

Number 92--

**IN THE SUPREME COURT  
OF THE UNITED STATES**

In re RODNEY F. STICH,	)
	)
Petitioner,	)
	)
V.	)
	)
VAUGHN WALKER, Judge;	)
U.S. DEPARTMENT OF JUSTICE;	)
NINTH CIRCUIT COURT	)
OF APPEALS,	)
	)
	)
Respondents.	)

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To: Chief Justice WILLIAM REHNQUIST:

**MOTION/PETITION FOR EXTRAORDINARY WRIT (28 U.S.C. § 1651(a); Rule 20**  
**RELIEF FROM CRIMINAL PROSECUTION IN JUDICIAL RETALIATION FOR**  
**EXERCISING CONSTITUTIONAL RIGHTS AND RESPONSIBILITIES**  
**REPORTING TREASONOUS & SUBVERSIVE FEDERAL CRIMES, AND FOR**  
**EXERCISING CONSTITUTIONALLY GUARANTEED RIGHTS AND**  
**RESPONSIBILITIES**  
 NINTH CIRCUIT 92-70048

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 Petitioner in pro se

## **ISSUES PRESENTED**

The following major constitutional issues and violations are part of many more, associated with criminal enterprises implicating federal officials.<sup>1</sup> The record setting violations of rights and protections guaranteed by the Constitution and laws of the United States are a few of many more, inflicted upon Petitioner in a ten-year-pattern to block his reporting of worsening crimes against the United States, and to void the protections under our form of government upon which he relies to halt the vicious and deliberate harms inflicted upon him. The issues are intertwined with treasonous and subversive criminal acts against the United States, which have and **are** inflicting great harms upon the United States, and upon Petitioner, in felony retaliation for having exercised federal crime-reporting statutes and citizen responsibilities to report the crimes to a federal court (or other federal tribunal). A small number of the record setting judicial and Justice Department violations of constitutionally protected rights raise, *inter alia*, the following questions:

1. Does the Constitution permit federal judges and prosecutors<sup>2</sup> to prosecute and imprison a citizen of the United States, charging him with criminal contempt, in retaliation<sup>3</sup> for having exercised constitutionally guaranteed rights and protections; and for seeking relief from great and irreparable harms, record-setting human-right violations, arising in a pattern of civil, constitutional and criminal violations judicially inflicted?

2. Does the Constitution permit federal judges and prosecutors to prosecute and imprison a citizen of the United States through a scheme, charging him with criminal contempt, in retaliation<sup>4</sup>

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<sup>1</sup> Including "October Surprise;" CIA looting of America's financial institutions; CIA drug smuggling into the United States; CIA looting of Chapter 11 assets and sequestering evidence of looted CIA proprietaries in Chapter 11 courts; Inslaw scandal; obstruction of justice in each of these enterprises by Justice Department officials; felony persecution of informants, whistleblowers, complaining victims.

<sup>2</sup> Who are implicated in a pattern of criminal activities uncovered by Petitioner.

<sup>3</sup> Felony retaliation under Title 18 U.S.C. § 241.

**Title 18 U.S.C. § 241. Conspiracy against rights of citizens**

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; ... They shall be fined ... or imprisoned ... or both;"

<sup>4</sup> Felony retaliation to block the reporting of federal crimes, or for having done so.

for having exercised the statutory requirement<sup>5</sup> to report federal crimes to a federal court, and as permitted by the First<sup>6</sup> and Fifth Amendments<sup>7</sup> to the U.S. Constitution and by Title 28 USC § 1361?

3. Is it a major constitutional offense, under Title 18 USC § 241, for a federal judge, in unison with Justice Department prosecutors, to inflict upon Petitioner great human right and other personal and financial constitutional violations through felony misuse of their offices, through a pattern of civil and constitutional violations?

5. Were Petitioner's constitutional rights violated when the Court of Appeals refused to act on Petitioner's Petition for relief (filed in forma pauperis)<sup>8</sup>

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**Title 18 U.S.C. § 1512. Tampering with a witness, victim, or an informant—**

(b) Whoever knowingly uses intimidation or physical force, or threatens another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to —(1) influence, delay or prevent the testimony of any person in an official proceeding; shall be fined ... or imprisoned ... or both. [1988 amended reading]

**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 ...

<sup>5</sup> Including **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 not more than \$500 or imprisoned not more than three years, or both."

<sup>6</sup> The first amendment provides: "Congress shall make no law ... abridging the freedom of speech, ... or ... to petition the Government for a redress of grievances."

<sup>7</sup> Fifth Amendment to the U.S. Constitution provides that "No person shall ... be deprived of ... liberty, or property, without due process of law;" Petitioner has suffered an obvious prima facie judicial conspiracy blocking the reporting of the treasonous and subversive criminal acts against the United States, and blocking the protections of the laws and Constitution needed to halt the felony judicial persecution.

<sup>8</sup> The district court had appointed (unacceptable) legal counsel for Petitioner in the underlying action. Petitioner then sought relief from the Ninth Circuit Court of Appeals, without payment of fees, on the basis of the forma pauperis status in district court. Petitioner also sought to report to the Court of Appeals (under Title 18 U.S.C. § 14) the federal crimes that he uncovered. The petition for relief incorporated a Title 18 U.S.C. Section 4 consisting of federal crimes to a federal court (that implicated large numbers of Ninth Circuit federal judges.

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**APPENDIX:**

- Appendix A: Injunctive orders rendered by Judges Milton Schwartz; Marilyn Patel; Samuel Conti; Chapter 11 Judge Edward Jellen, that suspended for Petitioner rights and protections under the laws and Constitution of the United States, and de facto blocking the reporting of criminal cartel activities implicating federal officials.
- Appendix B: Order filed March 16, 1992, denying filing and relief.
- Appendix C: Copy of May 8, 1992 order refusing to provide relief, refusing to accept reports of criminal and treasonous activities. July 11, 1990 Justice Department report describing criminal corruption in Chapter 11 courts, including the names of officers of the court who committed crimes upon petitioner. Because of the injunctive orders, petitioner could not defend against these crimes committed by officers and judges of the court.
- Appendix B: Criminal contempt charge by Justice Department in retaliation for exercising rights and protections under the laws and constitution of the United States. (18 U.S.C. § 241)

## **OPINIONS BELOW**

The Ninth Circuit Court of Appeals refused to provide relief to Petitioner from the criminal contempt charge; from the orders preventing Petitioner from traveling; from the orders voiding for Petitioner the rights and responsibilities under the laws and Constitution of the United States.<sup>9</sup> The order denying relief was filed March 16, 1992. (Exhibit "B.")

### **REFERENCE TO DISTRICT COURT OPINION**

District judge Vaughn Walker rendered an order on December 10, 1990, barring Petitioner from traveling, limiting Petitioner to the counties of Alameda and Contra Costa (with a narrow extension to travel to Reno, Nevada). (Exhibit "x.")

### **JURISDICTIONAL STATEMENT**

This petition for an extraordinary writ is filed pursuant to Rule 20 of the Rules of the Supreme Court of the United States, Title 28 U.S.C. § 1651(a), and the alternate writ remedies of *rule nisi* and *ne exeat*.

Petitioner seeks a petition for writ of mandamus and prohibition, and/or an alternative writ or rule nisi, writ of ne exeat, or whatever remedy the Court seeks to exercise on the basis of the grave issues presented, and the pattern of record-setting civil, constitutional and criminal violations. (Title 28 U.S.C. § 1651.)

This petition incorporates a report of serious crimes against the United States. This matter is filed under the mandatory responsibilities of crime-reporting statutes, including Title 18 USC § 4.

### **STATUTORY PROVISION CONFERRING JURISDICTION ON THIS COURT**

1. Supreme Court Rule 20.1, in that the issues presented (a) are of exceptional important to the United States; (b) adequate relief cannot be obtained in any other court; (c) this Court has

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<sup>9</sup> Petitioner has been barred from the constitutional right to travel (being restricted to the counties of Alameda and Contra Costa and a side trip to Reno, Nevada); is required to report to the court every week, as if he was a criminal; while other segments of the criminal cartel inflict other harms upon Petitioner (including the corrupt and unconstitutional seizure of his life's assets when he was forced to seek refuge in Chapter 11, and then had his assets corruptly seized and looted in the Chapter 11 segment of the criminal activities Petitioner seeks to report.

supervisory jurisdiction over the officers of the court implicated in treasonous, subversive, criminal acts, misusing their judicial positions; (d) it will aid in this in exercising its appellate position.

2. Title 28 U.S.C. § 2101, which provides for petitions to the U.S. Supreme Court.

3. The duties associated with federal crime-reporting statutes, including Title 18 U.S.C. § 4, which makes it a federal crime when a person, knowing of a crime, fails to report it to a federal court or other federal tribunal. Impliedly, it becomes a worse federal crime if a federal judge/justice or other federal employee blocks the reporting of the crime. That would apply to an even greater extent if a Justice of the U.S. Supreme Court blocks the reporting of federal crimes perpetrated by federal judges/trustees/attorneys over whom the Supreme Court Justices have supervisory responsibilities.

4. Duty of anyone, including Supreme Court Justices, to provide prompt relief to a citizen suffering great harms from the violations of civil and constitutional rights, and especially when such violations are perpetrated by federal judges and Justice Department attorneys over whom this Court has supervisory responsibilities.

5. The oath of office requiring Supreme Court Justices to uphold the laws and Constitution of the United States. This duty requires immediate action when officers of the court over whom this Court has responsibilities, engage in treasonous, subversive, criminal acts, and misuse federal courts in a prima facie pattern of civil, constitutional and criminal acts.

### **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

The Constitutional and statutory provisions that apply to the issues Petitioner presents include:

**First Amendment right to federal court access**, guaranteed to all citizens, and judicially denied to Petitioner. In addition to denying this guaranteed right to Petitioner, federal judges/justices have persecuted Petitioner for having exercised them. Petitioner exercised his right to report major federal crimes, and is now in the sixth year of felony persecution. Petitioner exercised First Amendment rights to invoke constitutional and statutes protections against the hard-core pattern of civil, constitutional, and criminal violations, and was

feloniously prosecuted/persecuted.

**Fifth Amendment guaranteed rights to constitutionally guaranteed rights and protections.**<sup>10</sup> As in the First Amendment rights, and those further guaranteed by statutes, officers of the court have engaged in a Daisy-Chain pattern of denying these rights to Petitioner. They then compounded these violations by persecuting Petitioner for having exercised these rights.

