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(briefed\petsfo.rlf)

7 **UNITED STATES COURT OF APPEALS**
8 **FOR THE NINTH CIRCUIT**
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11 RODNEY F. STICH,) C.A. No.
12 Petitioner,) D.C. No. CR 90-0636 VRW
13 vs.)
14 UNITED STATES OF AMERICA;) PETITION FOR WRITE OF MANDAMUS
U.S. DEPARTMENT OF JUSTICE;) PROHIBITION & MANDAMUS;
15 JUDGE VAUGHN WALKER;) INITIAL NOTIFICATION OF
16 Respondents.) PATTERN OF CRIMINAL ACTIVITIES,
) CRIMINAL CARTEL IN NINTH CIRCUIT COURTS,
) REPORTED UNDER TITLE 18 U.S.C. 4;
) REQUEST FOR RELIEF FROM EFFECTS OF
) CRIMINAL CARTEL; FRCivP 65; 28 U.S.C. § 1651
17) FRAP 27
) **EMERGENCY REQUEST**
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20 This petition raises the following federal issues:

21 1. Notification to the Ninth Circuit Court of Appeals, of criminal activities in government offices,
22 implicating federal judges and officers of the court, especially in the Ninth Circuit. This notification is made
23 on the basis of (a) federal crime reporting responsibilities, requiring reporting of federal crimes to a federal
24 court, or other federal tribunal;¹ (b) constitutional and statutory right to relief from the harms inflicted upon
25 Petitioner; and (c) this Court's responsibility to provide such relief. The areas of criminal activities, over
26 which the Court of Appeal Justices have mandatory responsibilities to intervene, include, inter alia, the

27 ¹ Including Title 18 USC 4, and under the First Amendment guaranteed to petition government.

1 following:

2 a. CIA looting of America's savings and loans and other financial institutions. The attached
3 declarations give the specifics, including names of secret CIA proprietary corporations, and how
4 Ninth Circuit judges and officers of the court aided and abetted the scheme that inflicted the great
5 financial fraud upon the United States and its citizen in the nation's history. The Ninth Circuit
6 judiciary has a major responsibility in the success of this criminal enterprise.

7 b. Criminal misuse of Chapter 11 courts to cover up for the CIA's looting of America's financial
8 institutions. The declarations give the names of federal officers of the court, how the racketeering
9 activities are perpetrated, the part played by federal judges, federal trustees, Justice Department
10 attorneys/officers,¹ covert CIA and Justice Department law firms.

11 c. Criminal misuse of Ninth Circuit Chapter 11 courts, and Chapter 11 statutory "protections," in
12 the criminal cartel. Ninth Circuit Chapter 11 courts, with the aid and comfort of every higher level of
13 the judicial branch of the federal government, have and are playing a major role in the criminal
14 cartel. Federal judges and officers of the court have played a major role in carrying out the many
15 crimes against the United States and its people. They have made possible the massive looting of
16 America's savings and loans. This was accomplished by covering up for the CIA as they put looted
17 CIA proprietaries into Chapter 11, and then cooperating judges and "officers of the court" then hid
18 the evidence of the looting. Further, the same criminal cartel used Chapter 11 for a major source of
19 funding, by corruptly seizing the assets of those citizens exercising Chapter 11 protections, as the
20 protections in the laws and Constitution of the United States were openly violated as a matter of
21 course. According to the attached declarations, federal judges and officers of the court over whom
22 each and every justice of the Ninth Circuit Court of Appeals has supervisory responsibilities, the
23 criminal cartel was allowed to operate, and allowed to inflict great harms upon the United States, by
24 the aiding and aiding and abetting, of Ninth Circuit judges (such as Judges Robert Jones and Edward
25 Jellen); judge-appointed trustees (such as Charles Duck); law firms, "officers of the court," such as
26 Goldberg, Stinnett, and McDonald and Friedman, Sloan and Ross; US Trustee Anthony Sousa;

1 Justice Department personnel; all of whom have been identified by a deep cover CIA/ONI officer as
2 being knowingly implicated in CIA criminal activities, including frequent appearances at secret CIA
3 meetings, including arms and drug transshipment points.

4 d. Classic example of Ninth Circuit criminal cartel activities in Chapter 11 courts: Ninth Circuit
5 federal judges and officers of the court forced Petitioner to seek refuge in Chapter 11,² and then
6 commenced the routine practice of looting the assets, using CIA-operatives. In this case the
7 operatives/CIA-contacts, included Judges Robert Jones (Las Vegas) and Edward Jellen (Oakland);
8 judge-appointed trustee and CIA operative Charley Duck; Duck's cooperating law firm and CIA
9 operatives, Goldberg, Stinnett, and McDonald. To insure the success of this criminal enterprise, U.S.
10 Trustee Anthony Sousa, frequently participating in secret CIA meetings, protected the criminal
11 enterprise by culpable omission (similar to that perpetrated by Ninth Circuit justices, *en banc*, all of
12 whom had been repeatedly notified of the criminal activities. Justice Department personnel played
13 key roles in these criminal activities.

14 e. Large scale drug smuggling into the United States by the CIA, with the aid of other members
15 of the criminal cartel. The declarations name the parties knowledgeable in the drug smuggling, the
16 drug transshipment points, and other details.

17 f. Treasonous and subversive, activities known as "October Surprise." This is the conspiracy in
18 which the conspirators consisted of private citizens, renegade federal employees, the CIA, with the
19 aid of the Justice Department and federal judges/justices, sabotaged the elected government of the
20 United States, and bribed Iranian factions to continue the imprisonment of the 52 American hostages
21 held by Iran in 1980. The attached declarations/transcripts include the dates of the secret meetings;
22 where they *actually* occurred; who was present; who were the participants; how did they get to the
23 meeting sites; when did the arms starting flowing following the secret meetings; how government
24

25 ² Initially Las Vegas, where CIA-contract Judge Robert Jones, initiated the corrupt, unlawful, and unconstitutional
26 seizure of Petitioner's assets, and then transferred the cases to Oakland (487-05974J and 05975J), where the corrupt
27 activities were taken over by Judge Edward Jellen, trustee Charley Duck; Duck's retained law firm of Goldberg,
Stinnett and McDonald; all identified by a deep-cover CIA/ONI officer (Captain Gunther Russbacher, USN). These
criminal activities were continued by trustee Jerome Robertson and his retained law firm of Murray and Murray.

1 documents were forged to steal the weapons from US military warehouses; the route of shipment;
2 the part Israel played in the treasonous and subversive acts against the United States; the part played
3 by PepsiCo International Headquarters; and more.

4 g. Criminal cartel defrauding America, with major segments in the Ninth Circuit, involving
5 federal judges/justices, federal trustees, US Trustee, officers of the court, many of whom were
6 identified by a deep cover CIA/ONI officer as contract CIA operatives knowingly engaging in
7 treasonous, subversive, and criminal acts. Acting in a criminal conspiracy, these parties openly
8 played key roles in looting American in the savings and loan and Chapter 11 racketeering activities,
9 persecuting informants, victims, whistleblowers (many of whom were killed as they tried to report
10 the rampant crimes).

11 **SUPPORT FOR THE CHARGES**

12 2. Credibility of the charges. Although it is not necessary under law, nor possible to present all the
13 testimony and evidence in this Petition, to support the charges, reference is made to the following:

14 a. Crime reporting statutes. Under federal case law the charges in a complaint or petition must be
15 accepted as true until given an opportunity to prove the charges.³

16 b. Deep cover naval officer reports. The attached declarations/transcripts are given to Petitioner
17 by a Captain in the United States Navy, in a deep cover assignment to the Office of Naval
18 Intelligence and Central Intelligence Agency. Petitioner has over fifty hours of declarations by this
19 high military officer, who has risked his life and his career to meet his responsibilities to the United
20 States. These responsibilities require reporting the hard core treasonous and subversive acts by a
21 criminal cartel, including the many aspects that Petitioner has repeatedly brought to this appellant
22 court's attention.

23 c. Petitioner's previous position as federal investigator, as victim, and as private investigator. The
24 federal government had previously authorized Petitioner to inspect and make determinations of
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26 ³ *Dennis v. Sparks* 449 U.S. 24 (1980)("For the purposes of testing sufficiency of the complaint, the allegations of
27 the complaint must be accepted as true."

1 federal air safety and criminal violations. Many of the early activities of the criminal cartel were
2 discovered during this period. This capability did not disappear when Petitioner became a private
3 investigator, nor when he became a victim of the criminal cartel.

4 d. Secret July 11, 1990 report by assistant U.S. Attorney Michael Howard, reporting the rampant
5 Chapter 11 corruption in the Ninth Circuit.

6 e. Judicial records, including Petitioner's prior complaints detailing the corrupt acts, and the
7 judicial record in Oakland Chapter 11 court cases numbers 487-05974J and 487-05975J.

8 f. Numerous investigative media articles describing the details of the corruption.

