

1 RODNEY F. STICH  
2 PO Box 5  
3 Alamo, CA 94507  
4 925-944-1930  
5 Plaintiff in pro se

6 UNITED STATES DISTRICT COURT  
7 SOUTHERN DISTRICT OF NEW YORK

8 RODNEY F. STICH

9 Plaintiff,

10 vs.

11 U.S. GOVERNMENT,

12 Defendant

) Case No.: 03 CV 7405

) NOTICE OF APPEAL

) Of the September 22, 2003, Order Of Dis-  
13 missal which, inter alia, blocked the Reporting  
14 of Federal Crimes, including Those Related to  
15 the Terrorist Events of September 11, 2001

16 Plaintiff files this notice of appeal to the Court of Appeals of the court's September 22,  
17 2003, sua sponte order dismissing Plaintiff's Complaint. That Complaint was received by this  
18 court on August 13, 2002, with the proper filing papers and filing fee, and *filed 12 months*  
19 *later*.

20 The sua sponte dismissal order violated numerous criminal and civil rights statutes and con-  
21 stitutional protections, including due process and equal protection. The dismissal blocked the  
22 reporting of criminal activities that played primary roles in events affecting national interests,  
23 including the conditions that enabled 19 hijackers to seize four airliners on September 11, 2001.  
24 Without this pattern of cover-up, 3,000 people would not be dead today.

25 The sua sponte dismissal violated numerous federal criminal and civil statutes and proce-  
26 dural due process, with links to the events of September 11, 2001, including the following:

27 **1. The Dismissal Order Blocked Plaintiff From Reporting Criminal Activities That**  
28 **Plaintiff Sought to Report Under the Federal Crime Reporting Statute**

The sua sponte dismissal continued the judicial practice of blocking Plaintiff and his group

1 of other former and present government agents<sup>1</sup> from reporting criminal activities that continue  
2 to inflict great harm upon major national interests, including national security. The federal  
3 crime reporting statute *requires* all federal judges, as part of their *administrative* duties, to re-  
4 ceive information of a federal crime offered to a federal court by *any person*.

5 *Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commis-*  
6 *sion of a felony cognizable by a court of the United States, conceals and does not as soon*  
7 *as possible make known the same to some judge or other person in civil or military author-*  
8 *ity under the United States, shall be fined under this title or imprisoned not more than three*  
9 *years, or both.*

### 10 **Blocking Reports by Falsely Stating Plaintiff Sought to Force Prosecution**

11 The order of dismissal misstated Plaintiff's attempts to *report* these criminal activities:

12 *Plaintiff lacks right to interfere with prosecutor's determination to dismiss criminal action.*  
13 *... Criminal prosecutions are within the province of the United States Attorney who has*  
14 *complete discretion over the decision to continue or cease prosecution. Thus, plaintiff's*  
15 *claim fails. A private citizen lacks a judicially cognizable interest in prosecution or non-*  
16 *prosecution of another.*

17 Nothing in Plaintiff's Complaint stated he was seeking to *force* the prosecution of the guilty  
18 (although that would have been a requirement after the judge received the evidence and turned  
19 it over to the Department of Justice). Plaintiff seeks to report the criminal activities and bring  
20 about a halt to the catastrophic harm resulting from arrogance and corruption.

### 21 **Sentencing People to Prison for Failure to Report Criminal Activities Whose Effect** 22 **Upon the U.S. is Minuscule Compared to Crimes Being Sequestered**

23 Ironically, Judge Mukasey and other federal judges have sentenced hundreds of men and  
24 women to prison for not promptly reporting a federal crime to a federal judge or other federal  
25 official, as required to be reported by Title 18 U.S.C. § 4. It is probable that no federal prisoner  
26 had ever committed an offense whose consequences are as grave as the consequences of the  
27 criminal activities Plaintiff seeks to report and the consequences of coverup.

### 28 **Dismissal Order Stated Plaintiff Had No Standing to Report Criminal Activities**

Judge Mukasey held and implied in his dismissal order that Plaintiff had no *standing* to re-  
port these criminal activities.