**Federal statutes guaranteeing to each citizen the right to federal court access and declaratory and injunctive relief.** These statutes include:

- Title 28 USC § 1331 (right to federal court access when federal causes of action are stated);
- Title 28 USC § 2201, to declare rights and legal obligations that were being violated;<sup>11</sup> and § 2202 to enforce these rights.
- Title 42 USC §§ 1983-1986 (to obtain injunctive relief from a ten-year pattern of violations of federally protected rights perpetrated by persons acting under color of state law);
- Title 28 USC § 1343 (to obtain damages from those who knew of the civil and constitutional violations, who could have prevented or aided in their prevention, and who did not do so (and who instead aided and abetted the violations);
- *Bivens* doctrine (to obtain damages from persons operating under color of federal law who violated Petitioner's civil and constitutional rights);
- Title 18 USC §§ 1961-1965 (to obtain injunctive relief and damages from those acting in a conspiracy against Petitioner, and whose conduct adversely affects

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<sup>10</sup> Including due process, equal protection, protection of property rights, privacy, quality of life, liberties, freedoms, relief from takings of liberties and properties, great human right violations.

<sup>11</sup> Personal and property rights under five judgments rendered during the past 24 years earlier, which established Petitioner's personal and property rights, and which are being violation in a scheme to strip Petitioner of the assets that funded his exposure actions; to declare Petitioner's rights under the Constitution and statutes of the United States that are being openly violated by felony misuse of California and federal courts.

domestic and international travel). In a Ponzi-like scheme, federal judges have violated the rights and protections in these statutes, as in the Constitution, and unlawfully and unconstitutionally dismissed each and every action filed by Petitioner seeking to (a) report the federal crimes; (b) obtain declaratory judgment; (c) obtain injunctive relief; (d) obtain damages.

**THE FEDERAL QUESTIONS ARE SUBSTANTIAL**

The federal questions are of monumental importance to the United States. They involve a pattern of hard-core violations of basic constitutional rights and protections by federal judges that are paid, and entrusted, to prevent these violations from happening. The pattern of judicial constitutional outrages are further compounded by being a part of criminal activities against the United States. Arguably, the pattern and the acts are an unpublicized coup against the United States, perpetrated by federal judges/justices and other officers of the court over whom the Justices of the U.S. Supreme Court, singly or in toto, are responsible.

Refusal of any Justice to meet their duties in the face of these outrages will make possible, and cause, the same escalation of the criminal activities as occurred in the past when this Court refused to act in the face of the hard-core civil, constitutional and criminal violations committed by those over whom this Court has supervisory responsibilities.

The federal questions include the criminal cartel activities, including federal judges, justices, trustees, and others, over whom this Court has supervisory responsibilities. Refusal to act upon these treasonous and subversive activities will make Supreme Court Justices principals.

**1.1 Outrageous pattern of civil, constitutional and criminal acts by federal judges and Justice Department attorneys.** The pattern of hard-core civil and constitutional violations, reflected in this Petition, seeking relief from the latest attempt to again put Petitioner in prison for having exercised constitutional rights that the same federal judge has a duty to uphold. The judicial persecution reflected by the present criminal contempt and barring Petitioner from traveling are judicial retaliation for:

- Reporting a pattern of criminal activities<sup>12</sup> against the United States;
- For exercising constitutional and statutory defenses against the retaliatory acts.

### **STATEMENT OF THE CASE**

Petitioner is again being feloniously persecuted<sup>13</sup> for reporting crimes against the United States, and for exercising constitutionally guaranteed protections to halt the judicially inflicted

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<sup>12</sup> CIA looting of financial institutions; CIA drug smuggling into the United States; CIA/federal judges & trustees looting Chapter 11 assets; Inslaw; felony persecution of informants.) Making these crimes even worse, they were perpetrated by renegade federal judges and justices, in the Ninth Circuit, acting under this Court's supervisory responsibilities, which Petitioner repeatedly brought to this Court's attention.

<sup>13</sup> Federal judges and Justice Department prosecutors have inflicted harm upon Petitioner for having exercised rights to obtain relief from the record-setting pattern of judicially inflicted civil, constitutional and criminal violations. Petitioner exercised declaratory and injunctive relief remedies for which federal judges hold a responsibility to provide. For having exercised these constitutionally guaranteed rights, renegade federal judges, justices, Justice Department prosecutors, have repeatedly charged Petitioner with criminal contempt; repeatedly sent Petitioner to federal prison; and used the contempt to corruptly seize and loot Petitioner's multi-million dollar life's assets (after he was forced to seek refuge in Chapter 11 from the judicially inflicted civil, constitutional and criminal acts. These acts violated, inter alia, **Title 18 U.S.C. § 241. Conspiracy against rights of citizens**

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; ... They shall be fined ... or imprisoned ... or both;"

In addition to persecuting Petitioner for exercising federal remedies to halt the harms inflicted upon him, the same conspirators persecuted Petitioner for having reported federal crimes involving treasonous and subversive acts against the United States by federal officials, including federal judges/justices and Justice Department attorneys. These acts, by federal personnel over whom this Court has supervisory responsibilities, violated, inter alia, the following federal criminal statutes:

**Title 18 U.S.C. § 1512. Tampering with a witness, victim, or an informant—**

Whoever knowingly uses intimidation or physical force, or threatens another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to —(1) influence, delay or prevent the testimony of any person in an official proceeding; shall be fined ... or imprisoned ... or both. [1988 amended reading]

**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 ...

harms.<sup>14</sup> Petitioner responded to criminal statute responsibilities by reporting federal crimes to a federal court, as required by federal criminal statutes, including Title 18 U.S.C. § 4.<sup>15</sup> Combined with this reporting of extremely grave federal crimes of subversive and treasonous nature, Petitioner exercised declaratory and injunctive relief remedies addressing the pattern of hard-core judicially inflicted civil and constitutional violations and resulting great and irreparable harms.

Instead of meeting their judicial responsibilities, a pattern of renegade federal judges and justices, acting in concert with Justice Department prosecutors, engaged since 1984 in a Daisy-Chain pattern of judicial anarchy.<sup>16</sup> Justice Department prosecutors, aided and abetted by renegade

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<sup>14</sup> Repeated imprisonment and threat of imprisonment since March 1987, in felony retaliation for having sought to report federal crimes and for exercising constitutional and statutory protections to halt the harms inflicted upon Petitioner.

- **Converted from multi-millionaire to a state of poverty**, though a pattern of judicial corruption combined with a ten-year pattern of hard-core civil, constitutional, and criminal acts inflicted by federal officials acting under color of federal law.
- **Ten years of human right violations, with great personal and financial harms, judicially inflicted by persons acting under the supervisory responsibilities of the Justices of the U.S. Supreme Court.**
- **Suffering a total loss of constitutional and civil protections**, in a judicially related scheme, related to criminal cartel activities.

<sup>15</sup>Including **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 not more than \$500 or imprisoned not more than three years, or both."

<sup>16</sup> They repeatedly inflicted great harms upon Petitioner in retaliation for exercising rights and protections under the laws and Constitution of the United States. These harms included, inter alia:

- Repeatedly ordered Petitioner to pay financial sanctions to the parties inflicting the great harms upon Petitioner, who were also part of the criminal cartel that Petitioner sought to expose. (October Surprise; CIA looting of America's financial institutions; Conversion of Chapter 11 courts into criminal racketeering activities, with CIA and others looting Chapter 11 assets, and misusing Chapter 11 courts to sequester evidence of the CIA looted financial institutions; CIA drug smuggling into the United States; Justice Department and CIA related Inslaw corruption; Justice Department and judicial persecution of informants/whistleblowers/protesting victims; and more.
- Repeatedly rendered unlawful and unconstitutional orders barring Petitioner from constitutionally guaranteed federal court access and from the constitutional and statutory rights and protections. In this manner the renegade federal judges/justices aided and abetted the felony persecution blocking Petitioner from reporting the federal crimes, and voided the Constitutional protections upon which Petitioner and other citizens of the United States rely.
- Repeatedly charged Petitioner with criminal contempt for having exercised these rights, protections, and responsibilities.
- Repeatedly sent Petitioner to federal prison for having exercised these federal rights and

federal judges/justices/magistrates, have again<sup>17</sup> charged with criminal contempt, in retaliation for having exercised the right to halt the vicious, judicially inflicted, harms through declaratory and injunctive relief remedies.

In accordance with federal crime statutory responsibilities,<sup>18</sup> and as guaranteed by the Constitution of the United States for redress of serious constitutional and human right violations, Petitioner filed a federal action.<sup>19</sup> The criminal activities consists of treasonous and subversive acts<sup>20</sup> against the United States, perpetrated by federal employees/officials, and implicates federal judges and Justices in a literal unpublicized coup against America. The filing also exercised the constitutionally guaranteed **right**<sup>21</sup> to petition government to halt criminal activities by federal

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responsibilities.

\* Corruptly misused federal courts and judicial positions to unlawfully and unconstitutionally seize and loot Petitioner's life's assets, which were then used to fund corrupt CIA activities in the Ninth Circuit.

<sup>17</sup> Previous criminal contempt charges for having sought to report treasonous and subversive federal crimes to a federal court, and for exercising federal remedies seeking to halt the great personal, financial, and human right harms inflicted upon him, including action 87-0124 RAR, Eastern District of California, with its attendant six-month imprisonment (which was then used as the excuse to corruptly seize and loot Petitioner's life's assets of \$10,000,000); the imprisonment inflicted by renegade district judge Marilyn Patel, who sought personal jurisdiction in a civil case that had been (unlawfully and unconstitutionally) dismissed three years earlier, and thus lacked jurisdiction, in retaliation for filing a federal action reporting federal crimes and exercising constitutionally guaranteed remedies; and in retaliation by Chapter 11 judge Edward Jellen (affiliated with corrupt CIA activities), in retaliation for exercising appeal and opposition remedies to the corrupt seizure and looting of Petitioner's Chapter 11 assets.

<sup>18</sup> Including **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 not more than \$500 or imprisoned not more than three years, or both."

<sup>19</sup> N.D. Illinois No. 90-C-2396.