9 PATTERN OF RESPONSE BY NINTH CIRCUIT APPELLATE JUSTICES

10 3. Since 1988, Petitioner has brought to this Appellate Court, to each of the Appellate Justices,
11 details of the corruption comprising the criminal cartel. Since 1988 Ninth Circuit Court of Appeal Justices
12 had been repeatedly made aware of these criminal activities, as Petitioner filed motions, appeals, petitions,
13 identified early evidence of the criminal cartel relating to Chapter 11 corruption. The attached declara-
14 tions/transcripts provides still further information showing that Ninth Circuit judges and justices are heavily
15 implicated in criminal cartels that constitutes treason, and subversion of federal courts and the federal
16 government.

17 4. In the 1970s, the Ninth Circuit played a key role in blocking Petitioner's reports of the early stages
18 of the criminal cartel, as Petitioner exercised his mandatory responsibilities to report federal crimes to a
19 federal court,⁴ as it related to a pattern of air safety and criminal violations which Petitioner initially
20 discovered while a federal air safety investigator, holding the responsibilities to make such determinations.

21
22 ⁴ *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), *cert. denied*, 434 U.S. 920 (1977)(addressed hard-
23 core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report
24 safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), *cert.*
25 *denied*, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting
26 highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus
27 curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas*
28 *Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District
California.(addressing the long standing FAA misconduct, of which the coverup of the DC-10 cargo door problem
was one of repeated instances of tragedy related misconduct); U.S. v. Department of Justice, District of Columbia, Nos.
86-2523, 87-2214, and other actions filed by claimant seeking to expose and correct the powerful and covert air
disaster misconduct.

1 In the 1980s Petitioner brought to this appellant court's attention the unlawful and unconstitutional
2 acts taken by Justice Department personnel and Ninth Circuit federal judges as they sought to feloniously
3 block Petitioner's reports of the Ninth Circuit's criminal activities. These criminal acts, through misuse of
4 federal courts and fiduciary positions, included voiding constitutional and statutory protections, rendering
5 injunctive orders barring Petitioner access to federal court for reporting the federal crimes in which the
6 judges were implicated, and barring Petitioner from defending himself through exercise of declaratory and
7 injunctive relief remedies. Then, to compound these crimes, appellate judges, *en banc*, aided and abetted the
8 five years of *continuing*⁵ felony persecution, charging Petitioner with crimes for reporting the crimes and
9 seeking to defend himself.

10 In 1988 Petitioner brought to this Appellant court's attention via petitions, appeals, and motions, the
11 Chapter 11 corruption involving CIA operatives, trustee Charles Duck, judge Robert Jones, related law firms
12 of Goldberg, Stinnett, and McDonald, and those who assisted. Included in the evidence presented to this
13 court was a secret July 11, 1990 internal report by an assistant U.S. Attorney (Michael Howard).

14 Now, Petitioner provides *further* evidence in the form of declarations by Captain Gunther Russbac-
15 her, deep cover CIA/ONI officer who seeks to report the treasonous activities in which the Ninth Circuit
16 plays a key role.

17 Obviously, the entire Ninth Circuit is deeply involved in covert overthrowing of our form of
18 government through these activities. Also quite obviously, the Ninth Circuit courts, as now controlled, will
19 never implicate itself in the criminal cartel by providing Petitioner the relief guaranteed by the Constitution
20 and laws of the United States. A reasonable person could expect Ninth Circuit Justices to expand on its prior
21 conduct. And of course, this was treasonous, subversive, criminal in intent, and bringing an end to our form
22 of government as recognized under the laws and Constitution that now exists.

23 **RESPONSIBILITIES OF THE NINTH CIRCUIT COURT OF APPEAL JUSTICES**

24 5. Responsibilities of this court to provide relief from the criminal acts that Petitioner has repeatedly
25 brought to this court's attention, that implicates Ninth Circuit judges, trustees, officers of the court, arises as
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27 ⁵ N.D. Cal. No. CR 90-0636 VRW; N.D. Cal. No. CIV 86-6046 MHP; E.D. Cal. No. CR 87-0124 RAR.

1 follows:

2 a. Crime-reporting statutes. Responsibilities under federal crime reporting statutes to receive
3 testimony and evidence of such crimes. (Title 18 U.S.C. 4.) This court had mandatory
4 responsibilities⁶ to receive Petitioner's testimony and evidence relating to a pattern of serious federal
5 crimes.⁷ The treasonous,⁸ subversive, seditious,⁹ and criminal acts, the conspiracies, that are key
6 parts of the criminal cartels, invoke numerous criminal statutes,¹⁰ including those pertaining to
7 culpable cover-up, obstruction of justice, by prior federal judges and justices.

8 b. Culpable omission of a duty as federal judges/justices. Criminal liability resulting with
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10 ⁶ Title 18 USC 4 (reporting federal crimes to a federal court or other federal tribunal).

11 ⁷ Treasonous and subversive acts, including (a) conspiracy and criminal acts known as October Surprise; (b) CIA
12 looting of America's financial institutions; (c) CIA drug smuggling into the United States; (d) conversion of Chapter 11
13 statutes and courts into racketeering enterprises, covering up for CIA looting of the financial institutions and
14 converting Chapter 11 into a major funding vehicle for the participants; (d) misusing federal courts and Justice Depart-
15 ment powers to persecute concerned citizens, victims, whistleblowers, informants, who attempt to report the crimes in
16 which federal officials are deeply implicated.

17 ⁸ Treason: a violation by a citizen of his allegiance to the United State; high treason. A violation directed against the
18 United States, giving aid and comfort to its enemies, such as Iran during the imprisonment of the 52 American
19 hostages. The betrayal of a trust or confidence (including the looting of America's savings and loans by the CIA and
20 related coconspirators); breach of faith (such as federal judges/justices in aiding and abetting the various activities of
21 the criminal cartel); treachery; disloyalty; an attempt to overthrow or impair the well-being of the United States to
22 which one owes allegiance, and particularly applies to federal officers, and more so to federal judges and justices,
23 including the Justices of the US Supreme Court); the crime of giving aid or comfort to the enemies of one's govern-
24 ment.

25 ⁹ Sedition is any act directed against state authority, the government, or constitution, or calculated to bring it into
26 contempt or to incite others to hostility, ill will or disaffection. It does not amount to treason and therefore is not a
27 capital offense.

28 ¹⁰ **Title 18 U.S.C. 1505 (obstructing proceedings** before federal courts, and earlier, before FAA, NTSB, before
federal grand jury, to prevent presenting testimony and evidence of federal offenses); **1512 (tampering with a
witness or informant**, and specifically, preventing Stich's communication to a federal court of the federal air safety
and criminal offenses, using felonious means to block such federal proceedings); **1513 (retaliating against a witness,
victim, or an informant**, and specifically against Stich, to prevent his reporting of the federal crimes by federal
officials); **1961-1965 (RICO violations**, by conspiring to harm an informant, and adversely affecting interstate and
international commerce); **241 (conspiracy against rights of any citizen**, including conspiracy that violated wholesale
numbers of federally protected rights); **371 (conspiracy to commit offense against, or to defraud, the United
States)**; **1951 (interference with interstate and international air commerce**, and specifically the FAA, NTSB,
wrongful acts, and blocking and retaliating against Stich for seeking to report federal air safety and criminal acts
affecting air safety); **2 (principal)**; **3 (accessory after the fact)**; **4 (misprision of felony)**; **35 (imparting or
conveying false information)**; **2071 (Concealment, removal, of official reports)**; **34 (changing federal offenses to
capital offense when death results)**; **111 (impeding FAA inspectors or other federal employees)**; **1621 (perjury,
at FAA hearing)**; **1623 (subornation of perjury, at FAA hearing)**; **1623 (false declarations before federal grand
jury)**; **28 U.S.C. 1343 (Failure to prevent the violations of a person's civil and constitutional rights)**; **Title 42
U.S.C. 1983-1986 (Violating civil and constitutional rights of another, conspiracy to do so, failure to prevent the
violations when the ability and responsibility to do so exists)**; Treason, Art 3, 3 of US Constitution.

1 culpable omission of a duty to respond to the reported crimes, and to protect the victims of the
2 ongoing crimes. A crime can be committed by a judge who fails to act in the presence of a duty to
3 act. See *W. LaFave & A. Scott, Criminal Law* 21011 (2d ed. 1986). In *People v. Burden*, 72
4 Cal.App.3d 603 (1977) similar analysis was utilized. Other crime statutes including Title 18 U.S.C.,
5 3 (accessory after the fact); . 2 (becoming a principle by aiding the perpetrators to escape
6 punishment).

7 c. Failure to prevent the federal offenses. Failure to prevent the violations of civil and
8 constitutional acts when these violations are brought to the person's attention. (Title 28 U.S.C.,
9 1343.)

10 d. Responsibilities to uphold the laws and Constitution of the United States. Obviously, the
11 treasonous, subversive, criminal acts, that were made possible by the Ninth Circuit's prior cover-up,
12 falls somewhat short of its responsibilities. Petitioner has repeatedly brought to this appellate court's
13 attention the pattern of hard-core civil, constitutional, and criminal acts that are part of the criminal
14 cartel's activities.

15 e. Misprision of felonies by federal judges. It is a federal crime to know of a crime and not report
16 it promptly to a federal court or other federal tribunal. (Title 18 U.S.C., 4). It is likewise an even
17 greater crime, for a federal judge/justice to block the report and investigation, or to remain culpably
18 silent. An assault or battery can be committed by a judge who fails to act in the presence of a duty to
19 act. (See *W. LaFave & A. Scott, Criminal Law* 21011 (2d ed. 1986). In *People v. Burden*, 72
20 Cal.App. 3d 603 (1977), a similar analysis was utilized.

