

No. 03-6244

UNITED STATES COURT OF APPEALS

For the Southern District of New York

RODNEY F. STICH, Plaintiff—Appellant

v.

UNITED STATES GOVERNMENT, Defendant--Appellee

APPELLANT DECLARATION

Of FILING IRREGULARITIES

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3 **APPELLANT DECLARATION OF FILING IRREGULARITIES**

4 I, Appellant Rodney Stich, make the following declaration for inclusion in the records of
5 this action as it relates to the repeated blocks to reporting criminal and subversive activities
6 against the United States. Appellant, a former federal agent, and his group of other former gov-
7 ernment agents, sought to report serious offenses—federal crimes—against the United States.

8 These crimes caused and/or enabled to occur multiple catastrophic consequences, and
9 which implicates people in key government positions. The most recent irregularities related to
10 blocking the reports of these federal offenses under the federal crime reporting statute, and the
11 irregularities related to the closely related massive civil and constitutional requirements.

12 The following irregularities reflects that latest in a long line of documented acts by judicial
13 and Justice Department personnel that violate federal criminal and related civil rights laws, pro-
14 tects the guilty, and continues the ongoing deadly consequences:

- 15 • The district court received Appellant’s complaint for filing on August 15, 2002. Al-
16 though the filing fee was paid and the papers in order, the complaint was blocked from
17 being filed for over 12 months. The major federal issues stated in that Complaint in-
18 cluded attempts to report corrupt, criminal, and subversive activities implicating people
19 in key government positions. These wrongful acts that Appellant and his group of other
20 former federal agents had discovered during their official duties, have left a trail of
21 great harm upon major national issues, including national security, and also the deaths
22 of countless victims. The terrorist events of September 11, 2001, were enabled by the
23 misconduct in government offices that Appellant initially discovered while holding a
24 key position in the government’s aviation safety offices.
- 25 • While refusing to file Appellant’s complaint, Judge Mukasey devoted weeks to prepar-
26 ing a five-page sua sponte dismissal order, purportedly addressing the complex multiple
27 federal causes of actions stated in the complaint that had not even been filed, including
28 Appellant’s attempts to report the deadly federal crimes.

- 1 • Thirteen months after Appellant’s Complaint was required by law to be filed, it was fi-
2 nally filed—on September 22, 2003, simultaneous with the five-page sua sponte dis-
3 missal order prepared by Judge Mukasey. The sua sponte dismissal order, riddled with
4 misstatements of fact and law, and omissions, made extensive reference to the Com-
5 plaint which had not even been filed while Judge Mukasey was fabricating facts to
6 block the reports of major federal offenses.
- 7 • The sua sponte dismissal order contained numerous misstatements of law and fact,
8 omissions of key information, and support for prior criminal obstruction of justice, fel-
9 ony retaliation against former federal agent and witness, and massive violations of civil
10 and constitutional rights, protections, and defenses.
- 11 • Appellant filed a timely notice of appeal, and in accordance with the appeal schedule,
12 the court of appeals received Appellant’s opening brief on January 7, 2004, meeting the
13 January 12, 2004, required filing date.
- 14 • The court of appeals then blocked the filing of that opening brief. Appellant’s phone
15 call to the clerk of the court of appeals on January 21, 2004, revealed that his brief had
16 not been filed when received, duplicating the conduct in the U.S. district court. After
17 Appellant sent January 30, 2004, letters to Justices of the U.S. Supreme Court, appel-
18 lant’s brief was filed and the envelope was postmarked January 29, 2004, the date that
19 the appeal was filed. But the date of filing placed on Appellant’s opening brief was
20 back-dated to January 7, 2004, seeking to give the impression that it was timely filed as
21 required by law, when in fact it was not.
- 22 • The briefing schedule provided by the court stated that Appellees’ brief must be filed by
23 February 12, 2004. When Appellant had not received a copy of the brief, he contacted
24 the clerk’s office on February 17, 2004, and was told that the Appellee brief had not
25 been filed. On February 23, 2004, Appellant again checked with a clerk of the Court of
26 Appeals (212-857-8529) and was again told that Appellee’s brief had not been filed. It
27 was then 11 days late—with no explanation or time extension shown.
- 28 • The significance of these irregularities—that continue to block the reporting of mis-

1 conduct that has caused and enabled years of catastrophic consequences to national in-
2 terests—is that those in control within the federal judiciary and the Justice Department
3 are continuing to sabotage national interests. Appellant has recorded a continuous pat-
4 tern of such obstruction of justice and massive violations of federal laws for over 30
5 years, which enabled to occur catastrophic consequences for the United States and the
6 deaths of many victims. This pattern follows years of documented actions by federal
7 judges, Justice Department lawyers, and those who aided the efforts. In addition, the
8 courts of the United States have been misused as a literal criminal enterprise meeting
9 the definition under RICO.

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11 Dated: February 23, 2004.

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14 Rodney F. Stich
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1 **DECLARATION OF SERVICE**

2 Case: Rodney F. Stich vs. United States government, Court of Appeals Nr. 03--6244

3 I, Rodney Stich, declare as follows:

4 I am over the age of 18 years. My mailing address is P.O. Box 5, Alamo, CA 94507.

5 On February 23, 2004, I served the following:

6 Appellant Declaration

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8 By placing a true copy in an enveloped addressed to the person named below, at the ad-
9 dress set out immediately next to his name, and by sealing and depositing the envelope
10 in the United States mail at Walnut Creek, California, with postage fully prepaid, on
February 23, 2004:

11 United States Attorney, Southern District of New York, 1 St. Andrews Plaza,
12 New York, NY 10007

13 Executed on February 23, 2004, at Walnut Creek, California.

14 I declare under penalty of perjury that the foregoing is true and correct.

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18 Declarant Rodney F. Stich
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