<sup>20</sup> The criminal activities discovered by Petitioner, commencing with his discoveries while a federal investigator holding federal authority to make such determinations, include: (a) pattern of air safety and criminal acts related to a series of fatal airline crashes; (b) CIA scheme known as "October Surprise," in which U.S. military equipment was stolen and given to Iran in exchange for continuing the imprisonment of 52 American hostages held by Iran in 1980; (c) CIA embezzlement and looting of America's financial institutions; (d) criminal misuse of Chapter 11 courts by the CIA/federal judges/federal trustees/law firms, to sequester evidence of the looted CIA proprietaries; (e) criminal misuse of Chapter 11 courts by the same group, to fund covert and corrupt CIA activities (including corrupt seizure and looting of Petitioner's assets in the Oakland Chapter 11 courts, cases Nrs. 487-05974J/05975J); (e) CIA drug smuggling into the United States, enlarging upon its history of drug trafficking in foreign countries; (f) felony cover-up and conspiracy to cover-up by persons in the U.S. Department of Justice and by federal judges/justices.

<sup>21</sup> A citizen's **right** to report and correct federal crimes, arising under:

officials.

Petitioner had just finished six months in federal prison for having sought to report the escalating federal crimes and for having sought to halt the great human right, personal and property right violations judicially inflicted upon him in a prior action. To date, Petitioner has been subjected to five years of continuous threats, or actual imprisonment, by federal judges/justices over whom this Supreme Court has supervisory responsibilities. Petitioner is now going into the sixth year of felony persecution for attempting to report the treasonous and subversive criminal acts that every federal judge and Justice to whom Petitioner requested exercise their mandatory duty, instead engaged in a felony cover-up/obstruction of justice.

The start of this latest judicial persecution arose when Justice Department prosecutors, acting in unison with District Judge Marilyn Patel, charged Petitioner with criminal contempt (N.D. Cal No. CR 90-0636 VRW) for having exercised these federal rights and responsibilities. A Daisy-Chain-like pattern of judicially perpetrated civil right violations then followed, centered around renegade judge Vaughn Walker.

The civil right and constitutional violations included:

1. Criminal contempt charge in blatant retaliation for reporting federal crimes that have **already** inflicted great harms upon the United States, and for having sought to halt the concurrent felony retaliation. The bizarre nature of the charge reflects the felony mindset in Ninth Circuit courts and Justice Department prosecutors, that can be more fully recognized when the nature of the treasonous and subversive crimes are understood that Petitioner uncovered and sought to report.
2. Pretrial release order (December 10, 1990) barring Petitioner from exercising the

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**Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty.** The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

The First Amendment to the U.S. Constitution provides: "Congress shall make no law ... abridging the **freedom of speech, ... or ... to petition the Government for a redress of grievances.**"

constitutional right to travel. The pretrial release order limits Petitioner to the counties of Alameda, Contra Costa and San Francisco, with limited access to Reno, Nevada.

3. Subjecting Petitioner to a mental competency examination, with the intention of humiliating Petitioner and part of the felony persecution in retaliation for having exercised rights and protections that are guaranteed by the Constitution and laws of the United States; and in retaliation for reporting the treasonous and subversive acts constituting key segments of the criminal cartel.<sup>22</sup>

4. Refusing to dismiss the charges when Petitioner filed the motion for summary judgment, citing the preposterous charges for having exercised constitutionally guaranteed rights further guaranteed by statutes.

5. Refusing to recognize Petitioner's dismissal of legal counsel, whose conduct far exceeds that for disbarment.<sup>23</sup>

6. Refusing to respond to Petitioner's filing, under Title 18 U.S.C. § 4, seeking to provide testimony and evidence on additional aspects of the criminal cartel.<sup>24</sup>

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<sup>22</sup> The criminal activities discovered by Petitioner, commencing with his discoveries while a federal investigator holding federal authority to make such determinations, include: (a) pattern of air safety and criminal acts related to a series of fatal airline crashes; (b) CIA scheme known as "October Surprise," in which U.S. military equipment was stolen and given to Iran in exchange for continuing the imprisonment of 52 American hostages held by Iran in 1980; (c) CIA embezzlement and looting of America's financial institutions; (d) criminal misuse of Chapter 11 courts by the CIA/federal judges/federal trustees/law firms, to sequester evidence of the looted CIA proprietaries; (e) criminal misuse of Chapter 11 courts by the same group, to fund covert and corrupt CIA activities (including corrupt seizure and looting of Petitioner's assets in the Oakland Chapter 11 courts, cases Nrs. 487-05974J/05975J); (e) CIA drug smuggling into the United States, enlarging upon its history of drug trafficking in foreign countries; (f) felony cover-up and conspiracy to cover-up by persons in the U.S. Department of Justice and by federal judges/justices.

<sup>23</sup> Refusing to file motions/petitions to dismiss the action; refusing to raise the multiple defenses; refusal to furnish Petitioner with any writings related to the case; resulting in Petitioner's two years of felony persecution during this last round of criminal contempt charges.

<sup>24</sup> Since Petitioner's original filing seeking to report the criminal cartel activities involving federal personnel (including federal judges, trustees, covert law firms), Petitioner uncovered evidence relating to the CIA October Surprise scandal, CIA drug smuggling into the United States, CIA looting of financial institutions, CIA looting of Chapter 11 assets with the assistance of corrupt federal judges and trustees over whom the Supreme Court Justices have supervisory responsibilities.

Petitioner's federal filing in Chicago, which is the basis for the criminal contempt charge, exercised declaratory and injunctive relief remedies to halt the ten-year-long pattern of judicial persecution<sup>25</sup> inflicted upon Petitioner to silence him reports of the treason, the subversive acts, implicating, inter alia, federal judges and federal officers of the court, all of which have been known to the Justices of the U.S. Supreme Court.<sup>26</sup> As a result of the judicial due process gridlock and blocking of the reports of the criminal activities, the United States is being victimized by a cabal as shown in part by the attached declarations/transcripts and described in Petitioner's complaint that Judge Sporkin dismissed. None of these human rights, constitutional, statutory, violations could have occurred, if the Justices of the U.S. Supreme Court had exercised their duties and responsibilities in any one of the long series of petitions/appeals submitted to the Court.<sup>27</sup>

The injunctive orders suspending, solely for petitioner, the rights and protections under the laws and Constitution of the United States, are attached as Appendix "A."

The December 10, 1990 Information charging petitioner with committing a criminal act for exercising rights and protections under the laws and Constitution of the United States (violating, inter alia, Title 18 U.S.C. § 241) is attached as Appendix "B." Ninth Circuit justices have approved

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<sup>25</sup> Petitioner has been converted from a multi-millionaire to a state of poverty. His business, his home, his credit worthiness, his income, have all been destroyed. He has been repeatedly sentenced to federal prison. These vicious harms have been inflicted upon him in a conspiracy to silence his reporting of federal crimes implicating federal judges and justices; Justice Department attorneys/officials; and others.

<sup>26</sup> Petitioner has repeatedly attempted to report the criminal activities implicating officers of the court, among others, through petitions and motions. Petitioner has repeatedly sought relief from the brutalities inflicted upon him by those federal officers of the court who can continue their crimes against America only as long as the Justices along them to do so!

<sup>27</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 misconduct); *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 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 cover-up 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 Petitioner seeking to expose and correct the criminal cartel activities.

these unconstitutional injunctive orders since 1987, depriving petitioner of any possibility of relief in Ninth Circuit courts. Typical decision upholding this major constitutional violation includes Ninth Circuit Appeal number 89-2698, upholding the injunctive order rendered by Judge Milton Schwartz (E. D. Cal. Nr. C 86-0210 MLS) and was filed March 14, 1989.

### **JURISDICTIONAL STATEMENT**

This petition for an extraordinary writ is filed pursuant to Rule 20 of the Rules of the Supreme Court of the United States, Title 28 U.S.C. § 1651(a), Declaratory Judgment Act, and the alternate writ remedies of *rule nisi* and *ne exeat*.

The filing of the petition in forma pauperis arises under Rule 39, and Title 28 U.S.C. § 1915. Counsel was appointed for petitioner under the Criminal Justice Act (18 U.S.C. § 3006A(d)(6)).<sup>28</sup> The pattern of judicial violations of federally protected rights, the corrupt seizure of petitioner's assets by officers of the court, has stripped petitioner's of the assets that formerly funded his attempts to report the federal crimes committed by federal officials, and which funded his defenses.

Petitioner seeks either a petition for writ of mandamus/prohibition, and/or alternative writ or rule nisi, writ of ne exeat, or whatever remedies the Court seeks to exercise on the basis of the grave issues presented. (Title 28 U.S.C. § 1651.)

The authority and responsibility for reporting federal crimes to a federal court arises under, inter alia, federal crime-reporting statutes (including Title 18 U.S.C. § 4); and under the **rights** provided by the First and Fifth Amendments to the U.S. Constitution and Title 28 U.S.C. § 1361.

### **DATE OF ENTRY OF JUDGMENT OR DECREE**

On May 8, 1992 the Ninth Circuit Court of Appeals rendered an order refusing to act on the petition for relief from the criminal contempt charge and pending imprisonment.

### **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

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<sup>28</sup> E.D. Cal. Nr. CR 87-0124 RAR; C.A. Nr. ; N.D. Cal. Nr. CR 90-0639 VRW, and an affidavit or declaration is not required.

The Constitutional and statutory provisions that are a part of this petition, which are being routinely violated by the same Ninth Circuit federal judges and justices who have sworn to protect these rights, includes:

1. **First Amendment guaranteed right to federal court access**, for relief from violations from violations of federally protected rights.

2. **Fifth Amendment guaranteed rights to due process**, equal protection, property rights, privacy, quality of life, liberties, freedoms, right to change residence without losing previously litigated and acquired personal and property rights.

3. **Title 18 U.S.C. § 4**, making it a crime for a citizen not to report to a federal court (or other federal tribunal), knowledge of federal crimes. Impliedly, it is a crime for a federal judge/justice to block the reporting of these crimes.

4. **Title 18 U.S.C. § 241**. It is a criminal offense for a citizen to be harmed for having exercised rights and protections under the laws and Constitution of the United States.

5. **Title 18 U.S.C. §§ 1512 and 1513**. It is a criminal offense to threaten, or harm, a victim, an informant, a whistleblower, as Petitioner is being threatened and harmed by federal judges and Justice Department prosecutors over whom this Court has supervisory responsibilities.

6. The right to report federal crimes to a federal court without paying fees.

7. The right to report a pattern of constitutional violations to a federal court, seeking constitutionally provided relief, without payment of fees.