21 f. Denying and blocking relief to a victim of the criminal cartel activities. It is a federal offense
22 to withhold relief to a party suffering harm from civil and constitutional violations, when a party has
23 the ability to prevent, or aid in the prevention, of these violations. (Title 28 U.S.C., 1343.) It is an
24 even greater crime when the party is a judge/justice, who understands these responsibilities more so
25 than the average citizen, and who holds fiduciary responsibilities to provide such relief.

26 g. Felony persecution of a victim/informant by federal judges, in a Ponzi-like pyramid scheme.
27

1 **It is a federal crime to persecute a victim/informant for reporting or trying to report a federal**
2 **crime.** (Title 18 U.S.C. 241, 1505, 1512, 1513.) And it is a crime for another federal judge to remain
3 silent, or to block constitutional and statutory relief, when these crimes are occurring. A corollary
4 would be the police officers standing idle as Rodney King was brutally beaten in Los Angeles.

5 h. Aiding and abetting, accessory after the fact, becoming a principal in the criminal cartel. A
6 federal judge or other party becomes a party to a conspiracy when he/she (a) blocks the reporting of
7 federal crimes; (b) persecutes a party for reporting the crimes; (c) protects the parties committing the
8 crimes. The defendants, and others not named in the complaint, have done each of these federal
9 offenses, making possible treasonous, subversive, and criminal acts, and the inflicting of great harms
10 upon the United States, upon its citizens, and specifically upon Appellant. The acts by the federal
11 judges/justices constitutes (a) accessory after the fact; (b) aiding and abetting; (c) obstruction of
12 justice; (d) liable as a principal; (e) and other federal offenses.

13 i. It is a crime for a federal judge/prosecutor to withhold aid when crimes are committed against
14 a particular person.

15 j. Judicial immunity, a self-serving holding by Ninth Circuit justices, does not protect Ninth
16 Circuit judges and officers of the court against the pattern of criminal activities in which they are
17 implicated, nor does it justify withholding declaratory and injunctive relief; nor does it protect
18 federal judges from the hard-core criminal and civil right violations perpetrated in the criminal cartel
19 activities, parts of which have been repeatedly brought to this court's attention.

20 CONSTITUTIONAL AND STATUTORY PROTECTIONS TO WHICH PETITIONER IS ENTI-
21 TLED AND THE APPELLATE JUSTICES HAVE THE RESPONSIBILITIES TO PROVIDE

22 6. The constitution and statutes which federal judges/justices are paid and sworn to uphold, requires
23 that a federal judge provide the following relief (among others):

24 **AS IT RELATES TO THE UNDERLYING CONTEMPT OF COURT PERSECUTION**

25 a. Relief from ongoing criminal contempt-of-court actions¹¹ by Ninth Circuit judges and Justice

26 _____
27 ¹¹ N.D. Cal. No. CR 90-0636 VRW; N.D. Cal. No. Civ 86-6046 MHP; Oakland Bkcy court, Nos. 487-05974J and
28 05975J; and E.D. Cal. No. CR 87-0124 RAR.

1 Department prosecutors, in retaliation for Appellant reporting federal crimes¹² in which they are
2 implicated; and to block Appellant's legal defenses against the retaliatory persecution. Appellant
3 filed an action in the US District Court, Chicago (90-C-2396), naming as defendants the officers of
4 the court that are deeply implicated in the treasonous and subversive CIA activities. (Chapter 11
5 judges Robert Jones and Edward Jellen; trustee Charles Duck; Duck's law firm of Goldberg, Stinnett
6 and McDonald (a secret CIA proprietary law firm, and the covert Justice Department proprietary law
7 firm of Friedman, Sloan and Ross). Unlawfully and unconstitutionally, the Chicago district court
8 judge aided and abetted the criminal enterprises by dismissing the action, blocking Appellant from
9 reporting the crimes or obtaining relief. Simultaneously, Ninth Circuit judges and Justice
10 Department prosecutors feloniously charged Appellant with criminal contempt for reporting the high
11 treasonous and other criminal acts, in which they themselves are implicated.

12 b. Return to petitioner of the rights and protections under our form of government. Ninth Circuit
13 judges/justices have rendered orders barring Petitioner from (a) reporting the federal crimes in which
14 they themselves are implicated; (b) barring Petitioner from obtaining declaratory and injunctive
15 relief from the harms inflicted upon him by various members of the criminal cartel, including the
16 covert Justice Department law firm of Friedman, Sloan and Ross, as they carried out a bizarre
17 California law suit against Petitioner that was barred by blocks of California and federal statutory
18 and constitutional safeguards. This court had aided the bizarre scheme by suspending for Petitioner
19 the dozens of California and federal statutes, rules of court, related case law, and constitutional
20 protections. Never in the nation's history have there been such an enormous number of civil and
21 constitutional protections violated by the same federal judges and justices whose duties are to
22 provide their protection. The federal judges were therefore instrumental in inflicting upon Petitioner
23

24 ¹² Criminal activities shown by the attached declarations include (a) CIA drug smuggling into the United States; (b)
25 CIA looting of savings and loans through secret CIA proprietaries, and misusing Chapter 11 courts to cover up for
26 these criminal activities; (c) drug smuggling into the United States by the CIA; (d) coup d'etat, treason, subversive
27 activities, in the conspiracy known as "October Surprise;" (e) persecution of victims, concerned citizens,
whistleblowers, informants, by a conspiracy consisting of Justice Department personnel and federal judges, assisted by
other members of the criminal cartel.

1 record-setting harms, for which they are culpable by omission, by their joining of the conspiracy, and
2 the joining of the criminal cartel!

3 **RELIEF FROM ONGOING LOOTING OF**
4 **PETITIONER'S ASSETS BY THE CRIMINAL CARTEL**

5 c. Relief from the looting and destruction of Appellant's Chapter 11 assets¹³ by CIA-affiliated
6 officers of the court.¹⁴ The facts surrounding the seizure and destruction of the multi-million dollar
7 assets by the officers of the court holding a fiduciary position typifies the activities of the criminal
8 cartel, of which Ninth Circuit courts are a key participant. Order the return to Appellant of all
9 assets¹⁵ that were owned by him when he sought protection from the civil, constitutional and
10 criminal acts, and total suspension of all due process by Ninth Circuit judges/justices. These assets
11 were seized by CIA-affiliated Chapter 11 judge (Robert Jones); without any hearing; without the
12 case containing the assets calendared for any court hearing, without any legally recognized cause,
13 violating constitutional and statutory protections and due process. The assets were then turned over
14 to CIA-affiliated trustee Charles Duck and his law firm of Goldberg, Stinnett and McDonald (also
15 associated with CIA covert activities. The orders seizing the assets were a void order, making that
16 order and all subsequent orders void.¹⁶ The seizure was part of the covert and criminal cartel

17 ¹³ Oakland Chapter 11 court, nrs. 487-05974J and 05975J.

18 ¹⁴ Conspirators consist of CIA-affiliated officers of the court, all of whom are identified as being present at many
19 secret CIA activities, some of which were in Central America at unlawful arms and drug transshipment points. These
20 officers of the court include, inter alia, Judge Robert Jones (Las Vegas), trustee Charles Duck, Duck's law firm of
21 Goldberg, Stinnett and McDonald.

22 ¹⁵ Real properties, airplanes, autos, that were directly owned by Appellant or which were owned via stock, and
23 return all funds collected by the CIA-affiliated trustees and law firms, making them individually and severally
24 responsible for the prompt return to Appellant of every money collected. Have the US Marshall evict all occupants
25 requested by Appellant, and return all personal properties to Appellant. Provide penalties for failure to return the funds
26 and assets within a reasonable period of time.

27 ¹⁶ A void judgment is not entitled to the respect accorded a valid adjudication. All proceedings founded on the void
28 judgment are themselves regarded as invalid. A void judgment is regarded as a nullity, and the situation is the same as
it would be if there were no judgment. 30A Am Jur Judgments, 43, 44, 45. It is attended by none of the consequences
of a valid adjudication. It has no legal or binding force or efficacy for any purpose or at any place. ... It is not entitled to
enforcement ... **All proceedings founded on the void judgment are themselves regarded as invalid. 30A Am Jur
Judgments, 44, 45.**

Jordon v. Gilligan, 500 F.2d 701, 710 (6th Cir. 1974)("a void judgment is no judgment at all and is without
legal effect.") *Lubben v. Selective Service System Local Bd. No. 27*, 453 F.2d 645 (1st Cir. 1972). "a court must vacate
any judgment entered in *excess of its jurisdiction*."; *U.S. v. Holtzman*, 762 F.2d 720 (9th Cir. 1985) ("Portion of
judgment directing defendant not to import vehicles without first obtaining approval ... was not appropriately limited in
duration and, thus, *district court abused its discretion by not vacating it as being prospectively inequitable*." *Id* at

1 activities described in the attached declarations, and part of a scheme to silence Appellant's reporting
2 of widespread criminal corruption by federal officials in control of key segments of the US
3 government.