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<sup>1</sup> Former and present agents from such agencies as the FBI, DEA, CIA, and FAA have provided Plaintiff with information and documentation on criminal activities for over 15 years.

1 *Plaintiff's claim pursuant to 18 U.S.C. § 4 must be dismissed because he does not have*  
2 *standing to maintain such an action. The Court advises plaintiff that the claim must be dis-*  
3 *missed because there is no explicit or implied authority for private citizens to bring suit un-*  
4 *der this statute.*

5 Not only does Plaintiff have “standing” under 18 U.S.C. § 4, but he has the *right and the*  
6 *responsibility as a concerned citizens* to make such report<sup>2</sup> in the nation’s interest. “Standing”  
7 comes automatically with knowledge of the federal offense. That holding has some preposter-  
8 ous<sup>3</sup> implications. In addition, it is in Judge Mukasey’s court that many of the lawsuits are filed  
9 to determine the blame and liability of defendants holding responsibility for conditions ena-  
10 bling 19 hijackers to seize four airliners on September 11, 2001.

## 11 **2. The Dismissal Order Sought Support in Void Judicial Orders**

12 Judge Mukasey sought support for blocking the reporting of criminal activities, and termi-  
13 nation of Plaintiff’s civil and constitutional protections, on one of a series of unlawful and un-  
14 constitutional orders permanently terminating Plaintiff’s right to federal court access.

15 *Plaintiff is advised that the June 6, 1986 Order of the United States District Court for the*  
16 *Northern District of California,<sup>4</sup> enjoining him from filing any civil actions in federal court*  
17 *without leave of court, remains in effect.<sup>5</sup>*

18 These illegal and unconstitutional orders<sup>6</sup> *knowingly* blocked Plaintiff from reporting criminal

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19 <sup>2</sup> Plaintiff’s *mandatory* responsibility to report criminal activities arose from Title 18 U.S.C. § 4, and his *right* as a  
20 citizen to report federal crimes under Title 28 U.S.C. § 1361 which states: “Action to compel an officer of the  
21 United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of man-  
22 damus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the  
23 plaintiff. That right would also apply to a citizen attempting to make a federal judge perform his duty.”

24 <sup>3</sup> Judge Mukasey and other federal judges have sentenced hundreds of men and women to federal prison for *not*  
25 promptly reporting federal crimes under Title 18 U.S.C. § 4, many of which were relatively minor offenses. The  
26 criminal activities that Plaintiff and his group seeks to report continue to inflict great harm upon major national  
27 issues, including national security, and resulted in thousands of deaths, including the deaths of 3,000 people on  
28 September 11, 2001. The cover-ups insure that this sequence will continue.

<sup>4</sup> That 1986 order was rendered when Plaintiff attempted to report criminal activities, primarily in the govern-  
ment’s aviation safety offices, and sought relief from record-setting violations of state and federal laws that were  
involved in the sham lawsuit filed by the CIA-front law firm, Friedman, Sloan and Ross of San Francisco. That  
order required that Plaintiff obtain prior permission to exercise federal defenses, violating the equal protection  
clause in the Constitution. The record of massive violations of federally protected rights given the label of frivo-  
lous actions showed that this permission was unobtainable.

<sup>5</sup> In addition to violating the equal protection clause of the United States Constitution (murderers and terrorists had  
greater rights than Plaintiff), every exercise of federal defenses against violations of state and federal laws and  
constitutional protections were blocked by federal judges. Plaintiff was converted into a man without a country.

<sup>6</sup> The injunctive orders deprived Plaintiff of “life, liberty, ... property, ... due process of law.” They deprived Plain-  
tiff the right to petition government for address of grievances, the right to court access, the rights, privileges and  
protections guaranteed by federal civil statutes and the due process and equal protection clauses of the U.S. Consti-

1 activities to a federal court,<sup>7</sup> while simultaneously terminating the federal defenses against the  
2 series of violations of federally protected rights that were part of the tactics used to silence  
3 Plaintiff, initiated by a CIA-front law firm.