### **THE FEDERAL QUESTIONS ARE SUBSTANTIAL**

Fundamental rights arising under our form of government are implicated. These include:

8. The rights and protections guaranteed by the laws and Constitution of the United States, being destroyed by the same federal judges and justices who have the duty to provide and enforce them.

9. The responsibility to report federal crimes of treasonous and subversive impact, implicating federal officials, including federal judges, that is being feloniously blocked by federal

judges and justices and Justice Department prosecutors.

**RESOLVING THESE QUESTIONS WILL AID THE COURT IN MEETING  
ITS LONG-OVERDUE SUPERVISORY AND CONSTITUTIONAL  
RESPONSIBILITIES**

Major constitutional questions are raised in this petition. Major constitutional violations are shown, as being the practice of federal judges/justices over whom this Court has supervisory responsibilities. Major crimes against the United States are behind the record-setting human right violations perpetrated by the federal judges/justices that look to this Court for guidance. This Court's constitutional and statutory responsibilities, its statutory responsibilities where constitutional and criminal violations are ongoing, and its responsibilities to uphold the laws and Constitution of the United States, are intertwined with these issues.

Behind these questions lurks the unpublicized coup<sup>29</sup> against the United States that this Court could have stopped a long time ago, when Petitioner repeatedly sought to have this Court meet its responsibilities.<sup>30</sup>

**THE PURPOSE OF THIS PETITION**

Petitioner exercises the constitutional right and judicial responsibility to invoke the mandatory duty of each and every Justice of the U.S. Supreme Court to:

- A. Halt the felony persecution of Petitioner by judges/justices and Justice Department personnel, over whom the Justices of the Supreme Court have supervisory responsibilities.
- B. Receive testimony and evidence relating to the federal crimes involving treasonous and subversive acts against the United States. The heavy involvement of federal judges/justices

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<sup>29</sup> The treasonous and subversive acts, including the CIA scheme known as "October Surprise," CIA looting of America's financial institutions, CIA drug smuggling into the United States, Justice Department obstruction of justice and involvement in criminal acts (including the Inslaw scandal which reflects the criminal mindset of this Court's legal brethren in the Justice Department), looting of Chapter 11 assets as innocent citizens exercise the statutory protections, unaware that federal judges and CIA affiliated persons have converted the Chapter 11 courts into criminal enterprises to loot the assets and also to sequester the evidence of the looted CIA proprietaries.

<sup>30</sup> Petitioner repeatedly sought to report these crimes, many of them implicating federal judges/justices, and sought relief from the judicially orientated felony persecution (for having exercised federal crime reporting responsibilities and exercising constitutional and statutory defenses and protections.

throughout the federal judiciary, and Justice Department personnel, has destroyed the constitutional and statutory protections under our form of government. This is but one, of several, major criminal enterprises implicating federal officials who have engaged in treason and anarchy.

### **STATEMENT OF THE CASE**

Justice Department prosecutors charged Petitioner with criminal contempt on December 10, 1990 (Exhibit "C"), in retaliation for having filed a federal action in the district court of the Northern District of Illinois.<sup>31</sup> Working in unison with these renegade Justice Department prosecutors were federal judges,<sup>32</sup> who refused to dismiss the obviously unconstitutional and felonious persecution in the form of the criminal contempt charge; who refused to receive Petitioner's evidence of the criminal cartel activities implicating, inter alia, Justice Department personnel and federal judges/justices; voiding for Petitioner the constitutional right to travel;<sup>33</sup> and destroying Petitioner's liberties, freedoms, quality of life guaranteed by the Constitution, and destroyed by those in control of Ninth Circuit courts (as well as every judge and justice in other segments of the federal judiciary to whom Petitioner sought relief).

Preceding the criminal contempt charge was the action by renegade district judge Marilyn Patel, who ordered Petitioner imprisoned from November 23, 1990 through December 10, 1990. Without jurisdiction,<sup>34</sup> and on a charge clearly unconstitutional,<sup>35</sup> and without a hearing, Judge Patel

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<sup>31</sup> Petitioner had named as defendants federal trustees and covert Justice Department law firm that have engaged in corrupt activities with renegade factions of the Central Intelligence Agency, including looting of Chapter 11 assets; misusing Chapter 11 courts to sequester evidence of the CIA looting of America's financial institutions; and other crimes. Petitioner also sought declaratory and injunctive relief from the overt pattern of hard-core civil, constitutional, and criminal violations inflicted upon him by these defendants.

<sup>32</sup> Including Vaughn Walker, Marilyn Patel, and others.

<sup>33</sup> Petitioner is barred from traveling throughout the United States, and restricted to the counties of Alameda and Contra Costa, in a pre-trial release. Justice Department prosecutors sought to keep Petitioner in prison for having exercised constitutionally guaranteed rights and protections and in retaliation for reporting the treasonous and subversive crimes in which they were implicated.

<sup>34</sup> Judge Patel's absence of personal jurisdiction over Petitioner arose from the fact that the civil complaint which Petitioner had filed, in which Patel sought jurisdiction, had been (unlawfully and unconstitutionally) dismissed by Patel in 1987. When a party has been dismissed from a suit, the court lacks jurisdiction to conduct further proceedings as to that party. (6 Witkin, Cal. Procedure (3d ed. 1985); *Bell v. Hummell and*

ordered Petitioner imprisoned.

Petitioner filed several motions seeking relief, thereafter. Each of which were simply ignored by district judge Vaughn Walker and the Ninth Circuit Court of Appeals. Petitioner filed a June 24, 1991 notice dismissing legal counsel that had been appointed because of Petitioner's lack of funds,<sup>36</sup> based upon gross legal malpractice that would have resulted in disbarment proceedings in any other case (the district court refused to recognize the dismissal). Petitioner filed a motion for summary judgment, and this was ignored. Petitioner filed petitions for relief with the Ninth Circuit Court of Appeals, and this was ignored.

On March 12, 1991 Petitioner's motion for summary judgment to dismiss the criminal contempt was denied by district judge Vaughn Walker. On June 21, 1991 Petitioner filed a motion with the Ninth Circuit Court of Appeals for appointment of legal counsel for appellate and district court representation.<sup>37</sup> This was denied.

### **REASONS FOR GRANTING THE WRIT**

Supervisory responsibility by the Justices of the U.S. Supreme Court (Supreme Court Rule 17) over the federal courts, and duty to act when a pattern of hard-core civil and constitutional (and criminal) acts are inflicted upon a citizen of the United States in order to silence his reporting of unprecedented corruption by federal officials.

Treasonous and subversive acts, both those directly perpetrated by the Justice Department prosecutor and federal judges, and the relationship of these acts to the overall, closely-related

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*Pappas*, 136 Cal.App.3d 1009 (1982).)

<sup>35</sup> Filing a federal action in the U.S. District Court, Northern District of Illinois, reporting federal crimes implicating federal officials, including Ninth Circuit judges, and for exercising federal defenses against the record-setting pattern of federal offenses.

<sup>36</sup> As part of the criminal cartel activities Petitioner was forced to exercise Chapter 11 protections, after which CIA-related federal judges (Judges Robert Jones and Edward Jellen), federal trustees (Charley Duck and Jerome Robertson), and law firms (Goldberg, Stinnett and McDonald and Murray and Murray), protected by CIA affiliated U.S. Trustee (Anthony Sousa).

<sup>37</sup> Petitioner's legal counsel has engaged in gross legal malpractice, refusing to contact Petitioner, refusing to provide any copies of the papers generated in this action; refusing to raise the multitude of constitutional defenses; and aiding and abetting the renegade Justice Department prosecutors and federal judges.

criminal cartel activities, including the corrupt CIA activities.

Supreme court rule 26, in that the issues raised in the petition will "aid in the Court's appellate jurisdiction, that there are present exceptional circumstances warranting the exercise of the Court's discretionary powers, and that adequate relief cannot be had in any other form or from any other court."

Responsibilities of federal judges and justices, under Title 28 U.S.C. § 1343, under Title 42 U.S.C. §§ 1983-1986, to prevent violations of federally protected rights. Because of the pattern of violations by federal judges who are openly violating their sworn duties, violating federal criminal and civil right statutes, this court has an even greater responsibility.

Nature of the major criminal enterprises in Ninth Circuit Courts, as brought to this Court's attention in the past, as petitioner sought relief from the felony acts of officers of the Court over whom this Court has supervisory responsibilities. These include:

- Air disaster related federal air safety and criminal violations. Petitioner brought these crimes to this Court's attention since 1975.<sup>38</sup>
- Chapter 11 corruption in which renegade parties from the Central Intelligence Agency and federal judges/justices/trustees have engaged in a corrupt pattern of looting the assets of citizens who exercised the "protections" of Chapter 11; and misusing the courts to criminally sequester the evidence of CIA looted proprietaries. Petitioner repeatedly brought to this Court's attention, since 1988,

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<sup>38</sup> **Actions filed under Title 18 U.S.C. § 4 (misprision of felonies) and 28 U.S.C. § 1361, seeking to provide testimony and hard-evidence of federal air safety and criminal violations by federal officials.** *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 misconduct); *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 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 air safety and criminal violations by FAA and NTSB officials.)

the specific acts<sup>39</sup> constituting major civil, constitutional, and criminal violations perpetrated by federal judges/trustees that look to this Court for guidance and oversight. The pattern of hard-core civil and constitutional violations judicially inflicted reflected a mindset and pattern, and showing the judicial branch engaged in racketeering activities.

- Criminal activities described by attached Appendix "C."

The existence of exceptional circumstances are certainly met. When federal judges/justices in an entire circuit engage in a prima facie conspiracy to violate the most fundamental and important constitutionally protected rights, engage in corrupt activities, and every check and balance protects the guilty, and petitioner has no other remedies, this Court has responsibilities that are no long discretionary, but mandatory.

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<sup>39</sup> Oakland Chapter 11 cases, Numbers 487-05974J and 05975J, as petitioner sought refuge in Chapter 11 from the judicially engineered sham California action and the judicial suspension of all due process, and retaliation for exercising federal remedies.

## DISCUSSION

### **III. THE CRIMINAL CONTEMPT CHARGE IN RETALIATION FOR EXERCISING CONSTITUTIONALLY GUARANTEED RIGHTS AND PROTECTIONS, AND FOR REPORTING FEDERAL CRIMES, IS PRIMA FACIE EVIDENCE OF A JUDICIAL COUP AGAINST THE UNITED STATES**

The criminal contempt charge for exercising federal rights and responsibilities are patently unlawful and unconstitutional, and reflects the gravity of the judicial anarchy first discovered in the Ninth Circuit. The pattern of injunctive orders voiding for an informant, a protesting victim, the rights, protections, and responsibilities under our form of government reflects the advanced judicial anarchy being withheld from the American people.