4 7. Vacate, and hold void, all judicial acts charging Appellant with criminal contempt for having
5 reported federal crimes,¹⁷ and for seeking judicial relief¹⁸ from the retaliatory persecution in
6 California and federal courts.¹⁹

7 8. Vacate, and hold unconstitutional and unlawful, the litany of injunctive orders rendered by
8 federal judges in the Ninth Circuit, barring Appellant from exercising federal crime-reporting
9 responsibilities in federal statutes; barring Appellant from exercising declaratory and injunctive
10 relief remedies, which barred Appellant from the constitutional and statutory defenses under our
11 form of government, to defend against the judicially-orientated felony persecutions.

12
13 722.); *Johnson v. Virginia*, 373 U.S. 61 (1963)(An order that exceeds the judge's jurisdiction is a void order, or
14 voidable, and can be either ignored, or attacked in any proceeding in any court where the validity of the judgment
comes into issue.

15 "A void judgment does not create any binding obligation. Federal decisions addressing void state court
16 judgments include *Kalb v. Feuerstein* (1940) 308 US 433, 60 S Ct 343, 84 L ed 370; *Ex parte Rowland* (1882) 104
17 U.S. 604, 26 L.Ed. 861: "A judgment which is void upon its face, and which *requires only an inspection of the*
18 *judgment roll to demonstrate its wants of vitality is a dead limb upon the judicial tree, which should be lopped off, if*
the power to do so exists." *People v. Greene*, 71 Cal. 100 [16 Pac. 197, 5 Am. St. Rep. 448]. "If a court grants relief,
19 which under the circumstances it hasn't any authority to grant, its judgment is to that extent void." (1 Freeman on
20 Judgments, 120-c.) An illegal order is forever void. An order that exceeds the jurisdiction of the court, is void, or
21 voidable, and can be attacked in any proceeding in any court where the validity of the judgment comes into issue. (See
Rose v. Himely (1808) 4 Cranch 241, 2 L ed 608; *Pennoyer v. Neff* (1877) 95 US 714, 24 L ed 565; *Thompson v.*
Whitman (1873) 18 Wall 457, 21 1 ED 897; *Windsor v. McVeigh* (1876) 93 US 274, 23 L ed 914; *McDonald v. Mabee*
22 (1917) 243 US 90, 37 Sct 343, 61 L ed 608; California law, as well as rights and protections under federal and
23 Constitutional law, holds that an order rendered in violation of law, or without jurisdiction, is a nullity. *Forbes v. Hyde*
31 C. 343; *People v. Greene*, 74 C.400; *In re Estate of Pusey*, 180 C.368, 181 P 648; *Lang v. Lang*, 182 C. 764, 190 P
181; *Carter v. Carter*, 148 CA2d 845, 307 P2d 630; *Sato v. Hall* 191 C. 510, 217 P 520; a void judgment is not
24 rendered valid by a mere affirmance on appeal. *Pioneer Land Co. v. Maddux*, 109 C.633, 42 P 295; Where the record
shows that a judgment was rendered without personal or subject matter jurisdiction it is void and subject to collateral
25 attack. *Armstrong v. Armstrong*, 15 C.3d 942, 126 Cal.Rptr 805, 544 P2d 941; If a court grants relief it has no authority
to grant under any circumstances, its judgment to that extent is void. *People v. Good*, 223 CA2d 298, 35 Cal.Rptr 825;
26 A personal judgment in an action in which no jurisdiction over the person has been acquired is void and ineffective.
Brown v. Campbell, 100 C.635, 35 P 433; *1st Natl. Bank v. Eastman*, 144 C. 487, 77 P. 1043.

25 ¹⁷ Which must be reported to a federal court under federal crime reporting statutes, including Title 18 USC. 4
(misprision of felonies).

26 ¹⁸ Declaratory and injunctive relief in California and federal courts from the ten-year-pattern of felony persecution
by California and federal judges and justices.

27 ¹⁹ Including the sham California action, no. 83472, Superior Court, Solano County.

1 a. Provide relief from the harmful, unlawful, and unconstitutional orders rendered by California
2 judges/justices, acting without jurisdiction, and violating state and federal law, who were part of the
3 scheme to silence Appellant's reporting of the criminal cartel activities. These state judges acted in
4 concert with the covert Justice Department proprietary law firm of Friedman, Sloan and Ross (San
5 Francisco), to carry out the scheme to silence Appellant through a sham California law suit that was
6 barred by blocks of California and federal statutes, rules of court, case law, and constitutional
7 safeguards.²⁰ There now exists five divorce judgments establishing Appellant as being divorced on
8 January 31, 1966, and establishing his property rights as of that date. In carrying out the scheme by
9 Justice Department renegades, California judges/justices rendered and upheld a 1988 "divorce"
10 judgment that takes away the rights and legal obligations established by the five prior judgments.
11 Appellant's former wife had been declaring herself divorced since the bilateral consent 1966
12 judgment, which had also been recognized by the Social Security Administration. Despite these
13 protections, a covert Justice Department law firm conspired with California judges/justices, who
14 then included federal judges/justices, in order to carry out the scheme. To this date federal judges
15 and justices, protecting the scheme and the participating judges, have refused to render a judgment
16 required under the Declaratory Judgment Act. To this date Appellant's personal and property rights
17 are undecided, because of the need to carry out the scheme, and for secrecy as to its intent and its
18 participants. Appellant is entitled to a Declaratory Judgment under Title 28 USC. 2201 and 2202,
19 and protections from retaliatory judgments rendered by California judges and justices that are close
20 to one million dollars.

21 b. Render an order protecting the deep-cover Naval officer now being prosecuted²¹ by Justice
22

23 ²⁰ Superior Court, Solano County, No. 83472. Although Appellant was divorced for 20 years, as indicated by five
24 divorce judgments, a sham "divorce" action was filed so as to enable a co-conspirator to claim community property
interests, and thus block Appellant use of the assets. These assets funded Appellant's exposure activities.

25 ²¹ He is in prison at St Charles, Missouri, on a sham charge by Justice Department personnel that he impersonated a
26 naval officer on approximately July 30, 1990, at Castle Airforce Base. Captain Gunther Russbacher and his wife were
27 billeted at Castle Airforce Base while Russbacher was debriefed following a highly secret SR-71 flight to Moscow on
July 26, 1990; and while Russbacher was waiting to be promoted from Captain to Rear Admiral (as Russbacher was
previously advised on July 27, 1990 by Admiral G. Raeder). The intent of the sham charge by Justice Department
officials was to cause the State of Missouri to revoke probation concerning a non-adjudicated plea bargain relating to a

1 Department personnel to silence his reporting of treasonous and subversive activities centered in the
2 CIA and implicating federal judges and officers of the court. Gunther Russbacher seeks to report
3 major criminal activities, including, inter alia, (a) the major role played by the Central Intelligence
4 Agency in the looting of America's financial institutions; (b) the CIA role in drug smuggling into the
5 United States; (c) the CIA's role, with Justice Department personnel and federal judges and officers
6 of the court, in Chapter 11 corruption; and other crimes against the United States.

7 **SUMMARY**

8 This Petition and the attached declarations/transcripts are a classic example of how the government
9 of the United States has been subverted, and how abdication of responsibilities by federal judges, and
10 particularly those in the Ninth Circuit. The attached declarations show how the criminal cartel has converted
11 federal agencies and branches of government into criminal enterprises. The declarations show how
12 treasonous and subversive activities have taken over the government of the United States, through federal
13 officials holding fiduciary positions. And it shows how Ninth Circuit judges and justices have made possible
14 the crimes that have defrauded America.

15 The question now arises as to whether Ninth Circuit appellate justices will expand the criminal cartel
16 by **again** protecting the criminal activities that are now escalating, and which have petitioner targeted for
17 final elimination. Already, many other informants, victims, whistleblowers, have been killed, who knew only
18 a small part of what Petitioner brings to this court's attention, again.

19 This court should recognize that there is a small but vocal band of patriots, a small minority in the
20 media, who are now working to expose various segments of these criminal activities. There is also
21 considerable covert attention in Washington to these crimes.

22 The criminal cartel indicates the United States is at the threshold of anarchy, in which renegade
23 federal officials, federal judges, officers of the court, Justice Department personnel, the Central Intelligence
24

25 secret CIA financial institution operation that was operated by Russbacher under CIA orders. If the Justice Department
26 fails to cause Russbacher to be imprisoned, they have in progress a deportation action. These Justice Department
27 tactics seek to silence Russbacher, or discredit his credibility. Ninth Circuit Justice Department personnel and federal
judges previously brought about Russbacher's 18 month prison sentence for diverting a CIA Learjet for minor personal
matters (picking up his bride-to-be at Flightcraft, Seattle, Washington).

1 Agency, and others, have conspired in such a manner that horrendous harms have been inflicted upon the
2 United States.

3 Fully aware of this court's need to continue its prior conduct, Petitioner never-the-less conforms to
4 procedural requirements, requesting relief from this court prior to filing a petition with one or more Justices
5 of the US Supreme Court.