4 The injunctive orders<sup>8</sup> also *violated every legal requirement* for an injunction, including: (a)  
5 They must halt great and irreparable harm (*Plaintiff* was the person suffering the great and ir-  
6 reparable harm,<sup>9</sup> and the order deprived *him* of the federal defenses against the massive viola-  
7 tions of federally protected rights); (b) They must halt unlawful acts. (The injunctive orders  
8 *protected* the unlawful acts of persons violating large numbers of state and federal laws that  
9 were initiated by a CIA-front law firm in a sham lawsuit targeting the \$10 million in assets that  
10 funded Plaintiff's exposure of the criminal and subversive activities); (c) They must be in the  
11 public's interest. (Injunctive orders aiding and abetting criminal acts, stripping whistleblowers  
12 of all defenses in law, while aiding and abetting those who openly violate federally protected  
13 rights, obviously, do not serve a public interest. The events of 9-11 were the most obvious con-  
14 sequences of the injunctive orders);<sup>10</sup> (d) The order violated the requirement for finding of facts  
15 showing that these requirements had been met;<sup>11</sup> and (e) The injunctions blocked Plaintiff and  
16 his group of other former and present government agents from reporting criminal activities,

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20 tution. The order caused Plaintiff to suffer great personal and financial harm, including the corrupt judicial seizure  
and destruction of the \$10 million in assets that funded Plaintiff's exposure activities.

21 <sup>7</sup> Initially, starting in the late 1970s, Plaintiff's attempted to report criminal activities under the federal crime re-  
22 porting statute. As many other government personnel provided Plaintiff with information and evidence of criminal  
23 activities in other government offices, Plaintiff continued to exercise the responsibilities under 18 U.S.C. § 4, and  
24 the right of any citizen, and encountered a continuing block by federal judges who compounded their obstruction  
of justice by retaliating in various ways against Plaintiff—which included sending him to prison for six months, as  
he approached the age of 70 for attempting to report the criminal activities that would later play a major role in the  
horrible deaths of 3,000 people on September 11, 2001. While in prison, federal judges then seized and liquidated  
his \$10 million in life assets. Federal judges then charged him with criminal contempt of court when he exercised  
due process rights to file objections to the seizure and liquidation.

25 <sup>8</sup> Ordered under FRCivP65, but violated every legal and constitutional requirement for such orders.

26 <sup>9</sup> The massive violations of state and federal laws and constitutional protections, and total denial of all legal and  
27 constitutional substantive and procedural due process protections, resulted in Plaintiff losing the \$10 million in  
assets that funded his exposure activities, massive personal harm, and imprisonment for six months, in retaliation  
for seeking to meet his federal responsibilities and rights as an American citizen.

28 <sup>10</sup> The deaths of 3,000 on September 11, 2001, made possible by the judicial cover-ups, are only one day's exam-  
ple of how the public is harmed by the injunctive orders.

<sup>11</sup> Rule 52(a) requires the court in granting or denying a preliminary injunction, "... shall ... set forth the findings of fact and  
conclusions of law which constitute the grounds of its action." This was not done, as boiler-plate language was used.

1 constituting federal crimes,<sup>12</sup> and thereby violating criminal statutes.

2 **3. Misstatements in Dismissal Order Falsely Stated that Issues in Plaintiff’s Complaint**  
3 **Had Been Previously Adjudicated and Found Without Merit**

4 The dismissal order falsely stated that the issues in the Complaint had been previously ad-  
5 judicated and found without merit, including his attempts to report criminal activities:

6 *The Court notes that plaintiff has brought numerous actions in the United States District*  
7 *Court for the Northern District of California and other Federal Courts containing similar*  
8 *allegations. All the actions were deemed to be without merit and all actions were summa-*  
9 *rily dismissed. After finding that plaintiff “has overwhelmingly demonstrated that he is a*  
10 *vexatious litigant,”<sup>13</sup> the United States District Court for the Northern District of Califor-*  
11 *nia enjoined him “from filing any civil actions in federal court without leave of court. ... all*  
12 *the actions were deemed to be without merit.*

