 additionally KEY paragraphs, because they substantively referenced the evidence that Grievant had already *served* upon all of the co-defendants and could not afford the costs (as a "*forma pauperis*" litigant) to duplicate all of those exhibits and pay the duplicate costs to mail them all the very same numbered documents a second time.** (See p.3) On p.2, **Zatkoff also summarily dismissed the first two motions referenced above under claim that, "*Neither 'motion' sets forth a cause of action*"** and therefore both were considered "*moot*." Zatkoff DENIED the motion disqualifying him from further proceedings, while admitting that *"[a] judge must recuse himself ' if a reasonable, objective person, knowing all the circumstances, would have questioned [his] impartiality*." (p.4) Zatkoff went further to also DENY	See also Def. motion "*Exhibit C*" as **evidence that Zatkoff dismissed Mr. Schied's second submission of his complaint – based on Zatkoff's own determination that Grievant presented "no facts" AFTER having systematically "*stricken*" all of those "*facts*" and their references to the exhibits already in possession of the federal government co-defendants.** (Emphasis added)

		Grievant Schied access to a criminal grand jury citing – and despite that TWO (current or former) U.S. Attorneys and one (former) U.S. Attorney General were named as co-defendants – "*Federal criminal proceedings...rest solely on the authority and discretion of the United States Attorney and federal grand juries*" and *"[C]riminal complaints [must] be filed by the United States Attorney*." Again, this action was followed by Zatkoff dismissing the entirety of Grievant's *First Amended Complaint* a month and a half later, WITH PREJUDICE, and while barring Mr. Schied from exercising his rights to due process "*discovery*" and a *trial by jury*. As is shown by Def. *motion* "*Exhibit C*" demonstrates, Zatkoff	
David Schied v. Ron Ward, Ken Hamman, Kirk Hobson, Karen Ellsworth, Jessica Murray, Jennifer Bouhana, Patricia Ham, and Joe D. Mosier Patrick Duggan "*judge*"	1	This case ruling once again displays the familiar *pattern and practice* of dismissing Grievant Schied's allegations and claims for relief based upon the unsupported claim that Mr. Schied "*fails to comply* ***[to color of law]***" and "*fails to state a claim upon which relief can be granted*."	
David Schied v. Ron Ward, et al	2, 6	As has been the ongoing *pattern and practice*, Duggan recognizes the sheer volume of Grievant's filings; yet conducted an extensive legal evaluation that somehow worked its way to the conclusion that Grievant "*fails to state a claim...*" leading to the ultimate conclusion that, as the first line of "*background*" finds relevance in the first sentence of that section, Mr. Schied has failed the competency test (again) when up against Michigan BAR attorneys.	See Def. "*Exhibit D*"

Because of both time constraints and the sheer amount of more paper documentation that would be generated by going further, the above-described *patterns and practices* just addresses the first four of the U.S. District Court judges that deprived Grievant Schied due process, access to the court and jury, and the right to relief, under color of law and procedure through fraudulent errors and omissions and through the tortuous mischaracterization of Mr. Schied as both a litigant and otherwise as a model citizen. For reason of constraints only, Grievant hereby moves forward to summarize his simple *prima facie* arguments.

ARGUMENT OF DENIAL
of Defendant MMRMA'S "*Motion to Dismiss in Lieu of Answer*"
and
in Oppositional "*REPLY*" to MMRMA's "*Response to [Grievant's] 'Writ' for Change of Judge Based on Conflict of Interest and Change of Venue Based on 'Proven' History of Corruption* [throughout the territorial boundaries of co-Defendant Wayne County]"

Grievant incorporates by reference and reiterates herein all of the "*statements of facts*" originally delivered in his original filing to justify this instant action for "*Writ for Change of Judge...and Change of Venue...*", as well as all exhibits presented therein and all previously filed sworn affidavits and memorandums as additional Evidence.