6 Dated: January 27, 1992.

7
8

Rodney F. Stich
Appellant in pro se

9 Enclosures:

10 Exhibit A: Partial list of harms inflicted upon Petitioner by Ninth Circuit renegade judges and officers of the
court.

11 Exhibit B: General list of treasonous and subversive harms inflicted upon the United States and its citizens,
in which Ninth Circuit judges/justices and officers of the court played a key role.

12 Exhibit C: Partial list of the constitutionally and statutorily guaranteed rights and protections that have been
voided for Petitioner, that have been judicially violated, by Ninth Circuit judges (with the
help of cooperating California judges/justices).

13 Exhibit D: Latest declarations enlarging upon evidence of massive criminal activities in which the
14 defendants and others are implicated in treasonous, subversive activities, in a criminal cartel
inflicting great harms upon the United States.

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EXHIBITS

- Exhibit "A" : Declaration, partial list of harms inflicted upon Petitioner.
- Exhibit "B" : Partial list of harms inflicted upon the United States.
- Exhibit "C" : List of civil and constitutional violations judicially inflicted upon Petitioner.
- Exhibit "D" : Declaration/transcripts by deep-cover naval officer, CIA/ONI.

1 I, Rodney F. Stich, declare:

2 INTRODUCTION

3 On December 10, 1990, Justice Department personnel charged Petitioner with criminal contempt, in
4 felony retaliation for having filed a federal action (N.D. Ill, No. 90-C-2396). This federal action (a) reported
5 federal crimes, that must be reported to a federal court under federal crime-reporting statutes, including Title
6 18 USC. 4; and (b) for exercising constitutionally guaranteed right to federal court, to obtain relief from the
7 record numbers of civil and constitutional violations and the record judicially perpetrated destruction of
8 personal and property rights. The criminal contempt charge, and the refusal of Judge Vaughn to immediately
9 dismiss the action based on its obvious constitutional violations, reflects the continuing expansion of the
10 criminal cartel repeatedly brought to this appellate court's attention, and as partly shown in the attached
11 declarations/transcripts.

12 INITIAL DISCOVERY OF CRIMINAL CARTEL

13 Petitioner originally discovered segments of the criminal cartel while he was a government
14 investigator for the Federal Aviation Administration. Despite the criminal nature of the pattern of air safety
15 and criminal offenses, every check and balance²² engaged in a felony cover up, led by Justice Department
16 personnel. Petitioner then exercised his rights under the constitution,²³ and the responsibilities under federal
17 crime-reporting statutes.²⁴ He reported the crimes to federal courts.²⁵ Under federal case law, the allegations
18

19 ²² High FAA officials; National Transportation Safety Board; Government Accounting Office; members of
20 Congress.

21 ²³ First Amendment right to petition government for redress of grievances, being the conversion of government
22 agencies into criminal enterprises.

23 ²⁴ Including Title 18 USC. 4.

24 ²⁵ *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), *cert. denied*, 434 U.S. 920 (1977)(addressed hard-
25 core air safety misconduct, violations of federal air safety laws, threats against government inspectors not to report
26 safety violations and misconduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), *cert.*
27 *denied*, 459 U.S. 861 (1982))(addressed repeated criminal falsification of official airline accident reports, omitting
highly sensitive air safety misconduct, making possible repeated crashes from the same sequestered problems); Amicus
curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas*
Corporation and United States of America, Civil Action 74-808-PH, MDL 172, Central District
California.)(addressing the long standing FAA misconduct, of which the coverup of the DC-10 cargo door problem
was one of repeated instances of tragedy related misconduct); U.S. v. Department of Justice, District of Columbia, Nos.
86-2523, 87-2214, and other actions filed by claimant seeking to expose and correct the powerful and covert air
disaster misconduct.

1 made in the complaint must be accepted as true at that stage of the pleadings.²⁶ Any single one of the
2 multiple federal causes of actions barred dismissal, under federal case law and the rights guaranteed by the
3 Constitution²⁷ and laws²⁸ of the United States.

4 But instead of complying with their judicial responsibilities to receive Petitioner's reports of the
5 federal crimes, federal judges in the Ninth Circuit commenced in 1974 a Ponzi-like pattern of obstruction of
6 justice, invoking numerous related criminal acts.²⁹ The crimes then escalated, as expected. This obstruction
7 of justice by federal judges, that commenced in 1974, continues to this day. In addition, federal judges,
8 acting with the implicated Justice Department personnel, have enlarged upon these federal offenses by
9 felony persecution³⁰ of Petitioner for reporting their offenses.

10 The criminal activities Petitioner and other inspectors discovered, and the felony cover-up and
11 culpable silence, played a major role in a series of fatal airline crashes. Hundreds and hundreds of people
12 died in airline crashes in which the direct causes were caused, or permitted to occur, by the criminal acts,
13 including the criminal cover-up.

14 **COMPOUNDING THE FELONY COVER-UP BY A PATTERN OF JUDICIAL
15 PERSECUTION AND SUSPENSION OF ALL CONSTITUTIONAL PROTECTIONS**

16 After blocking Petitioner's reporting of the federal crimes, federal judges and Justice Department
17 personnel in the Ninth Circuit commenced a pattern of persecution. (from 1987 and continuing to this date).
18 In a pyramid-like scheme, federal judges and Justice Department prosecutors charged Petitioner with
19 criminal contempt,³¹ in felony retaliation³² for reporting the crimes and for exercising constitutional and

20 ²⁶ *Gardener v. Toilet Goods Assn.*, 387 U.S. 167, 172 (1967). (An action, "especially under the Civil Rights Act,
21 must not be dismissed at the pleadings stage unless it appears to a certainty that plaintiffs are entitled to no relief under
22 any state of the facts, which could be proved in support of their claims." *Dennis v. Sparks* 449 U.S. 24 (1980)("a
23 section 1983 complaint should not be dismissed unless it appears that the plaintiff can prove no set of facts which
24 would entitle him to relief ... For the purposes of testing sufficiency of the complaint, the allegations of the complaint
25 must be accepted as true."). Further, the gravity of the charges made by Appellant, who was a former federal
26 investigator, responsible for making such determinations, and the sworn declarations by a Navy Captain and deep-
27 cover CIA/ONI officer, strongly indicated the charges to be true.

28 ²⁷ First and Fifth Amendment right to petition government for redress of violations of federally protected rights.

²⁸ Title 28 USC. 1331, 1343, 2201, 2202; Title 42 USC. 1983-1986; *Bivens* doctrine; Title 18 USC. 1961-1965;
Federal Tort Claims Act; Title 18 USC. 4 (requirement to report federal crimes to a federal court or other federal
tribunal).

²⁹ Misprision of felonies, aiding and abetting, accessory after the fact, becoming principals in the various crimes.

³⁰ Title 18 USC 241, 1505, 1512, 1513.

³¹ E.D. Cal. No. CR 87-0124 RAR; N.D. Cal. No. CR 90-0636 VRW; Oakland Bkcy court Nos. 487-05974J and

1 statutory defenses against the retaliatory judicial acts.

2 **CRIMES OF OMISSION BY THOSE HOLDING FIDUCIARY RESPONSIBILITIES**

3 A federal judge, holding fiduciary responsibilities, sworn to uphold the laws and constitution and
4 provide the constitutional and statutory relief, commits crimes, including culpable omission to perform a
5 duty, when he (a) blocks the reporting of the civil right and criminal offenses Petitioner sought to report; (b)
6 blocks the constitutional and statutory remedies to halt relief from the harms the criminal cartel has been
7 inflicting upon Petitioner for the past ten years; (c) aids and abets, becomes an accessory after the fact, and
8 liable with the principals, when they block the reporting of the crimes. Ninth Circuit judges and justices, in
9 concert with Justice Department and CIA renegades, described in the attached declarations, have inflicted
10 record-setting judicial persecution upon Petitioner. The conspiracy doctrine makes clear that they joined the
11 underlying conspiracy, and are guilty as the original parties implicated in the multi-pronged criminal cartel.
12 Obviously, Petitioner will get no relief in the Ninth Circuit courts.

13 **RETALIATION FOR CIRCUMVENTING OBSTRUCTION OF JUSTICE**

14 It is a crime to retaliate, to harm, a victim, or informant, for reporting federal crimes, or for
15 exercising constitutional protections.³³ In 1982, after Petitioner had sought to circumvent the obstruction of
16

17 05975J; N.D. Cal. No. Civ 86-6048 MHP.

³² Title 18 USC, 241, 1512, 1513.

18 ³³ Title 18 U.S.C. 241. Conspiracy against rights of citizens. If two or more persons conspire to injure, oppress,
19 threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the
20 Constitution or laws of the United States, or because of his so exercised the same, ... they shall be fined ... or
21 imprisoned ...;

Title 18 U.S.C. 1505. **Obstructing proceedings**. Applies to anyone who corruptly attempts by threats or
22 force, or by any threatening letter or communication, influence, obstruct, or impede the due and proper administration
23 of the law under which any pending proceeding is being had before any department or agency of the United States.