### **IV. THE CRIMINAL CONTEMPT VIOLATES BASIC RIGHTS AND PROTECTIONS UNDER THE CONSTITUTION OF THE UNITED STATES**

#### **a. It is a federal crime to harm a citizen for having exercised rights and protections under the laws and Constitution of the United States**

Title 18 U.S.C. § 241<sup>40</sup> makes it a crime for two or more persons<sup>41</sup> to inflict harm upon a citizen for having filed federal actions invoking declaratory and injunctive relief remedies; and for reporting federal crimes.

#### **b. It Is A Federal Crime To Harm A Victim, an Informant, a Whistle-Blower, for Having Reported Federal Crimes of Treasonous and Subversive Nature.**

It is a federal crime to harm a victim, an informant, or a whistleblower, for having reported federal crimes, or to block the reporting of these crimes. Petitioner, a former federal investigator

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<sup>40</sup> Title 18 U.S.C. § 241. Conspiracy against rights of citizens. If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his so exercised the same, ... they shall be fined ... or imprisoned ..."

<sup>41</sup> Two or more persons would include the various employees of the U.S. Department of Justice, federal judges, including Judges Marilyn Patel and Vaughn Walker, among others, all of whom acted in unison, in a scheme to sequester crimes against the United States, and crimes against Petitioner.

holding federal authority to make such determinations, has sought to report treasonous and subversive federal crimes against the United States.<sup>42</sup> The federal action filed by Petitioner, which is the basis for the criminal contempt and repeated prison sentences, are a part of the criminal cartel describes in this Petition and attached exhibits/declarations.

### **Constitutional Rights and Protections Are Guttled In An Obvious Prima Facie Conspiracy By Federal Judges and Justice Department Prosecutors.**

Incredibly, Justice Department officials, in unison with Ninth Circuit federal judges/justices, have gutted the Constitutional protections, and made it a crime to exercise the constitutionally guaranteed rights and protections specifically provided by federal statutes, including, inter alia:

- **A Crime To Exercise First and Fifth Amendment rights?** Federal judges and Justice Department prosecutors, both of whom are sworn to uphold the laws and Constitution of the United States, have openly and repeatedly held it to be a federal crime, punishable by prison (and seizure and looting of a citizen's life's assets), if a citizen exercises the rights and protections guaranteed by the Constitution of the United States. This is, of course, judicial anarchy, by those over whom this Court has supervisory responsibilities. Petitioner exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.

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<sup>42</sup> (a) pattern of **air safety and criminal acts**, and obstruction of justice, related to a series of fatal airline crashes; (b) CIA scheme known as "**October Surprise**," in which U.S. military equipment was stolen and given to Iran in exchange for continuing the imprisonment of 52 American hostages held by Iran in 1980; (c) **CIA looting of America's financial institutions, including savings and loans and insurance companies**; (d) **misuse of Chapter 11 courts by the CIA/federal judges/federal trustees/law firms**, to sequester evidence of the looted CIA proprietaries; (e) looting of Chapter 11 assets by the same group, to **fund covert and corrupt CIA activities** (including corrupt seizure and looting of Petitioner's assets in the Oakland Chapter 11 courts, cases Nrs. 487-05974J/05975J); (e) **CIA drug smuggling into the United States**, enlarging upon its history of drug trafficking in foreign countries; (f) **felony cover-up** and conspiracy to cover-up by persons in the U.S. Department of Justice and by federal judges/justices; (f) **Inslaw corruption** by Justice Department personnel; (g) felony persecution of complaining victims, informants, whistleblowers, and pattern of related killings and mysterious deaths.

- **A Crime To Exercise Mandatory Federal Crime-Reporting Statutes?** This is the interpretation given by renegade federal judges/justices and Justice Department prosecutors. Simultaneously, these same renegades are aiding and abetting, guilty of misprision of felonies, obstructing justice, engaging in judicial and Justice Department anarchy, and persecuting citizens of the United States who come to the aid of their country by reporting the pattern of criminal activities. But Title 18 U.S.C. § 4, for instance, makes it a crime for a citizen **not** to report federal crimes to a federal court or other federal tribunal. Conveniently, this corrupt interpretation serves to protect the criminal cartel described in the attachments, including the renegade federal judges/justices and Justice Department attorneys. Petitioner exercised this crime-reporting responsibility, and for having done so, has been charged with criminal contempt by federal judges/justices and Justice Department prosecutors.
- **A Crime To Exercise First and Fifth Amendment rights to petition government?** But the Constitution specifically guarantees to all citizens the right to petition government for addressing any one of the many major federal violations and federal crimes Petitioner seeks to report. The fact that the criminal activities implicate a pattern of renegade federal judges/justices and Justice Department attorneys, among others, is no justification for voiding the Constitution of the United States, or for inflicting great harms upon a citizen. Petitioner exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.
- **A Crime To Exercise Title 28 U.S.C. § 1331 rights?** This statute guarantees to American citizens access to federal courts, and in turn the rights and protections under the laws and Constitution of the United States, to halt the record-setting judicially inflicted civil, constitutional and criminal violations. Petitioner

exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.

- **A Crime To Exercise Title 42 U.S.C. §§ 1983-1986 rights while suffering record setting civil and constitutional violations?** The scheme to retaliate against Petitioner for having reported the federal crimes commenced with record-setting violations of state and federal due process committed in a sham California action.<sup>43</sup> This action was filed by a covert CIA and Justice Department law firm to divert Petitioner's attention from his exposure activities, and to strip Petitioner of the assets that funded his exposure activities. Ten years of major civil and constitutional violations were judicially inflicted upon Petitioner by renegade California judges/justices, protected by renegade federal judges/justices. These outrageous violations were repeatedly brought to this Court's attention since 1985, and the harms suffered by Petitioner, were made possible by this Court's abdication of its duties and responsibilities. Petitioner exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.
- **A Crime To Exercise Title 28 U.S.C. § 1343?** This statute provides for damages to be paid by anyone [including corrupt judges/justices], who know that civil and constitutional rights are violated, who could have prevented, or aided in the prevention of these violations, and who refused to do so. Petitioner exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.
- **A Crime To Exercise Title 28 U.S.C. §§ 2201, 2202?** Petitioner exercised this right to declare the personal and property rights established for the past 26 years

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<sup>43</sup> Superior Court, Solano County, Number 83472.

in six judgments.<sup>44</sup> The judicial scheme to destroy the assets that funded Petitioner's exposure of the criminal cartel activities fabricated a sham "divorce" action so as to immediately seize Petitioner's assets. Five judgments, the declarations of Petitioner's former wife, Social Security records, and the facts, establish that Petitioner had been divorced for two decades prior to the sham law suit that served as a convenient judicial ploy to block Petitioner's reporting of the federal crimes. To this date Petitioner's personal and property rights are unknown, by the repeated dismissal of federal actions seeking a declaration as to the validity of the personal and property rights established in five judgments in five states. Petitioner exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.

- **A Crime To Exercise Declaratory Judgment Remedies?** As part of the scheme, renegade California judges/justices rendered a sham "divorce" judgment in 1988, which served as the basis to strip Petitioner of the personal and property rights established in the five judgments for the past 26 years, and the property rights acquired during two decades of divorced status. The Judgment was rendered, conflicting with five prior judgments, and was rendered without jurisdiction under California law;<sup>45</sup> and rendered while violating clear and settled

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<sup>44</sup> **(List of divorce judgments showing divorced status and property rights final and conclusive as of January 31, 1966.** (1) Initial 1966 divorce judgment following a bilateral consent divorce proceeding, rendered by jurisdiction of residence for five months, State of Chihuahua, Mexico, No. 189723, authenticated by U.S. Consul; (2) Registration and *confirmation* of the 1966 divorce judgment in the Superior Court, Contra Costa County, action number 251773, under C.C.P. § 1699(b) and C.C. § 5164; (3) Registration of the Contra Costa divorce judgment confirmation in the Superior Court, Solano County, State of California, action 91929; (4) Judicial entry of the Contra Costa county confirmed judgment into the Nevada courts, Second Judicial District of Nevada, County of Washoe, case number 85-5391 and into foreign judgment registry, number 31; (5) Registration of the 1966 divorce judgment in the District Court of Oklahoma County, Oklahoma City, Oklahoma, Case number FD-86-5870; (6) Registration of the Contra Costa confirmed judgment in the Civil Courts of Dallas County, Dallas, Texas, in Volume Two, Page 78, Foreign Judgment Register.

<sup>45</sup> There is no jurisdiction under California law, under the Family Law Act proceeding that was initiated against Petitioner, to void prior divorce judgments. Rules of Court 1201(c) (limits jurisdiction to three causes of action--dissolution of existing marriage, legal separation from existing marriage, nullity of marriage); Rule

California and federal statutes, related case law, rules of court, and constitutional protections.<sup>46</sup> In addition, California justices inflicted great financial harms upon Petitioner in retaliation for appealing the judgment rendered under these judicial anarchy conditions. Petitioner exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.

- **A Crime To Exercise Rights under the Bivens Doctrine?** Petitioner was being persecuted, his civil and constitutional rights were repeatedly violated, by persons acting under color of federal law. Petitioner stated a cause of action under *Bivens*, which was never heard, and *sua sponte* dismissed in clear violation

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1211 (limited to parties that are married to each other); Rule 1212 (prohibiting stating cause of action or claim for relief other than that provided by Rules of Court, including causes especially stated in Rule 1281 petition for dissolution of marriage form); Rule 1215 (limiting pleadings to those stated in Rule 1281, which does not state attacks upon prior judgments or previously litigated personal and property rights); Rule 1222 (jurisdiction limited to altering existing marital status); Rule 1229 (jurisdiction limited to the causes of action in Rule 1281 petition form and Rule 1282 answer form, which does not list the causes of action attacking prior divorce judgments or relitigating the exercise of jurisdiction basis); Rule 1230(a)(2) (addresses, with C.C.P. § 418.10(a)(1) the court's absence of personal jurisdiction under the Family law Act when there is a prior divorce judgment).