FACT AND CONCLUSION #1:

Evidence published at Defendants' own website demonstrates beyond all reasonable doubt that Defendant MMRMA regularly trains its "*member*" officers in "*mental mindset*" of reality-based tactical encounters and in

practical exercises of field training, at their very own "*MMRMA Training Center*" in Livonia, Michigan, and at their Fort Custer Training Center in Battle Creek

State BAR of Michigan attorney James Mellon has committed – *prima facie* – intentional fraud upon this Court by blatantly misrepresenting (Def. "*motion to dismiss*" brief, p.1) that are not in any way engaging in the ongoing education and training of Defendant Redford Township Police Department and other co-Defendants named in this instant case, merely because MMRMA has no contractual "*authority*" or "*responsibility*" for doing so. Attorney Mellon is already attempting to privately play this court and judge into joining his own corruption as a "*court officer*." This conduct is to be barred, and Mellon should lose his attorney licensing for abusing this trusted authority.

FACT AND CONCLUSION #2:

In the context of the actual facts and the evidence presented in each of the federal cases found in the Exhibits introduced by Defendant MMRMA in effort to support their "*barethread*" and "*conclusory*" claim that the Grievant David Schied had been "*dubbed*" by the United States courts as a "*frivolous filer*" or a "*paper terrorist*" deserving of sanctioning by attorney fees and court costs – or worse – by prosecution and imprisonment as a "*terrorist,*" there is reasonable cause to believe that the "*patterns and practices*" found in the "*Opinion(s) and Order(s)*" issued by United States District Court judges Paul Borman, (the late) Lawrence Zatkoff, Patrick Duggan, and Denise Page Hood – minimally – reveal a coercion of government policies and practices and an injurious stigmatizing of Grievant Schied by federal judges who have repeatedly *denied due process* to Grievant *under color of law*.

The charts contained within the pages of this instant "*Grievant's Combined 'Response' and 'Reply' to attorney Mellon's*..." provides – *prima facie* – reasonable cause to conclude that State BAR of Michigan members acting in the capacity of judges for the U.S. District Court of the Eastern District of Michigan, Southern Division have committed intentional fraud upon the Court by blatantly misrepresenting the facts of the previous cases they ruled upon in their respective "*Order(s) and Opinion(s)*" as introduced by Attorney Mellon's instant "*motion to dismiss*" (i.e., see Def. "*Exhibits A through D, F, and G*").

Moreover, the rulings referenced above – introduced by Mellon for the purpose of attempting to support his ill-fated argument that Grievant David Schied has long been deemed by his fellow State BAR of Michigan members as state and federal judges a criminal who now continues under the escalated guise of now being a "*paper terrorist*" – are further evidence that Grievant is actually the victim of criminal malfeasance and the repeated deprivation of his due process rights under color of law. It is not coincidental, nor is it the defective actions of Grievant Schied as the underlying cause, that all of the "*Order(s) and Opinion(s)*" presented by Mellon's motion were dismissed at the onset while:

a) providing favorable treatment to the alleged government usurpers and their fellow members of the corrupted State BAR of Michigan;

b) denying Grievant Schied any opportunity whatsoever to exercise his right to due process "*discovery*" and to trial by jury; c) mischaracterizing Grievant as a "*frivolous*" filer, a vexatious litigant, and an unreasonable person incapable or unwilling to present facts upon which relief can be legally granted.

When placed into the proper context of the actual facts, and under the proper scope of objective analysis, it is clear that Mellon's "*exhibits*" as written in favor of the previous "*government*" co-defendants by their fellow State BAR members as federal court judges, Borman, Zatkoff, Duggan, and Hood are *invalid* on their faces. What the judges and Defendants have done in the underlying cases is far more serious than malice. These usurpers of judicial authority knew that they *lacked legally sufficient reason* or legal basis for writing the "*Opinion(s) and Orders*" presented by Mellon into this case. These "*judges*" instead carried out such deceit in plain view of the public knowingly and intentionally to compound the injuries of Grievant Schied, just as Mellon is doing when lying to this Court in claim that his clients conduct no training to their member police officers.