13 Never have any of the issues been adjudicated. Every action was either immediately dismissed  
14 without notice, or dismissed shortly thereafter, protecting the defendants from discovery. Not a  
15 single issue was every adjudicated. Plaintiff’s initial attempts to report criminal activities to a  
16 federal court in 1977<sup>14</sup> were met with concern by district and appellate judges, law firms who  
17 approved Plaintiff’s amicus brief filings, letters from members of Congress, and an assistant  
18 U.S. attorney. But none acted, with a series of tragic consequences.

19 **4. Do Issues Primarily Responsible for 3,000 Deaths Lack Merit?**

20 The dismissal order stated that Plaintiff’s Complaint stated “no arguable meritorious issue.”  
21

22 <sup>12</sup> Title 18 U.S.C. § 2. Principals. (a) Whoever commits an offense against the United States or aids, abets, counsels, com-  
23 mands, induces or procures its commission, is punishable as a principal. (b) Whoever willfully causes an act to be done which  
24 if directly performed by him or another would be an offense against the United States, is punishable as a principal.

25 Title 18 U.S.C. § 3. Accessory after the fact. Whoever, knowing that an offense against the United States had been committed,  
26 receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an ac-  
27 cessory after the fact.

28 Title 18 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a  
court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in  
civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or  
both.

<sup>13</sup> The legal definition of a vexatious litigant: “Litigation for the purpose of harassing, annoying and vexing an oppo-  
nent, rather than for the adjudication of rights, being invoked, not for the attainment of justice, but to further or satisfy a  
malicious motive. 28 Am J Rev ed Inj § 210.” Plaintiff sought to report criminal activities and exercised federal de-  
fenses to defend himself, that specifically addressed the violations of federally protected rights.

<sup>14</sup> *Stich v. United States*, et al., 554 F.2d 1070 (9th Cir.) (table), cert. denied, 434 U.S. 920 (1977)(addressed hard-core air safety  
misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and mis-  
conduct); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), cert. denied, 459 U.S. 861  
(1982))(addressed repeated criminal falsification of official airline accident reports, omitting highly sensitive air safety miscon-  
duct, 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 cover-up of the  
DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); U.S. v. Department of Justice, Dis-  
trict of Columbia, Nos. 86-2523, 87-2214, and other actions filed by Stich seeking to expose and correct the powerful and cov-  
ert air disaster misconduct.

1 *Plaintiff presents no arguably meritorious issue. ... Section 1951 ... authorizes courts to*  
2 *dismiss a ‘frivolous or malicious actions’ action.*<sup>15</sup>

3 Plaintiff’s Complaint detailed criminal activities that he and a group of other government  
4 agents discovered during their official duties for the U.S. government. He has extraordinary  
5 background, credentials,<sup>16</sup> and nationally recognized credibility to make the charges that he  
6 made. The deadly consequences of his charges are documented.

7 The findings of facts and conclusions of law in the dismissal order were a mass of mis-  
8 statements and omissions, continuing the documented judicial practice that made possible the  
9 continuation of crimes against the United States and catastrophic consequences.

10 Those with the primary blame for the success of 19 hijackers on 9-11 include (a) the perpe-  
11 trators in the government’s aviation safety offices whose misconduct created the conditions  
12 enabling the seizure of four airliners; (b) those who knew of the corruption and either did noth-  
13 ing or actively protected them; (c) federal judges who repeatedly blocked the reports and who  
14 inflicted great harm upon Plaintiff for seeking to correct the conditions responsible for the con-  
15 tinuing catastrophic consequences; and (d) those who worked in unison with the federal judges

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16 <sup>15</sup> Definition of a frivolous actions: “An appeal [or complaint] is not frivolous if any of the legal points [are] argu-  
17 able on their merits ...” *Anders v. California* (1967) 386 U.S. 738. Every statement made in Plaintiff’s complaints  
18 was arguable on its merits, for which there was prima facie evidence in judicial records.