Title 18 U.S.C. 1512. **Tampering with a witness/informant**. Applies to anyone who (b) uses intimidation or
24 physical force, or threatens another person, or attempts to do so, or engages in misleading conduct toward another
25 person, with intent to (1) influence, delay or prevent that person's testimony in an official proceeding; (2) cause or
26 induce any person to (A) withhold testimony; or withhold a record from an official proceeding; (B) alter, destroy,
27 mutilate, or conceal an object with intent to impart the object's integrity or availability for use in an official proceeding;
(3) hinder, delay, or prevent the communication to a ... judge of the United States of information relating to the
commission or possible commission of a Federal offense, ...

Title 18 U.S.C. 1513. **Retaliating against a witness, victim, or an informant**. (a) Whoever knowingly
engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another
person, or threatens to do so, with intent to retaliate against any person for—(1) the attendance of a witness or party at
an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an
official proceeding; or (2) any information relating to the commission or possible commission of a Federal offense ...

1 justice publishing exposé books and hundreds of radio and television appearances, Petitioner became
2 targeted in 1982 by a scheme³⁴ carried out by a covert Justice Department law firm (San Francisco law firm
3 of Friedman, Sloan, and Ross). The sham lawsuit was barred by blocks of state and federal laws and
4 constitutional safeguards, and by the absence of jurisdiction by cooperating California judges/justices.

5 Every one of the many substantive and procedural protections were openly and repeatedly violated
6 by California judges and justices.³⁵ They repeatedly punished Petitioner in felony retaliation for exercising
7 constitutional and statutory defenses. At this time there exists over half a million dollars in financial
8 sanctions against Petitioner, rendered by California judges and justices, in retaliation for exercising
9 constitutional and statutory defense remedies. These remedies were exercised on the basis of absence of
10 jurisdiction, gross violations of California statutes, related case law, rules of court, and their federal
11 counterparts, including constitutional protections. In response to the multiple violations of state and federal
12 protections, Petitioner exercised the sole protection under our form of government, and filed the first of
13 numerous federal actions in 1984.³⁶ Because of the repeated unlawful and unconstitutional dismissal of the
14 major federal causes of actions, and the escalating violations of civil and constitutional rights, and the great
15 harms inflicted upon Petitioner, multiple federal actions had to be filed. This resulted in judge-protecting-
16 judge, in a Ponzi-like scheme of escalating due process violations by the very same federal judges whose
17 fiduciary responsibilities required providing relief, instead of aiding and abetting the violations.

18 **FEDERAL JUDGES/JUSTICES AIDING AND ABETTING**

19 Federal judges and justices unlawfully and unconstitutionally dismissed that action and every
20 subsequent action. In this way they protected the parties committing the escalating series of civil, constitu-
21 tional, and criminal acts, in which Justice Department personnel and a covert Justice Department law firm
22 were key actors. In this way the initial part played by federal judges in the multi-pronged criminal cartel is
23 revealed.

24 As the violations against Petitioner increased in frequency and severity, additional federal causes of
25

26 ³⁴ Sham and bizarre law suit filed in Superior Court, Solano County, State of California, number 83472.

27 ³⁵ And especially Harry W. Low; Donald B. King; Zerne P. Haning.

³⁶ E.D. Cal. No. 84- RAR.

1 actions arose. Every attempt to obtain relief from the constitutional and statutory protections were blocked
2 by federal judges/justices. These conspiracy acts, and the total suspension of all due process by federal
3 judges/justices, forced Petitioner to seek refuge in Chapter 11 from the harms inflicted upon Petitioner's
4 businesses and assets.

5 The judicial corruption related to the air disaster misconduct, to the sham scheme utilizing the
6 California courts, then extended to Chapter 11. Petitioner was unaware of the criminal enterprise which the
7 CIA, the Justice Department, and federal judges and officers of the court, had embedded into Chapter 11
8 statutes and Chapter 11 courts.

9 **RESPONSIBILITIES OF FEDERAL JUDGES/JUSTICES**

10 This court is required by criminal statutes and its responsibilities to uphold the laws and Constitution
11 of the United States, and to provide relief to the victims of federal crimes, to provide Petitioner the relief he
12 is requesting and to which he is entitled under the laws and Constitution of the United States. He has a right
13 to expect a federal judge/justice to exercise the responsibilities that he is paid and entrusted to meet.

14 The judicial responsibilities requires providing declaratory and injunctive relief from the blocks of
15 civil, constitutional and criminal violations and related harms. Judge Hogan, by his unlawful June 28, 1991
16 *sua sponte* dismissal, aided and abetted the criminal cartel whose tentacles are identified in part in the
17 attached declarations. This court has a responsibility to correct the daisy-chain type of judicial coverup that
18 has permitted the escalation of the crimes described in the attached declarations. To do otherwise implicates
19 this court itself.

20 **DISCUSSION**

21 **I. A FEDERAL JUDGE/JUSTICE MUST RECEIVE EVIDENCE OF FEDERAL CRIMES**

22 It is a mandatory, and not a discretionary, judicial response, for a federal judge/justice to receive
23 evidence of federal crimes being reported under federal crime reporting statutes. This court is **already** on
24 notice of earlier reports of the federal crimes due to Petitioner's repeated attempts to have Ninth Circuit
25 Justices respond to their mandatory responsibilities via appeals, motions, and petitions. Again and again this
26 court (a) refused to receive the evidence of the criminal activities; (b) refused to provide the constitutional
27

1 and statutory protections and relief that this court has a fiduciary responsibility to have provided. So **again**
2 Petitioner seeks to report to this court the criminal cartel that developed in this court's area of supervisory
3 responsibilities, that blossomed from the earlier criminal activities brought to this court's attention.

4 Federal crime statutes,³⁷ this court's responsibilities,³⁸ and under federal civil right statutes,³⁹
5 requires that it receive testimony and evidence supporting these charges. However, this court's obvious
6 coverup of this criminal cartel in the past makes it obvious that any hearing, if it ever did occur, would be
7 useless.

8 Refusal to act, culpable omission or complicity, blocking Petitioner from reporting the crimes and
9 providing testimony and evidence, blocking the guaranteed protections in the Constitution and laws of the
10 United States, makes this court liable as are the prior federal judges and justices that committed the many
11 offenses they committed.⁴⁰

12 II. NINTH CIRCUIT FEDERAL JUDGES AND JUSTICE DEPARTMENT ATTORNEYS ARE IN
13 THE FIFTH YEAR OF REPEATEDLY CHARGING PETITIONER WITH COMMITTING
14 CRIMINAL CONTEMPT FOR REPORTING FEDERAL CRIMES, AND FOR SEEKING
15 RELIEF FROM THE RETALIATORY ACTS OF THE CRIMINAL CARTEL

16 Federal judges⁴¹ have repeatedly charged Petitioner with criminal contempt, for having exercised
17 federal crime-reporting responsibilities; and for exercising constitutionally and statutorily guaranteed right
18 to federal court access and relief. Petitioner sought relief from the very same federal judges and officers of
19 the court that the deep-cover CIA/ONI officer identifies as major participants in secret and criminal CIA
20 activities. These are the same parties that Petitioner showed as defendants in the federal actions filed in the
21 Ninth Circuit (which were unlawfully dismissed, and which aided and abetted the criminal cartel), and who

22 ³⁷ **Title 18 U.S.C. 4** (misprision of felony). "Whoever, having knowledge of the actual commission of a felony
23 cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some
24 judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or
25 imprisoned not more than three years, or both."

26 ³⁸ Including upholding the laws and Constitution of the United States and defending it against the criminal cartel
27 conspiracies described in the attached declarations, in Appellant's complaint, and other writings.

28 ³⁹ Title 28 USC. 1331, 1343; Title 42 USC. 1981-1986; *Bivens*.

⁴⁰ Misprision of felonies (18 USC. 4), obstruction of justice, accessory after the fact (18 USC. 3), joining the
principals (18 USC. 2), violating the first and fifth amendments to the constitution by denying/violating the rights and
protections they provide, violating federal statutory protections (28 USC. 1331, 1343, 2201, 2202; 42 USC. 1983-
1986; 18 USC. 1961-1965; *Bivens*; Federal Tort Claims Act; and many other protections under case law.

⁴¹ Judges Raul Ramirez, Marilyn Patel, Vaughn Walker, Edward Jellen; Magistrate John Moulds.

1 Petitioner listed in his federal action (N.D. Ill No. 90-C-2396) for which Ninth Circuits judges are against
2 seeking to use as justification for Petitioner's imprisonment.

3 Even worse, the CIA-related Chapter 11 judge, Robert Jones, used as the basis for seizing and
4 eventually destroying Petitioner's \$10 million dollar estate, on the basis that Ninth Circuit judges held
5 Petitioner in contempt for reporting the federal crimes and for exercising federal remedies.

6 **RIGHT TO COURT ACCESS**

7 The right of access to the courts is an aspect of the First Amendment right to petition, and further
8 established by Supreme Court and other federal court decisions. In In re Green, 669 F.2d 779 (D.C. 1981).
9 In re Clovis Carl Green, 598 F.2d 1126, 1227 (8th Cir. 1979)(en banc), the court stated that "[i]t is axiomatic
10 that no petitioner or person shall ever be denied his right to the processes of the court." An individual's
11 constitutional right of access to the courts cannot be impaired, either directly or indirectly, by threatening or
12 harassing the individual in retaliation for filing lawsuits; it is not necessary that the individual succumb
13 entirely or even partially to the threat, as long as threat or retaliatory act was intended to limit individual's
14 right of access. U.S.C.A. Const. Amend. 1.

