

Laurence R. Goodman
P.O. Box 3792,
Boulder, Colorado [80307-3792]

September 28TH 2018
Hand Delivered
DENIED BY COURT
10/03/2018
DATE FILED: October 3, 2018
SUPREME COURT

Colorado Supreme Court
2 East 14th Avenue, Denver, Colorado 80203
Re: Case No. 2018SA213

Michael Spear
SEP 28 2018
Michael Spear

Judge OF COLORADO
Cheryl L. Stevens, Clerk

Colorado State District Court for Denver County
Lindsey-Flanigan Courthouse
520 West Colfax Avenue, Denver, Colorado 80204
Re: Case No. Case No. 17CR10088

FILED IN DENVER
DISTRICT COURT
ORIGINAL
2018 SEP 28 PM 1:45

STATE OF COLORADO)
) ss. NINTH COMMERCIAL AFFIDAVIT - NOTICE OF INTEREST
County of Boulder) For a three-week Jewish International Law,
(21 day) statutory Grace Period
18 USC 4 Issue: Fraud upon the Court

**Second Demand and Motion for Summary Judgment,
Default, Judgment as a Matter of Law, and Directed Verdict
Pursuant to Fraud on the Court and Response to Beth McCann's Response**

COMES NOW Laurence Rene' Goodman, uncompromised freeman, proceeding herein after as affiant, in common law, neither conferring nor consenting to any foreign jurisdiction, except to the judicial power of Colorado, the state of the republic and to declare what he has determined to be fraud upon the Court.

Affiant here affirms that Robert Shapiro has knowingly and willfully refused his official duty to provide material evidence directly related to this case to this accused defendant in Denver District Court case no. 17CR010088. These Court records that have been impeded or refused include exculpatory evidence, discovery materials, and audio recordings of previous Court hearings.

Affiant here affirms that C.R.Crim.P. Rule 16 (l)(a)(1), (VIII), and (b) specifically declares that specific a "Time Schedule" be followed to provide discovery. By Shapiro's refusal to timely provide these court related records to this accused defendant, effectively amounts to "Extrinsic Fraud", which is also known as "Fraud on the Court". The court record of the August 24, 2018 hearing, evidences that Shapiro admitted in open court to the fraud.

Affiant further affirms that at the next hearing on August 27, 2018, in the same case Shapiro turned over more evidence however he has still refused to return defendant's personal property claiming that some of his experts determined there was no more exculpatory evidence.

Affiant here affirms that there is more exculpatory evidence contained in this defendants seized personal property. Through the directives of prosecutor Shapiro, the executive officers executing on the search warrant obtained on April 6, 2017, stole/took this defendant's personal computer, documents, books and electronic records. All of these items collectively contain files directly related to this case, all of which are certain to contain more exculpatory evidence, including evidence which incriminates people claiming to

BOULDER COUNTY, State of Colorado
Certified to be a full, true and complete copy
as appears upon the records of my office.
HILLARY HALL, CLERK & RECORDER
By *Richard Lacusky* 9/28/18
Deputy Clerk Date
Richard Lacusky



be government official right of the prosecution to determine whether or not the evidence is exculpatory but the duty of a jury.

Affiant avers and affirms that Beth McCann's, People's Consolidated Response to Defendants Various Demands and Motions Filed Between August 27, 2018, and September 5, 2018, demonstrates the prosecutions intent to continue withholding exculpatory evidence necessary for this affiant's defense. Affiant further avers and affirms that Beth McCann's said Consolidated Response is an attempt to seduce the presiding judicial officer to rely on kleptocracy, literally "rule by thieves", in the Court room.

Affiant avers and affirms that three red seal "Public Wealth Rebate Notes," numbers 3020, 3021, and 3022, valued at a total of more than one hundred twenty million dollars (\$120,000,000) were among the stolen items. More than six billion dollars (\$6,000,000,000) worth of these notes have been in the hands of the public for more than 21 years without any accusations of fraud. Recent public disclosure shows that FBI, IRS, DOJ, and other public officials are involved in nefarious criminal activity to take down the government and the current administration. Additionally, strong evidence exists that these particular parties have been involved in domestic or foreign terrorist acts and that this lawful money, the PWRN's would be used for such things as drug running, human trafficking, pedophilia rings, and other felonies.

Affiant further avers and affirms that the prosecution in this case has tampered with material evidence by blocking out text on the back side of the said PWRN's, that exposes the criminal activity of government official(s) and the prosecution has also omitted the back side of more than fifty of these said notes completely to conceal the validity of the notes.

Affiant here affirms that the impartiality of the presiding judge in case has been so disrupted that he can't perform his tasks without bias or prejudice. If the presiding judge in this case was not bias he would have performed his judicial function and dismissed this case since it has been shown in open court that the only way the prosecution can win is to practice fraud on the Court and fraud on the Public. Corrupt judicial systems not only violates the basic right to equality before the law but it also denies procedural rights guaranteed by both constitutions. See attached Memorandum of Law - Fraud on the Court.