<sup>46</sup> Violated California mandatory divorce judgment recognition law, including inter alia: California Code of Civil Procedure Sections 1908, 1913, 1915 (in force when the 1966 divorce judgment was rendered and for nine years thereafter), 1699(b), 1713.3, 1713.5, 1713.1, 1697-1699; California Civil Code Sections 4554, 5004, 5162, 5164, 5172; California Evidence Code Sections 666, 665, 622; *Rediker v. Rediker* (1950) 35 Cal.2d 796; *Spellens v. Spellens* (1957) 498 C.2d 210; *Scott v. Scott* (1958) 51 C.2d 249; *Wheaton v. Wheaton* (1967) 67 C.2d 656, 663.

Violated mandatory federal divorce judgment recognition law and overriding federal question rights, as established in federal decisional law, including *Perrin v. Perrin*, 408 F.2d 107 (3rd Cir. 1969); *Sherrer v. Sherrer* (1948) 334 U.S. 343; *Coe v. Coe* (1948) 334 U.S. 378; *Estin v. Estin* (1948) 334 U.S. 541; *Vanderbilt v. Vanderbilt* (1957) 354 U.S. 416.

Violated landmark divorce judgment recognition law of the State of New York, which established plaintiff's divorced status while a resident of New York prior to exercising constitutional travel rights and transitioning into the State of California. *Rosenstiel v. Rosenstiel* (1965) 262 N.Y.S. 86; *Greschler v. Greschler* (1980) 434 N.Y.S.2d 194.

Violated judgment recognition rights in the United States Constitution, including directly the Full Faith and Credit Clause, Article IV, Section 1, requiring that: "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial proceedings of every other State." This protection applies to the judicial registration and confirmation of the 1966 divorce judgment in the Superior Court of the State of California, County of Contra Costa (action 251773); the registration of the California registered judgment in the courts of Nevada, Colorado, Oklahoma, and Texas.

of federal statutory law, case law, rules of court, and constitutional protections. The violations protected the chain of rogue federal judges/justices and Justice Department attorneys. Petitioner exercised this right in the federal cause of action raised in the complaint that serves as the "basis" for the criminal contempt charge.

- **A Crime For Exercising the Protections under the RICO Act?** Petitioner was suffering record-setting harms, from record-setting violations of federally protected rights, in which interstate and international commerce was involved, and in a massive conspiracy associated with the criminal cartel. As in the other causes of actions, Petitioner stated facts to support his claims, all of which must be accepted as true at that stage of the pleadings. Title 18 U.S.C. §§ 1961-1965 provides for relief to the suffering party. Again, the federal judge in Chicago, where the complaint was filed, aided and abetted the criminal activities, aided and abetted the pattern of judicial destruction of basic civil and constitutional rights. Simultaneous, the Daisy-Chain pattern of federal judges aiding and abetting the perpetration of these judicial outrages, then charged Petitioner with criminal contempt for his desperate attempts to halt the great human right, personal and property right, violations and destructions. Petitioner brought these outrages to this Court in the past, with the same refusal to meet this Court's duties.
- **A Crime To Name As Defendants CIA Related Federal Judges, Federal Trustees, law firms, who were a key part of the Chapter 11 corruption?** Petitioner named as defendants federal judges, federal trustees, law firms, whose clear pattern of corrupt civil and constitutional violations were further supported with details of their meetings at covert CIA arms and drug transshipment points in Central America. The Chicago district judge protected there role and the

criminal cartel activities, and the Ninth Circuit judges/justices/Justice Department prosecutors feloniously retaliated against Petitioner for naming these parties and their federal crimes.

- **Is It A Crime If A Citizen Refuses To Forfeit Rights and Protections Guaranteed Under the Laws and Constitution Of the United States?** Federal case law states that it is not contempt of court to exercise constitutional and statutory rights to avoid loss of constitutionally protected human rights, of personal and property rights. If Petitioner had not filed the federal action seeking to halt the great harms upon him, he would have lost these rights, and forfeited his statutory and constitutional protections. Further, the great harms inflicted upon the United States by the criminal cartel activities that he sought to report would, and did, continue to inflict great financial and human right harms upon the citizens of the United States. The looting of America's financial institutions continued. The looting of Chapter 11 assets continued. The CIA drug smuggling into the United States continued. The felony persecution of informants continued. The criminal mindset and activities within government continued. The harms inflicted upon Petitioner continued. And much more. No federal judge has authority or jurisdiction to inflict these harms upon Petitioner. Statute of limitations would deprive Petitioner of lawful remedies. Properties and businesses would be lost. Destruction of privacy, quality of life, liberties, could never be regained.
- **Is It Criminal Contempt To Perform the Public-Service Duties of A Whistle-Blower?** The public benefits of whistle-blowers are reflected by statutory and case law. Obviously, the nature of the crimes that Petitioner sought to report leaves no doubt of the value to the United States, to its citizens, to our form of government, of a citizen who is willing to risk what Petitioner has suffered, to aid

the United States.

Considerable law<sup>47</sup> has developed to aid those citizens whose concern for the public's welfare causes them to report offenses against the public, and especially the gravity of the offenses reported by Petitioner. Since 1974 Petitioner sought to exercise his duties to the United States, as this Court knows.<sup>48</sup> Under the First and Fourteenth amendments to the U.S. Constitution, state and local governments are prohibited from retaliating against whistleblowers.<sup>49</sup> In 1968 the Justices of this Court held that the First Amendment protects government employees who express public dissent.<sup>50</sup> The First Amendment protects those who express public dissent.<sup>51</sup> The courts, as now staffed, are making it a crime, and justifying major human right violations upon those who report federal crimes.<sup>52</sup>

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<sup>47</sup> *Silkwood v. Kerr-McGee Corp* (1984) 464 U.S. 238; *Farmer v. Carpenters* (1977) 430 U.S. 290; *Olguin v. Inspiration Consolidated Copper Company*, 740 F.2d 1468 (9th Cir. 1984); *Garibaldi v. Lucky Food Stores, Inc.*, 726 F.2d 1367 (9th Cir. 1984); *Walsh v. Consolidated Freightways, Inc.*, 278 Or. 347, 5663 P.2d 1205 (1977); *Hentzel v. Singer Co.*, 138 Cal.App. 290 (1982); *Stokes v. Bechtel North American Power Corp.*, 614 F.Supp. 732 (9th Cir. 1985); *Wheeler v. Caterpillar Tractor Co.*, 108 Ill.2d 502, 485 N.E.2d 372 (1985).

<sup>48</sup> **Early federal actions in which Stich sought to report federal crimes related to major airline crashes.** *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 misconduct); *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 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 cover-up 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.

<sup>49</sup> *Antioch Law Journal*, Vol. 4, Summer 1986. pp. 99-152.

<sup>50</sup> *Pickering v. Board of Education* (1968) 391 U.S. 563.

<sup>51</sup> *Grivhan v. Western Line Consolidated School District* (1979) 439 U.S. 410.

<sup>52</sup> Petitioner is only one of many who suffered at the hands of corrupt federal judges and Justice Department prosecutors for seeking to report the exploding pattern of hard-core criminal, treasonous, and subversive acts by federal officials. Captain Gunther Russbacher has been falsely charged with numerous crimes to silence him, using the combined judicial and Justice Department acts of state and federal officials, just as was done with Petitioner. Russbacher threatens to expose the federal judges, Justice Department officials, and other executive and legislative branch officials who have engaged in the felonious CIA "October Surprise" scandal; the savings and loan and as-yet unpublicized insurance company looting; CIA drug smuggling; and other crimes. Michael Riconosciuto, Richard Brenneke, Heinrick Rupp, Ron Rewald, are

So important is the right to report misconduct, as a public policy, and certainly when committed by federal officials in positions of trust, that rather than limiting causes of action to public policy exception, traditional causes of action can be included, including intentional infliction of emotional distress,<sup>53</sup> fraud, invasion of privacy,<sup>54</sup> defamation.

**Crime reporting requirements.** Petitioner's Chicago filing met federal criminal statute requirements<sup>55</sup> to report federal crimes committed by federal officials. It would have been a crime if defendant had not reported the federal crimes to a federal court.

**The Injunctive Orders Required Petitioner To Join the Criminal Cartel By Committing Federal Crimes Arising Out of Remaining Silent.** Just as the federal judges and Justice Department prosecutors have become, Petitioner would have been guilty of federal crimes if he had not reported the federal crimes.<sup>56</sup> The airline crashes arising from the pattern of hard-core air safety and criminal offenses continued to play a role in fatal crashes. The CIA looting of America's financial institutions is continuing. The CIA drug smuggling into the United States continues. The looting of Chapter 11 assets continues. The expansion of the treasonous and subversive acts continues. Conversely, the renegade Justice Department prosecutors and federal judges/justices implicated in these charges against Petitioner have feloniously obstructed justice, blocked the reporting of crimes that are inflicting great harms upon Petitioner, the citizens of the United States,

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others who engaged in CIA-directed acts who were then feloniously persecuted to silence and discredit their exposures.

<sup>53</sup> *Lucas v. Brown & Root, Inc.*, 736 F.2d 1202 (8th Cir. 1984); *Kelly v. Gen. Tel. Co.*, 136 Cal.App.3d 278.

<sup>54</sup> *Payton v. City of Santa Clara*, 183 Cal.Rptr 17, 132 Cal.App. 3d 152.

<sup>55</sup> As required to be reported by federal criminal statutes, including Title 18 U.S.C. § 4 (misprision of felony).

<sup>56</sup> **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); Title 18 U.S.C. § 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); Title 18 U.S.C. § 2 (principal); 3 (accessory after the fact); 4 (misprision of felony); 35 (impairing 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).**

the United States, and upon foreign citizens.

**d. CONTEMPT OF COURT MUST BE TO PROTECT THE PUBLIC INTEREST AND THE LAWFUL PROCESS OF FEDERAL COURTS**

Contempt of court must be to protect the public interest.<sup>57</sup> It must protect the **lawful** process of the courts. But destroying basic constitutional rights and protections, imprisoning citizens who report federal crimes implicating the Justice Department, federal judges/justices, and other federal officials, are obviously, not protecting the public interest, or protecting any **lawful** function of the court. What we have here are patterns of judicial anarchy, protecting the takeover, the unpublicized coup against the United States, in a "sophisticated" banana-republic takeover of America. As part of the process, renegade federal judges/justices and Justice Department prosecutors in the Ninth Circuit courts are making it an imprisonable offense to report federal crimes, reporting the criminal cartel activities, as required to be reported by federal crime-reporting statutes, and as permitted to be reported by constitutional and statutory rights.