19 <sup>16</sup> Plaintiff’s extraordinary credentials and background include the following:

- 20 • Plaintiff was a federal aviation safety inspector and investigator, authorized by law to make the determi-  
21 nations that he made.
- 22 • The federal government gave Plaintiff the assignment to correct the conditions resulting in the worst se-  
23 ries of aviation disasters in the nation’s history. The arrogance and corruption that he discovered caused  
24 him to act as an independent prosecutor, during which he conducted hearings, issued subpoenas, elicited  
25 testimony, and obtained documents, proving his charges of corruption and related crashes and deaths. .
- 26 • The gravity of Plaintiff’s charges were admitted in writing by members of Congress; aviation law firms  
27 and lawyers; federal court of appeal judges; and aviation insiders. None ever denied his charges.
- 28 • Plaintiff published several highly detailed books detailing the relationship between the misconduct in the  
government’s aviation offices, the cover-ups, and the resulting fatal crashes.
- Plaintiff has been actively involved in sophisticated aviation activities since 1940, starting as a Navy Pa-  
trol Plane commander in World War II, an international airline pilot for many years, writer of numerous  
articles and books on the deadly politics of aviation safety, guest and expert on over 3,000 radio and tele-  
vision shows. His expertise and credibility are recognized worldwide.
- U.S. Supreme Court justice Bryan White implied the gravity of Plaintiff’s charges when he wrote to  
Plaintiff in a October 28, 1991, letter: “Dear Mr. Stich, As a single Justice I can be of no help to you. I am  
returning your petition. Sincerely yours, Byron White.”
- The decision by noted California Supreme Court Justice Stanley Mosk when he held that Plaintiff’s pro-  
per appeal to the California Supreme Court should be heard. The massive violations of state and federal  
laws occurred in a sham lawsuit filed by the CIA-front law firm of Friedman, Sloan and Ross in San  
Francisco.

1 to destroy Plaintiff's ability to bring these crimes to justice.

2 **5. In addition to Violating Federal Criminal Statutes, the Dismissal Order Violated**  
3 **Multiple Substantive and Procedural Due Process and Equal Protection Rights**

4 In addition to blocking reports of criminal activities, violating a host of substantive protec-  
5 tions in the laws and Constitution of the United States, the dismissal order violated major sub-  
6 stantive and procedural due process and equal rights.

- 7 • Violated due process protections under the Declaratory Judgment Act.<sup>17</sup>
- 8 • Violated due process protections in the Supreme Court's Void Order Doctrine.<sup>18</sup>
- 9 • Violated due process protections in the Civil Rights Act.<sup>19</sup>
- 10 • Violated due process protections in the RICO Act.<sup>20</sup>
- 11 • Violated due process protections in the Federal Tort Claims act. (FTCA)<sup>21</sup>
- 12 • Violated due process rights in *Bivens*.<sup>22</sup>
- 13 • Violated due process right to a jury determination of facts, including the existence of a

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14  
15 <sup>17</sup> Federal cause of action under Declaratory Judgment Act (Title 28 U.S.C. §§ 2201, 2202), FRCivP 57, and re-  
16 lated case law. The importance of this federal cause of action is to declare Plaintiff's rights and legal obligations  
17 established in five judgments. To this day these rights have been denied to him, thereby protecting the scheme by  
18 the CIA-front law firm that sought to strip Plaintiff of the \$10 million in assets that funded his exposure activities.  
19 That law firm (Friedman, Sloan and Ross, San Francisco) filed a sham divorce action against Plaintiff (who had  
20 been legally divorced for 20 years), and on the basis of the sham "divorce" action obtained orders that separated  
21 Plaintiff from the assets, with their eventual loss. To this day, that federal cause of action still exists.