15 In Harrison v. Springdale Water & Sewer Commission, 780 F.2d 1422 (8th Cir. 1986), the Eight
16 circuit stated:

17 The Supreme Court and other federal courts have uniformly recognized a constitutional right of
18 access to the courts. See e.g. Bounds v. Smith, 430, F.Supp. 432 (D.Neb. 1976), aff'd 567 F.2d 1381
19 (8th Cir. 1977), cert. denied, 439 U.S. 841, 99 S.Ct. 132, 58 L.Ed.2d 140 (1978). The United States
20 Supreme Court has stated that "[t]he right of access to the courts is indeed but one aspect of the right
21 of petition." California Motor Transport Co. v. Trucking Unlimited, 404 U.S. 508, 510, 92 S.Ct. 609,
22 611 30 L.Ed.2d 642 (1972). The Court has noted that the right to petition is "among the most
23 precious of the liberties safeguarded by the Bill of Rights," United Mine Workers v. Illinois State Bar
24 Association, 389 U.S. 217, 222, (1967), and that it has "a sanctity and a sanction not permitting
25 dubious intrusions," Thomas v. Collins, 323 U.S. U.S. 516, 530, 65 S.Ct. 315, 322, 89 L.Ed. 430
26 (1945). As an aspect of the First Amendment Right to petition, the right of access to the courts shares
27 this "preferred place" in our hierarchy of constitutional freedoms and values. It has been noted in this
28 Circuit that "access to the courts is a fundamental right of every citizen." Greenholtz, 436 F.Supp. at
436. An individual's constitutional right of access to the courts "cannot be impaired, either directly ...
or indirectly, by threatening or harassing an [individual] in retaliation for filing lawsuits. It is not
necessary that the [individual] succumb entirely or even partially to the threat as long as the threat or
retaliatory act was intended to limit the [individual's] right of access." Sanders, 724 F.2d at 666. The
cases from this Circuit, as well as from others, make it clear that state officials may not take
retaliatory action against an individual designed either to punish him for having exercised his
constitutional right to seek judicial relief or to intimidate or chill his exercise of that right in the
future. See, e.g., id.: Garland, 594 F.2d at 1223; Hall v. Sutton, 755 F.2d 786, 787 (11th Cir. 1985);

1 *Matzker v. Herr*, 748 F.2d 1142, 1150-51 (7th Cir. 1984).

2 "An act taken in retaliation for the exercise of a constitutionally protected right is actionable
3 under 1983 even if the act, when taken for a different reason, would have been proper.") *Matsker v.*
4 *Herr*, 748 F.2d 1142, 1150-51 (7th Cir. 1984); An individual is entitled to "free and unhampered
5 access to the courts." *United States ex rel. Cleggett v. Pate*, 229 F.Supp. 818, 821-22 (N.D.Ill. 1964.)

6 "Access to the courts is a fundamental right of every citizen." Greenholtz, 436 F.Supp. at 436.

7 Making matters even worse, the repeated violations of this basic right by Ninth Circuit judges and justices
8 was accompanied by either direct, or indirect by aiding and abetting, violations of the rights described in
9 attached Exhibit "C." And if that isn't enough of a sordid description of Ninth Circuit misconduct, we have
10 the additional violations under federal criminal statutes, and aiding and abetting those committing high
11 treason against the United States. Obviously, if even part of these obviously true conditions are correct, the
12 impeachment of major segments of the Ninth Circuit judges and justices would be necessary. And it is
13 probably recognized that if the scandals described in the attached declarations ever circumvent the almost
14 total felony cover-up by every known check and balance, that is the fate for Ninth Circuit judges and
15 justices.

16 III. FEDERAL JUDGES/IUSTICES HAVE THE RESPONSIBILITY TO PROVIDE DECLARATORY
17 AND INJUNCTIVE RELIEF FROM THE RECORD-SETTING CIVIL AND CONSTITUTIONAL
18 VIOLATIONS AND RECORD SETTING JUDICIALLY PERPETRATED HARMS

19 Petitioner is suffering great and irreparable harms, which commenced in 1982, with the filing of a
20 sham lawsuit by a covert Justice Department proprietary law firm, and which continued due to the felony
21 suspension of all due process, the felony aiding and abetting, by federal judges and justices. These parties
22 sought to protect the criminal cartel described in the complaint, and in the attached declarations. Federal
23 judges and justices, paid, and holding a fiduciary duty to uphold the laws and Constitution of the United
24 States, are implicated in the treasonous, subversive, acts, conspiracies, criminal cartel, described in these
25 writings. This court does not have a choice under law, of whether it will continue the Daisy-Chain conduct
26 implicating fellow judges/justices, and thereby aid and abet in the undermining of our form of government;
27 or, in the alternative, comply with the role of upholding the laws and Constitution of the United States.

28 The harms inflicted upon Petitioner are shown in part by Exhibit A. The harms inflicted upon the
United States are shown in part by Exhibit B. These harms far exceeds the constitutional and statutory
criteria for federal judges to provide immediate injunctive relief. The criteria includes:

1 1. **Irreparable injury and absence of legal remedies.** The basis for injunctive relief is irreparable
2 injury and inadequacy of legal remedies. Amoco Production Co. v. Village of Gambell, 107 S.Ct.
3 1396, 1402 (1987). To obtain a preliminary injunction requires a showing irreparable injury and
4 likelihood of success on the merits. The standard for a preliminary injunction is essentially the same
5 as for a permanent injunction, except "likelihood of success on the merits rather than actual success"
6 must be shown. A reasonable person, and even this court, would have no difficulty recognizing the
7 outrageous irreparable injury and harm inflicted upon Petitioner, but also upon the United States
8 itself. (Exhibits "A" and "B.")

9 2. **Wrongful behavior.** Injunctive orders are to halt wrongful behavior. (Merrill Lynch, Pierce,
10 Fenner & Smith, Inc. v. Stidham, 658 F.2d 1098 (5th Cir. 1981). A reasonable person might argue
11 that the record-setting criminal enterprises, any one of which establishes a record for government
12 misconduct in the history of the United States, might constitute wrongful behavior!

13 3. **Public Interest.** The public interest must be protected against wrong-doings. (Continental
14 Group, Inc. v. Amoco Chemicals Corp., 614 F.2d 351 (3d Cir. 1980). The cartel of criminal activities
15 has inflicted great harms upon the United States (and upon Petitioner to silence him). The criminal
16 cartel consisting of CIA and Justice Department personnel, federal judges and federal officers of the
17 court, and others, has inflicted great and permanent harms upon the United States, through (a)
18 massive looting of America's financial institutions by the Central Intelligence Agency; (b) criminal
19 misuse of Chapter 11 courts to hide the CIA looting of America's financial institutions; (c) misuse of
20 Chapter 11 courts as a major funding vehicle for the criminal cartel; (d) drug smuggling into the
21 United States by the CIA; (e) coup d'etat against the United States through a pattern of treasonous
22 and subversive acts known as October Surprise; (f) felony persecution of victims, concerned
23 citizens, whistleblowers, informants, by Justice Department personnel and federal judges; and much
24 more.

25 A reasonable person might argue that if these criminal offenses invoke the responsibilities of a federal
26 judge/justice, despite the involvement of colleagues on the federal bench, on the California bench, or in the
27

1 legal fraternity.

2 4. **Preserving the status quo.** Although there isn't much left of Petitioners personal and property
3 rights, what does remain must be protected. If this court continues the protection of those
4 committing these outrages, Petitioner loses what little remains after the looting by federal judges,
5 federal trustees, Justice Department personnel, covert Justice Department and CIA law firms, all of
6 whom are directly implicated in CIA drug and arms shipments and other criminal acts. The status
7 quo is certainly not preserved if this court allows the final destruction of Petitioner's life's assets,
8 corruptly seized by CIA-affiliated Judge Robert Jones; CIA-affiliated trustee Charley Duck; CIA-
9 affiliated law firm of Goldberg, Stinnett, and McDonald. Nor is the status quo maintained if
10 Petitioner is criminally persecuted by federal judges and Justice Department attorneys in a
11 continuing steam of felony persecutions/prosecutions, charging him with a crime for reporting the
12 crimes being aided and abetted by the same federal judges and Justice Department. Citations are
13 hardly necessary to make this court understand its responsibilities. But just in case: (See e.g.,
14 National Ass'n of Letter Carriers v. Sombrotto, 449 F.2d 915 (2d Cir. 1971). Continued coverup,
15 continued due process violations, by federal judges, insures maintaining the status quo in one area:
16 the protection, and the escalation, of the criminal cartel activities described by Petitioner and
17 described in the attached declarations. The continuation of these crimes is not what was intended by
18 the statutes, or the constitutional responsibilities, of this court.

19 5. **Responsibility of the court to halt a pattern of vicious civil right violations that accom-**
20 **panied the criminal cartel activities.** Any person becomes legally liable for losses suffered, if they
21 know of harms arising from civil right violations, and they fail to prevent or aid in the prevention of
22 these violations. Judicial immunity does not protect federal judges from violations of constitutional
23 and statutory protections. See also Title 42 U.S.C., 19683-1986.