**e. FEDERAL JUDGES LACK AUTHORITY TO RENDER ORDERS BARRING A CITIZEN ACCESS TO FEDERAL COURTS AND CONSTITUTIONAL AND STATUTORY PROTECTIONS**

Obviously, or it should be, the functions and duties of federal judges are to uphold the laws and Constitution of the United States. Federal judges lack authority to render orders destroying these rights and protections. The judicial orders<sup>58</sup> barring Petitioner from reporting the inter-related federal crimes in which Justice Department attorneys and federal judges/justices were implicated are void orders on their face. The judicial orders barring Petitioner access to federal court, requiring him to

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<sup>57</sup> *Falstaff Brewing Corp. v. Miller Brewing Co.* 702 F.2d 770 (9th Cir. 1983); *Shillitani v. United States* (1966) 384 U.S. 364; The principal beneficiaries of a criminal contempt are the courts and the public interest. *Ager v. Jane C. Stormont Hospital & Training School for Nurses*, 622 F.2d 496, 500 (10th Cir. 1980); *In re Dinnan*, 625 F.2d 1146, 1149 (5th Cir. 1980).

<sup>58</sup> Judge Milton Schwartz (May 30, 1986, E.D. Cal. Nr. C 86-210); Judge Marily Petal (N.D. Cal. Nr. C 86-6046 MHP); Judge Samuel Conti (N.D. Cal. Nr. C 88-1890); Judge Edward Jellen. Action (Oakland Ch 11 court, Nr 487-05974J/05975J).

becoming accessory to major federal crimes by blocking his reporting of the crimes, and requiring Petitioner to waive the protections under our form of government are void orders, outside the authority of any federal judge/justice. They cannot support a contempt charge. *Johnson v. Virginia* (1963) 373 U.S. 61.

#### **b. VOID ORDERS CANNOT SUPPORT A CRIMINAL CONTEMPT CHARGE**

A party cannot be held in contempt of court for reporting federal crimes, or for seeking relief from unprecedented judicially-inflicted human right violations and great harms. The obviously unlawful and unconstitutional injunctive orders are void orders. An order rendered in violation of law is a nullity.<sup>59</sup>

#### **c. THE CAUSES OF ACTION IN THE CHICAGO DISTRICT COURT FILING ARE DIFFERENT, AND IN ADDITION, TO THOSE RAISED IN EARLIER ACTIONS THAT WERE UNLAWFULLY AND UNCONSTITUTIONALLY DISMISSED, AND WHICH WERE NEVER ADJUDICATED**

Although this defense is unnecessary to defend against the criminal contempt charge, it is raised here to show the pattern of judicial lawlessness existing in Ninth Circuit courts. The filing of the federal action in the Northern District of Illinois, which is used as the basis for the criminal contempt charge, raises new causes of actions.<sup>60</sup>

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<sup>59</sup> A void judgment is not entitled to the respect accorded a valid adjudication. All proceedings founded on the void 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. See attached exhibit "F" for further law on void orders.

<sup>60</sup> The injunctive order relating to a 1986 action addressed major federal issues that were never adjudicated, and did not address major federal causes of actions and criminal activities later discovered. The **additional and subsequent** federal causes of actions included, inter alia:

1. Declaratory judgment remedies to determine whether five judgments declaring Petitioner's divorced status and property rights for the past 24 years were controlling, or the contradictory "divorce" judgment rendered by a California judge in 1988 (acting without jurisdiction and in violation of blocks of state and federal civil and constitutional protections) was controlling.

2. Addressed the corrupt, unlawful, and unconstitutional seizure of Petitioner's Chapter 11 assets by CIA assets in the role of federal judges, federal trustees, covert Justice Department and CIA law firms, seeking a declaration of the validity of orders seizing Petitioner's assets without any hearing, without due process, without cause, and the subsequent looting of valuable and financial healthy assets by CIA-related trustees and

**d.INABILITY TO OBTAIN A FAIR TRIAL DUE TO GRAVITY OF THE CRIMES COMMITTED BY THE SAME JUSTICE DEPARTMENT OFFICIALS AND FEDERAL JUDICIARY THAT ARE IMPLICATED IN THE FEDERAL OFFENSES**

The constitutional right to a fair and impartial trial is impossible to obtain where federal judges/justices and Justice Department officials are implicated in the pattern of criminal activities that Petitioner uncovered.

The framers of the U.S. Constitution never envisioned this degree of judicial and Justice Department lawlessness. The Constitution and laws of the United States places the enforcement of criminal law in the U.S. Attorney General and U.S. Department of Justice. These same federal entities are deeply implicated in the treasonous and subversive activities that Petitioner initially discovered as a federal investigator. This same group is engaging in felony persecution of informants, whistleblowers, protesting victims, as they seek to continue the escalation of the criminal activities. The felony persecution of Petitioner for exercising federal responsibilities and protections is one indication of the hard-core breakdown in our form of government.

The Constitution and laws of the United States places upon federal judges/justices the responsibility of upholding the laws and Constitution of the United States, and to provide declaratory and injunctive relief to citizens suffering any one of the record-setting patterns of civil, constitutional, and criminal outrages that Petitioner has and is suffering. The Constitution assumed that there would be checks and balances within the federal judiciary, including the supervisory responsibilities of the Justices of the U.S. Supreme Court. The framers of the Constitution never envisioned that the entire federal judiciary would be either directly implicated in these federal crimes

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law firms (and particularly trustee Charles Duck and the law firm of Goldberg, Stinnett and McDonald, frequent participants in corrupt CIA activities in Central America, and involving unlawful arms and drug shipments.

3. Declaratory judgment, to reestablish Petitioner's civil and constitutional rights that have been voided by the renegade federal judges and Justice Department attorneys.

and constitutional offenses, or aiding and abetting the renegade federal judges/justices and corrupt Justice Department officials. Under these conditions, Petitioner is unable to obtain a fair and impartial trial.

The civil and constitutional offenses inflicted upon Rodney King are an almost invisible when compared with the civil and constitutional offenses repeatedly inflicted upon Rodney Stich, the Petitioner, while the Justices of the Supreme Court observe their judicial charges running amuck. Some other provision not provided by the Constitution should be provided for Petitioner, in light of the massive judicial anarchy, obstruction of justice, and complicity in the overall criminal cartel activities. Possible moving the trial to the Congress in an unprecedented action may be the answer.

A. Federal air safety and criminal violations related to a series of fatal airline crashes.

B. Federal crimes and racketeering activities in Chapter 11 proceedings by officers of the court, federal judges, and non-government accessory to the crimes.

### **SUMMARY**

This brief addresses shocking violations of the rights and protections under the laws and Constitution of the United States that shocks the conscience. It only makes slight reference to the hard-core pattern of criminal acts by federal officials that have grave implications for our form of government. The issues are not limited to what has been done to defendant. The proof exists that segments of the government of the United States has been converted into criminal enterprises, with harms inflicted upon the United States, its citizens, and defendant, that are not academic or theoretical subversive acts. They are hard-core criminal acts committed by officials in positions of trust, and especially by attorneys in the U.S. Department of Justice, federal judges, and others acting under color of federal law.

There is little possibility defendant will prevail. Not because the law isn't overwhelmingly on his side. But because of the eight years, and more, of solid misconduct, criminal misconduct, by a conspiracy of federal officials, inflicting great harms upon defendant, and upon the United States. The federal civil right and criminal offenses, and offenses against the United States, are so blatant,

and so outrageous, that it requires felony obstruction of justice/misprision of felonies, by every known government and non-government check and balance, to carry out the scheme described herein.

Openly, Justice Department officials engage in criminal harassment and persecution, of a victim, for having exercised rights and protections under our form of government, seeking relief from government-funded persecution, and for having the "audacity" to report federal crimes by federal officials, who have turned government agencies into racketeering activities inflicting harms upon the citizens of the United States. The eight years and more of judicial misconduct are not isolated instances of malfeasance, misfeasance, obstruction of justice, criminal acts; they are obviously coordinated, in a felony conspiracy, that constitutes one of the gravest threats to our form of government.

Defendant has described parts of this grossly shocking established pattern of outrageous misconduct that violates the universal sense of justice. Yet, not a single person within the United States has the moral and legal sense of responsibility to intervene in the trauma inflicted upon our government and our citizens.

At this stage the conspirators have done the following key harms to defendant:

2. They are in the finishing stages of financially destroying him, converting him a multi-millionaire to a state of poverty.

3. Destroyed defendant's business. At 68 years of age, he is without assets, without income, destroyed financially, his credit worthiness destroyed for life.

4. Repeated humiliations that defy description.

5. At this moment, defendant is ordered out of his home, onto the streets, stripped of his business, his assets, his ability to earn money.

6. Again facing federal prison, after almost five years of imprisonment or threats of imprisonment, in retaliation for exercising rights and protections under our form of government, and in retaliation for a victim reporting federal crimes perpetrated by federal officials, including the

officer of the court, embezzler Charles Duck, federal judges/justices who aided and abetted in these and other crimes.

7. Attempting to discredit defendant, and possible imprison him in a federal prison hospitals, the Justice Department attorneys who have inflicted such great harms upon defendant, others, upon the United States, seek to have him declared mentally incompetent, to protect their sordid crimes.

8. Attempts to bring about a cardiac arrest.

9. These nine years of outrages were inflicted using as the base the preposterous argument advanced by the Friedman law firm that 22 years of multiple judgments, of lawfully acquired property rights, are all void, because a court 22 years ago exercised personal jurisdiction in a bilateral consent divorce action on the basis of residence, and that this universally recognized and exercised right would not apply to defendant, and therefore these lifetime of rights are void.

The mere fact that this court has not taken *sua sponte* actions to bring a halt to these criminal outrages, reflects what is coming. This court has supervisory responsibilities over the outrages inflicted by Chapter 11 judges, by Justice Department attorneys, by the Friedman law firm acting as a covert front for Justice Department officials as they carry out covert persecution of American citizens, to silence their reporting of federal crimes.

### **RELIEF REQUESTED**

Therefore, it is requested that:

1. Petition for relief be granted.
2. Parties be forever barred from suspending defendant's civil and constitutional rights.
3. This court meets its responsibilities, including those under Title 18 U.S.C. § 4 (misprision of felonies), and provide defendant court access to present further information on the federal air safety and criminal acts, to provide testimony, and the voluminous evidence.
4. Under Title 18 U.S.C. § 3006A, provide defendant with investigators and expert

legal counsel to assist in arranging the evidence in a form most suitable for presentation to the court.