22 <sup>18</sup> Plaintiff sought relief under the void order doctrine to address the unlawful and unconstitutional seizure and liq-  
23 uidation of his life's assets. His assets were corruptly seized and liquidated by federal judges who violated the leg-  
24 al and constitutional requirement of a notice of hearing, a hearing, and legally recognized cause. Under the void  
25 judgment doctrine, an illegal order is forever void. An order that exceeds the jurisdiction of the court, is void, or  
26 voidable, and can be attacked in any proceeding in any court where the validity of the judgment comes into issue.  
27 (*Pennoyer v. Neff* (1877) 95 US 714, 24 L ed 565; *McDonald v. Mabee* (1917) 243 US 90. A judgment may not be  
28 rendered in violation of constitutional protections. The validity of a judgment may be affected by a failure to give  
the constitutionally required due process notice. *Earle v. McVeigh*, 91 US 503, 23 L Ed 398.

<sup>19</sup> Federal cause of action under the Civil Rights Act, Title 42 U.S.C. §§ 1983-1986 (against lawyers in the CIA-  
front law firm and California judges who violated record-setting state and federal laws under color of state law).

<sup>20</sup> Federal Cause of Action under Civil RICO (Title 42 U.S.C. §§ 1961-1965) Against defendants engaging in  
multiple predicate acts, in a racketeering enterprise that affected interstate and international commerce, and in a  
scheme to block Plaintiff's exposure of criminal activities involving aviation safety matters.

<sup>21</sup> Federal cause of action under the Federal Tort Claims Act. Claim against the government, as approved by con-  
gressional legislation, on the basis of torts against Plaintiff by employees of the federal government. The dismissal  
order stated: "Plaintiff's claim against the United States government must be dismissed because the doctrine of  
sovereign immunity bars from federal court all suits grounded in tort against the United States absent its express  
consents." The legislature specifically provided for lawsuits against the government under these conditions. Hun-  
dreds of court decisions addressed this right. And thousands of lawsuits have been filed on this basis.

<sup>22</sup> Federal cause of action under *Bivens*, on the basis of people violating Plaintiff's civil rights claim under color of  
federal law. These violations were intimately intertwined with actions taken to block Plaintiff from reporting  
criminal activities.

1 conspiracy<sup>23</sup> to block the reporting of criminal activities.

- 2 • Violated legal and constitutional due process and equal protection rights Amendment<sup>24</sup>
- 3 to access federal courts and defend against violations of federally protected rights.
- 4 • Violated due process and equal protection right against sua sponte dismissal.<sup>25</sup>
- 5 • Violated the legal requirement that the allegations stated in the complaint must be ac-
- 6 cepted as true in preventing dismissal.<sup>26</sup> This includes charges of criminal and subver-
- 7 sive activities, including those related to the events of September 11, 2001.
- 8 • Violated the *equal protection* of the U.S. Constitution.<sup>27</sup>
- 9 • Violated the due process right to discovery.<sup>28</sup>

10 **6. Threatening Plaintiff If He Continues Attempting To Report Criminal Activities**  
11 **And Exercising Federal Defenses Are Crimes Against the United States**

12 The dismissal order threatened Plaintiff if he continued seeking to report the criminal  
13 activities and continued seeking relief from major violations of federally protected rights.

14 *Plaintiff is strongly cautioned that his continued abuse of the Court's resources will result*  
15 *in monetary sanctions.*

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17 <sup>23</sup> The order of dismissal stated: "As to plaintiff's allegations of conspiracy to deprive him of his constitutional  
18 rights, the claim is dismissed. However, plaintiff has failed to allege facts sufficient to show the existence of any  
19 conspiracy designed to deprive him of his rights." Plaintiff's Complaint stated sufficient facts as required by law  
20 to show multiple conspiracies. Further, federal law provides that a jury will determine the facts relating to con-

21 <sup>24</sup> The Fifth Amendment to the United States Constitution: No person shall be ... deprived of life, liberty, or prop-  
22 erty, without due process of law;

23 <sup>25</sup> Sua Sponte Dismissal Is Barred By Federal Case Law. "It is error to dismiss a claim on the merits without no-  
24 tice, a hearing, and an opportunity to respond." *Anderson National Bank v. Lueckett* (1944) 321 U.S. 233, 246. ("We  
25 held in *Harmon v. Superior Court*, 307 F.2d 796, 796 (9th Cir. 1962) that the right to a hearing on the merits of a  
26 claim over which the court has jurisdiction is of the essence of our judicial system, and the judge's feeling that the  
27 case is probably frivolous does not justify by-passing that right. Appellant is entitled to have process issued and  
28 served, and to be heard.")