Wherefore; By virtue of the fact it is axiomatic that fraud vitiates everything, this defendant asserts that this Demand and Motion for Summary Judgment, Default, Judgment as a Matter of Law, and 'Directed Verdict be granted and the case be dismissed.

Related documents found in Boulder County Clerk and Recorder Public Records RF: 0351224, 03617756, 03617757, 03621011, 03622235, 03621011, 03623713, 03624329, 03627499*, 03651728, 03654046, 03656416, and 03656417.

I, Laurence Rene' Goodman, certify and swear on my own Commercial Liability, that I have read the foregoing instrument, titled NINTH COMMERCIAL AFFIDAVIT - NOTICE OF INTEREST, a Criminal Complaint and know the content thereof, and that, to the best of my knowledge and belief, it is true, correct, complete, and not misleading, the truth, the whole truth, and nothing but the truth. I reserve the right and duty to update and correct this instrument as needed.

I, Laurence Rene' Goodman autograph: Laurence Rene' Goodman make this claim

Charles B. Stewart
Witness

Michael A. Gallucci
Witness

Charles B. Stewart

Michael A. Gallucci

Memorandum of Law - Fraud on the Court

1. Who is an "officer of the Court?"

A judge is an officer of the court, as well as are all attorneys. A state judge is a state judicial officer, paid by the State to act impartially and lawfully. A federal judge is a federal judicial officer, paid by the federal government to act impartially and lawfully. State and federal attorneys fall into the same general category and must meet the same requirements. A judge is not the court. *People v. Zajic*, 88 Ill.App.3d 477, 410 N.E.2d 626 (1980).

2. What is "fraud upon the Court?"

Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In *Bulloch v. United States*, 763 F.2d 1115, 1121 (10th Cir. 1985), "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or **where the judge has not performed his judicial function** --- thus where the impartial functions of the court have been directly corrupted." (Emphasis added.)

"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a **fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner its impartial task of adjudging cases that are presented for adjudication.**" *Kenner v. C.I.R.*, 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶ 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." (Emphasis added.)

3. What effect does an act of "fraud upon the Court" have upon the court proceeding?


"Fraud upon the court" makes void the orders and judgments of that court. It is also clear and well-settled Illinois law that any attempt to commit "fraud upon the court" vitiates the entire proceeding. *The People of the State of Illinois v. Fred E. Sterling*, 357 Ill. 354; 192 N.E. 229 (1934) ("The maxim that fraud vitiates every transaction into which it enters applies to judgments as well as to contracts and other transactions."); *Allen F. Moore v. Stanley F. Sievers*, 336 Ill. 316; 168 N.E. 259 (1929) ("The maxim that fraud vitiates every transaction into which it enters ..."); *In re Village of Willowbrook*, 37 Ill.App.2d 393 (1962) ("It is axiomatic that fraud vitiates everything."); *Dunham v. Dunham*, 57 Ill.App. 475 (1894), affirmed 162 Ill. 589 (1896); *Skelly Oil Co. v. Universal Oil Products Co.*, 338 Ill.App. 79, 86 N.E.2d 875, 883-4 (1949); *Thomas Stasel v. The American Home Security Corporation*, 362 Ill. 350; 199 N.E. 798 (1935). Under Illinois and Federal law, when any officer of the court has committed "fraud upon the court", the orders and judgment of that court are void, of no legal force or effect.

4. What is the result of "fraud upon the court?"

By reason of the foregoing that it is axiomatic that fraud vitiates everything and that when any officer of the court has committed "fraud upon the court," the orders and judgment of that court are void, of no legal force or effect a judge has no jurisdiction. *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821): "When a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason."

The end-point of judicial corruption is defined as **kleptocracy**, literally "rule by thieves".

Respectfully submitted,


 Laurence R. Goodman,
 Post Office Box 3792
 Boulder, Colorado (80307-3792)

CERTIFICATE OF SERVICE

Original instruments of the foregoing Second Demand and Motion for Summary Judgment, Default, Judgment as a Matter of Law, and Directed Verdict Pursuant to Fraud on the Court and Response to Beth McCann's Response (two pages), plus a Memorandum of Law - Fraud on the Court (one page), a total of three pages Re: Case No. 2018SA213 and Re: Case No. Case No. 17CR10088 were hand-carried this day September 28, 2018, to:

Colorado Supreme Court
2 East 14th Avenue,
Denver, Colorado (80203)

Colorado State District Court for Denver County
Lindsey-Flanigan Courthouse
520 West Colfax Avenue
Denver, Colorado (80204)

Cc: Beth McCann
Colorado State District Court for Denver County
Lindsey-Flanigan Courthouse
520 West Colfax Avenue
Denver, Colorado (80204)

Laurence Rene Goodman

Laurence Rene Goodman

Chun E. J. K. A. Edwards Osbourne El Roy
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