FACT AND CONCLUSION #3:

> **The Evidence presented (i.e., see the documents of Evidence supporting "*Exhibit #20*" herein with further context and support of the criminal allegations against "*judge*" Sean Cox's brother and sister-in-law, the former Michigan Attorney General Mike Cox and the former Wayne County Commissioner Laura Cox) serves only to further support the contention that this instant case comprises "*more than a de minimus*" appearance of a "*conflict of interest*" for Sean Cox as the judge**

somehow arbitrarily assigned to this case. Further, as shown by Mellon's own *exhibits* as reasoned in the previous two "*fact(s) and conclusion(s)*" as cited above, all these previous events occurred within the territorial boundaries of the Defendant Charter County of Wayne to cause Grievant injury IN FACT. Thus, the exhibits submitted by State BAR of Michigan attorney Mellon serve only to further support Grievant's previous justification for having issued his "*Writ*" of this District Court of the United States commanding a new "*venue*" and a new "*judge*" for this case.

NOTICE OF RELIEF DEMANDED AND HEREBY UNDERTAKEN

By means and for the reasons stated above, Defendant MMRMA's instant "*motion to dismiss*" is itself dismissed for lack of facts upon which relief can be granted. For the same reasons, Attorney Mellon's arguments against Grievant's previous "Writ" for change of judge and venue are also overcome and dismissed.

Again, Grievant's position stands firm: Judge Sean Cox is being REMOVED from this case, and this case is hereby being REMOVED from the District Court situated in downtown Detroit in Wayne County and transferred to the District Court of the United States situated in Ann Arbor of Washtenaw County where it will be reassigned to another judge.

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: 7/14/15

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

David Schied,
Sui Juris Grievant

v.
Karen Khalil, et al
Defendants

Case No. 15-11840

Judge:

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

Defendants
Michigan Municipal Risk
Management Authority
James T. Mellon
Mellon Pries, P.C.
2150 Butterfield Dr., Ste. 100
Troy, Michigan 48084-3427
248-649-1330

I hereby certify that on 7/14/15, I had delivered in person and by hand copies of the following documents to the United States District Court in Flint with ONE original for the Court and ONE copy for the judge; with one copy to the attorney for the Defendant listed above.

Note that in response to Defendant James Mellon's fraudulent allegations that Grievant Schied is a "*paper terrorist*," Grievant – as a long-reported crime victim of government corruption associated with Defendant Charter County of Wayne where the Defendants, as well as the U.S. District Court operates – has filed a full set of "exhibit" documents with the U.S. District Court for scanning into the public record; while providing the judge and Defendant with only the 404-page "*pleading*" of the 2007 filing in the state case presented as "*Exhibit #20*." The 180 "exhibits" associated with that full case can be found online at the link shown below so that Defendants – as well as the public – from this point forward, can access these documents on their own free will, and likewise choose to reject them under "color of" whatever they wish. Grievant considers these documents as evidence of "*predicate*" crimes for which "*secondary*" crimes should be – and will eventually be – prosecuted under the RICO Act.

1) "*Grievant's **Combined 'Response' and 'Reply**' to Attorney James Mellon's and Mellon Pries, P.C.'s Fraudulent Conveyances in Their 'Motion to Dismiss in Lieu of Answer' and Their 'MMRMA's Response to Plaintiff's "Writ for Change of Judge Based on Conflict of Interest and Change of Venue Based on Proven History of Corruption;*" (
2) Compiled "*Exhibits #1 through #36*" inclusive of all 180-itemized documents of FACTS and Evidence associated with the 2007 case of "*Schied v. State of Michigan et al*" which are also found in downloadable digital format at the link acknowledged already by Defendants' attorney Mellon as:
   http://constitutionalgov.us/Michigan/Cases/2015SchiedvJudgeKhaliletal/July2015Response2MMRMAmot2Dismiss/Exhibits2Response/
   And,
   http://constitutionalgov.us/Michigan/Cases/2007DavidSchiedvStateofMichigan/Exhibits/
3) This "*Certificate of Service*"

Respectfully submitted,

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