24 6. **Additional criminal statutes come into play if the criminal cartel is protected.** These include
25 Title 18 U.S.C., § 4 (making it a crime for failure to report federal crimes to a federal court, and
26 impliedly, making it a crime for a federal judge to culpably remain silence or block the reporting of
27

1 the crimes); Title 18 U.S.C. §§ 2, 3, 4, relating to misprision of felonies, accessory after the fact,
2 becoming a principal, obstruction of justice, culpable silence by a federal officer holding a fiduciary
3 responsibility to act; all of which are invoked by blocking the reporting of the crimes and
4 persecuting the informant (as the defendants have done).

5 **EXTREME GRAVITY OF THE CRIMINAL CARTEL**

6 The treasonous and subversive acts related to October Surprise, besides being a coup d'etat against
7 the United States, inflicted great harms upon America. The looting of America's financial institutions by
8 those in control of the Central Intelligence Agencies (in collaboration with Justice Department personnel and
9 renegade federal judges, as described in the attached declarations), the drug smuggling into the United States
10 by the CIA, the conversion of Chapter 11 courts into criminal enterprises, constitute either singly, or in total,
11 the greatest crimes ever inflicted upon the United States by people who gained control of key federal
12 agencies and of the federal courts. Further judicial cover-up can only make the harms worse than they
13 already are.

14 There is a strong probability that with corrupting every constitutional and statutory protection under
15 our form of government (federal judges/justices, Justice Department, and every check and balance), it may
16 be almost impossible to find a government or non-government party that will meet their responsibilities.

17 Killings, judicial and Justice Department persecutions, of concerned citizens, informants,
18 whistleblowers, and even victims, are another price paid by the judicial cover-up encountered by Petitioner
19 in the Ninth Circuit, and other circuits as the Daisy-Chain of aiding and abetting the guilty extends the
20 number of parties joining the conspiracies. The attached declarations list a number of those who were killed,
21 or who are being persecuted by Justice Department personal and federal judges.

22 IV. AIDING AND ABETTING THE RECORD-SETTING CIVIL, CONSTITUTIONAL AND CRIMI-
23 NAL VIOLATIONS, PERPETRATED BY THE CRIMINAL CARTEL, IS OUTSIDE THE PER-
24 MISSIBLE DUTIES OF A FEDERAL JUDGE OR JUSTICE

25 Again and again judges and justices of the judicial branch of the federal government have blocked
26 the reporting of the escalating criminal enterprises described in part in the complaint, the motion, and the
27 attached declarations. The dismissal was a naked obstruction of justice, blocking the reporting of federal

1 crimes in which fellow judges are heavily implicated. Under federal criminal law, he has joined the
2 conspiracy, and is guilty of the same crimes as the conspirators described in the complaint, this motion, and
3 in the attached declarations. The implications are ominous.

4 **V. RELIEF REQUESTED**

5 The underlying action is a criminal contempt action, and that is the primary basis for relief. The
6 respondent Judge Vaughn has protected the activities described in this petition and the attached
7 declarations/transcripts. He has enabled Petitioner to suffer great harms to constitutionally protected
8 personal and property rights. He is protecting the felony persecution inflicted upon Petitioner. Under federal
9 case law, his conduct makes him a party to the conspiracy, and the criminal cartel described in part in the
10 attached declarations.

11 **1. Halt the felony persecution by Ninth Circuit judges and Justice Department personnel.** It
12 shocks the conscience that any person within these United States, in the face of constitutional and
13 statutory protections preventing what this Court has made a standard practice, could occur in a
14 country supposedly operating under a system of laws and Constitution. The extent to which the
15 criminal cartel has taken over the United States and its courts, can be reflected in the criminal
16 contempt charge in Chapter 11 court proceedings, nos. 487-05974J and 05975J. This horror story of
17 constitutional outrages committed by federal judges in the Ninth Circuit includes sentencing
18 Petitioner to federal prison in retaliation for filing appeals and oppositions to the corrupt seizure of
19 Petitioner's life assets (without any hearing, without cause, without due process), by a CIA-related
20 federal judge (Robert Jones);⁴² which assets were then turned over to CIA-related trustee Charles
21 Duck (who was frequently present at secret CIA meetings in Central America, at CIA drug and arms
22 transshipment points, and who was reportedly implicated in a major September 1989 drug bust in
23 Los Angeles, and who promptly looted Petitioner's assets; who worked his scheme with the
24 assistance of CIA-related law firm of Goldberg, Stinnett, and McDonald (who was also frequently
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26 ⁴² Who has reportedly made many trips to the east coast, to gambling centers, with CIA-provided vehicles,
27 furthering the CIA interests in looting America's financial institutions and converting Chapter 11 courts into major
28 funding vehicles through the looting of assets of those exercising Chapter 11 protections.

1 present at secret CIA meetings in Central America. Petitioner reported what he had directly observed
2 from these members of the criminal cartel, furnishing this appellate court with evidence of the
3 criminal activities by officers of the court over whom this appellate court has supervisory
4 responsibilities. Instead of providing relief, this court allowed Petitioner to be repeatedly sentenced
5 to federal prison! Some might argue these are impeachable offenses by a federal judge holding
6 fiduciary responsibilities. Now that this court is again made aware of the criminal activities, all
7 Chapter 11 proceedings should be halted in those two cases, and the assets returned to Petitioner as
8 of the day of seeking refuge in Chapter 11.

9 a. Vacate the judicial barring Petitioner from traveling anywhere in the United States except in
10 the two counties of Alameda and Contra Costa, as part of the pre-trial release, pending the criminal
11 contempt trial.

12 b. Order the dismissal of the criminal contempt charge, and render appropriate orders blocking
13 any federal judge from ever inflicting such grave constitutional outrages upon any citizen, and
14 especially upon whistleblowers threatening to expose any aspect of the criminal cartel.

15 **2. Halt the liquidation of Petitioner's assets that were seized via a void order** (rendered without
16 the case on the court calendar, without a hearing, without due process, in violation of law), when
17 CIA-affiliated Chapter 11 judge Robert Jones ordered the assets seized and turned over to CIA-
18 rogue, trustee Charles Duck and to CIA related law firm of Goldberg, Stinnett and McDonald. The
19 void order, the outrageous civil and constitutional violations, the involvement with the CIA, should,
20 a reasonable person might conclude, justification for even the most apathetic federal judge to meet
21 their responsibilities.

22 **3. Provide for Petitioner to present to this court testimony and evidence** relating to the pattern
23 of hard-core federal crimes, to support the charges already made.

24 **4. Halt the felony persecution of the deep-cover naval officer**, who is being persecuted by
25 Justice Department personnel, to halt his exposure of the crimes listed in the attached transcripts and
26 other crimes, which he uncovered while assigned to the Central Intelligence Agency and the Office
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1 of Naval Intelligence.

2 5. **Provide declaratory and injunctive relief from the blocks of civil and constitutional**
3 **violations committed by California judges and justices**, in the sham California action initiated by
4 the covert Justice Department law firm of Friedman, Sloan and Ross.⁴³

5 VI. **FINDINGS OF FACT AND CONCLUSIONS OF LAW ARE REQUIRED**. Rule 52(a) requires
6 the court in granting or denying a preliminary injunction, "... shall ... set forth the findings of fact and
7 conclusions of law which constitute the grounds of its action." This court is requested to state its reasons for
8 its decision.

9 SUMMARY

10 Two decades of judicial cover-up, obstruction of justice, suspension of due process, persecution of a
11 victim, concerned citizen, informant, doesn't give Petitioner great expectations that this court will break the
12 Daisy-Chain series of judicial outrages. It is obvious that there has been a secret takeover of the government
13 of the United States by the coup d'etat associated with October Surprise; by the pattern of looting of
14 America's financial institutions; by the government sponsored drug smuggling into the United States; the
15 conversion of federal courts into criminal cartels.

16 Petitioner has made all levels of the judicial branch of the federal government aware of these
17 criminal enterprises, commencing from the time that he was a federal investigator holding responsibilities to
18 make such determinations. The fact that these great criminal enterprises could have developed while federal
19 judges and justices were blocking the reports of such criminal activities, implies that the federal judiciary
20 plays a major role in the criminal cartel described by the attached declarations, this motion, and the
21 underlying complaint. As such, the secret overthrowing of the United States is an accomplished fact, and this
22 motion will be in vain. Although this petition is couched in legal terms and legal reasoning, it is obvious by
23 now that the Ninth Circuit Court of Appeals is deeply implicated in the criminal cartel.

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25
26 ⁴³ The California judges and justices rendered ten years of orders, without jurisdiction, based upon the sham lawsuit
27 filed by the covert Justice Department law firm. This sham lawsuit stripped Appellant of the personal and property
rights established 24 years ago, and as further established in five judgments lawfully rendered in courts throughout the
United States. Declaratory judgment and injunctive relief, and damages, are sought.

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I, Rodney F. Stich, declare these statements to be true and correct to the best of my knowledge.
Executed this 27th day of January 1992 in the City of Walnut Creek, State of California.

Dated: January 27, 1992.

Rodney F. Stich
Petitioner in pro se