29 <sup>26</sup> Federal courts must accept as true the allegations in the complaint and supporting affidavits as true. (See, e.g.,  
30 *Gardener v. Toilet Goods Assn.*, 387 U.S. 167, 172 (1967). If plaintiff's allegations state a claim for which federal  
31 courts can grant relief, the court must accept jurisdiction. The United States Supreme Court stated in *Dennis v.*  
32 *Sparks*, 449 U.S. 24 (1980).

33 <sup>27</sup> The First Amendment to the United States Constitution states:  
34 Congress shall make no law ... prohibiting the free exercise thereof; or abridging the freedom of speech, ... or the  
35 right of the people ... to petition the Government for a redress of grievances. The rights stated in the Fourteenth  
36 Amendment, Section 1 have been held to apply in federal courts also. No state shall make or enforce any law  
37 which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any  
38 person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the  
equal protection of the law.

<sup>28</sup> Discovery rights under FRCivP 26-37 and related case law were repeatedly blocked.

1 It is a criminal act to threaten a former federal agent or witness for attempting to report criminal  
2 activities.<sup>29</sup> It is a criminal act to threaten anyone for exercising civil and constitutional due  
3 process rights.<sup>30</sup> The gravity of these threats must be viewed in the catastrophic events of 9-11,  
4 which were the most visible consequences of the coverups of criminal activities that Plaintiff  
5 and his group sought to report. An indication of the continuing attempt to block these corrupt  
6 activities was the improper refusal of the court to file Plaintiff's Complaint for over 12 months  
7 after being received in proper order and with the filing fee. It was filed only after Plaintiff sent  
8 letters to the Justices of the U.S. Supreme Court and the lawyers for Plaintiff's and Defendants.

9 **7. Summary**

10 The dismissal order, violating massive numbers of federal criminal and civil statutes, (a)  
11 protected the judges and others who blocked the reporting of the corrupt and criminal activities;  
12 (b) protected the parties implicated in the dual actions to destroy Plaintiff's ability to continue  
13 his exposure activities; (c) protected those whose felony activities made possible, in a single  
14 morning, the deaths of 3,000 people; (d) insures the continuation of the deep-seated activities  
15 and deadly consequences.

16 This notice of appeal provides more information than is normally presented, but is done to  
17 make a record if the judges of the Court of Appeals continue the practice of denying Plaintiff  
18 the due process right to appeal.

19 Dated: October 14, 2003.

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21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 <sup>29</sup> Federal criminal statutes include Title 18 U.S.C. §§ 2, 3, 4, 35, 111, 241, 242, 245, 371, 1503, 1512, 1513.

24 <sup>30</sup> Title 18 U.S.C. § 241. Conspiracy against rights of citizens. If two or more persons conspire to injure,  
25 oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege  
26 secured to him by the Constitution or laws of the United States, or because of his having so exercised the  
27 same; ... They shall be fined ... or imprisoned ... or both.

28 Title 18 USC § 242. Deprivation of rights under color of law. Whoever, under color of any law, statute,  
ordinance, regulation, or custom, willfully subjects any person ... to the deprivation of any rights,  
privileges, or immunities secured or protected by the Constitution or laws of the United States, or to  
different punishment, pains, or penalties, on account of such person being an alien, or by reason of his  
color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or  
imprisoned not more than one year, or both.

Rodney F. Stich  
Plaintiff in this filing

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Further related information at the following Internet sites:

[www.defraudingamerica.com](http://www.defraudingamerica.com)

[www.druggingamerica.com](http://www.druggingamerica.com)

[www.unfriendlyskies.com](http://www.unfriendlyskies.com)

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