A. Respond to defendant's previous requests. This includes

a. Request to vacate release bon and release condition requirements. This onerous requirement further destroys defendant's liberties, his freedoms. Surely the court has enough evidence at this stage to prove the record-setting outrages inflicted by a group of cowardly thugs that have gravely harmed defendant; that have inflicted great harms upon American citizens; and are defrauding the United States as never before reported.

b. Request to take judicial notice of Title 18 USC § 241 violations and other crimes. Under federal criminal statutes, federal civil right statutes, this court has responsibility to take sua sponte actions to have independent and multiple investigations of these serious offenses committed by federal officials.

Dated: March 4, 1991.

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Rodney F. Stich  
Defendant in pro se

#### DECLARATION

I, Rodney Stich, declare that these statements are true to the best of my knowledge and belief. Executed this fourth day of March 1991 in the town of Alamo, State of California.

Rodney F. Stich

B. Judge Patel's March 5, 1987 order exceeded her authority and jurisdiction, reversed her lawful responsibilities to uphold the laws and Constitution of the United States, and protected those who committed a pattern of federal offenses against defendant. She simultaneously committed offenses defrauding the United States (by criminalizing federal entities and reducing the effectiveness of government positions), defrauded the air disaster victims who died or were maimed as a result of the pattern of air safety and criminal violations; defrauded those stripped of their life's assets in the Chapter 11 judicial corruption. None of the victims were any match for those aiding and abetting the conspiracy.

C. Reversed the rights and protections in federal laws and Constitution. Unlawfully and unconstitutionally dismissed the federal action (N.D. Cal. Nr. Civ 86-6046 MHP), when (a) federal case law bars the dismissal;<sup>61</sup> (b) violated defendant's First and Fifth amendment due process and equal protection rights; (c) deprived defendant of the federal protections against the destruction of his constitutionally protected rights to property, privacy, quality of life.

D. Reversed the criteria for the frivolous doctrine, converting the rights and protections under our form of government into frivolous acts. In repeated tactics to void the rights and protections under the laws and Constitution of the United States, via unlawful and unconstitutional dismissals, Judge Patel and other judges rendering injunctive orders fraudulently placed a frivolous label upon defendant's law suits exercising federal relief remedies against the shocking pattern of civil, constitutional, and criminal offenses. Although defendant's action (Civ 86-6046 MHP) stated multiple federal causes of action of constitutional magnitude, any one of which invoked mandatory federal court jurisdiction and relief, Judge Patel dismissed the action. This dismissal resulted in defendant suffering great harms. Defendant was

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<sup>61</sup> *Dennis v. Sparks* (1980) 449 U.S. 24.

converted from a multi-millionaire to a state of poverty; he was made homeless; his income was halted; his credit worthiness was destroyed for the remainder of his life; his retirement income destroyed; his children's inheritance destroyed; his quality of life, his privacy, made into a shambles. He suffered imprisonment and threats of imprisonment for over four years, in retaliation for exercising constitutionally guaranteed protections and for exercising federal criminal law responsibilities.

E. **Reversed, and violated, the legal criteria for a frivolous complaint,** to "support" the injunctive order. Seeking to support the order barring defendant from court access and protections of law, Judge Patel placed a frivolous label upon the 1986 action (86-6046 MHP). To support a frivolous label, the complaint must be absolutely devoid of any arguable merit. But a complaint is not frivolous if "any of the legal points [are] arguable on their merits." *Anders v. California* (1967) 386 U.S. 738.

F. Violated federal case law by dismissing the underlying complaint. A federal judge lacks authority to dismiss a complaint that states a federal cause of action.<sup>62</sup> Defendant's complaint stated multiple federal causes of action. The unlawful and unconstitutional dismissal of the action in which Judge Patel sought "support" for her grossly unlawful and unconstitutional order suspending the protections under our form of government are lawless actions outside the jurisdiction of any federal judge.

G. Federal crimes, including Title 18 U.S.C. §§ 241 (harming a citizen for having exercised rights and protections under the laws and Constitution of the United States); 1512 and 1513 (retaliating against a victim for trying to report, or reporting, to a federal court, the existence of a possible crime.

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<sup>62</sup> *Dennis v. Sparks* (1980) 449 U.S. 24.

**e.THE INJUNCTIVE ORDERS BARRING PETITIONER FROM REPORTING FEDERAL CRIMES AND BARRING HIM FROM DEFENDING HIMSELF AND THE FELONY PERSECUTION, SEEK TO BLOCK THE EXPOSURE OF A THE CRIMINAL CARTEL ACTIVITIES CONSTITUTING TREASONOUS AND SUBVERSIVE ACTS AGAINST THE UNITED STATES BY, INTER ALIA, FEDERAL OFFICIALS, AND ESPECIALLY JUSTICE DEPARTMENT PERSONNEL AND FEDERAL JUDGES**

Federal judges and justices have a sworn duty to uphold the laws and Constitution of the United States. The injunctive orders suspends and violates the laws and Constitution of the United States, which the same federal judicial officers have sworn to uphold.

**f.FEDERAL CASE LAW RELATING TO CONSTITUTIONALLY GUARANTEED RIGHT TO COURT ACCESS AND RELIEF BARS BOTH THE INJUNCTIVE ORDERS AND THE PATTERN OF IMPRISONMENT FOR EXERCISING FEDERAL REMEDIES AND FEDERAL RESPONSIBILITIES**

There is no authority under the constitution and laws of the United States, for a federal judge to suspend and void the rights and protections under the laws and constitution of the United States. The fundamental requirements of due process is an opportunity to be heard upon such notice and proceedings as are adequate to safeguard the right for which the constitutional protection is invoked." *Anderson National Bank v. Lueckett* (1944) 321 U.S. 233, 246. The Court held that, when jurisdiction is present, it is error to dismiss a claim on the merits without notice, a hearing, and an opportunity to respond, unless the complaint could not be corrected by amendment. *Worley v. California Department of Corrections*, 432 F.2d 769 (9th Cir. 1970). ... we held in *Harmon v. Superior Court*, 307 F.2d 796, 796 (9th Cir. 1962); "**The right to a hearing on the merits of a claim over which the court has jurisdiction is of the essence of our judicial system, and the judge's feeling that the case is probably frivolous does not justify by-passing that right.** Appellant is entitled to have process issued and served, and to be heard."

**g.SUSPENDING ACCESS TO FEDERAL COURTS VIOLATES RIGHTS AND PROTECTIONS UNDER THE FIRST AMENDMENT, AND OUTSIDE THE AUTHORITY & JURISDICTION OF ANY FEDERAL JUDGE/JUSTICE**

The First Amendment to the United States Constitution guarantees to all citizens the right to petition government for redress of grievances, and states:  
Congress shall make no law ... prohibiting the free exercise thereof; or abridging the freedom of speech, ... or the right of the people ... to petition the Government for a redress of grievances.

**h.SUSPENDING ACCESS TO FEDERAL COURTS VIOLATES RIGHTS AND PROTECTIONS UNDER THE FIFTH AMENDMENT, AND OUTSIDE THE AUTHORITY OF ANY FEDERAL JUDGES/JUSTICE**

The Fifth Amendment to the United States Constitution states:  
No person shall be ... deprived of life, liberty, or property, without due process of law;

The injunctive order deprived petitioner his freedoms, his liberties, without due process of law. The injunctive orders prevented petitioner from (a) reporting the federal crimes that had played a major role in a continuing series of fatal airline crashes; (b) reporting the Chapter 11 judicial corruption in the Ninth Circuit that has financially destroyed thousands of American citizens by judicial felonies and civil and constitutional violations.

**i.VOIDING RIGHT TO COURT ACCESS VIOLATES RIGHTS AND PROTECTIONS ARISING UNDER THE FOURTEENTH AMENDMENT, AND OUTSIDE THE JURISDICTION OF A FEDERAL JUDGE/JUSTICE**

Section one of the Fourteenth Amendment states:

No States shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**j.VIOLATES RIGHTS AND PROTECTIONS ARISING UNDER THE FEDERAL SUPREMACY CLAUSE**

Petitioner suffered, and is in the terminal stages of suffering, great and irreparable harm from violations of rights protected by the superseding Federal Supremacy Clause. The injunctive order approved of these violations of federally protected rights, and deprived Defendant access to a federal forum that has the duty to provide relief. The injunctive order violates rights and protections arising under federal law.<sup>63</sup> under the Civil Rights Act, under the RICO Act, under declaratory judgment

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<sup>63</sup> Denying relief for the state court violations of mandatory recognition of personal and property rights arising in multiple divorce judgments; involving violations of right to a divorce, right to exercise jurisdiction on the basis of residence; right to unabridged interstate travel without losing previously adjudicated and acquired personal and property rights; violation by state judges of state statutory and case law in a sham divorce action;

Act, under the United States Constitution, and arising under federal case law, including the U.S. Supreme Court.<sup>64</sup>

**k. THE INJUNCTIVE ORDER VIOLATES RIGHTS AND PROTECTIONS ARISING UNDER THE DECLARATORY JUDGMENT ACT AND STATUTES**

The injunctive order deprives Petitioner of rights and privileges arising under the declaratory judgment statute,<sup>65</sup> as Petitioner seeks determination of federal question rights arising under the U.S. Constitution, under decisions of the U.S. Supreme Court, under federal statutory law, that are openly violated by California judges.

These causes of action included (a) violation of constitutionally protected right to unabridged interstate travel;<sup>66</sup> refusal to recognize prior divorce judgments, including a 1966 judgment

in which jurisdiction was exercised on the basis of five month's residence, and the confirmation of that 1966 judgment as a California judgment, which in turn was entered in courts of Nevada, Texas and Oklahoma for recognition as local judgment; and seizing personal and property rights acquired during 22 years of divorced status.

**l. VIOLATES RIGHTS AND PROTECTIONS ARISING UNDER THE CIVIL RIGHTS ACT.**

The primary remedy to protect citizens from the eight years of orders rendered by California judicial and non-judicial defendants, acting without jurisdiction, and violating record-setting state and federal civil and constitutional protections, were openly and repeatedly violated by the same

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<sup>64</sup> Violating rights and protections requiring state judges to recognize prior divorce judgments and the personal and property rights adjudicated in such judgments.

<sup>65</sup> Title 28 U.S.C. §§ 2201, 2202.

<sup>66</sup> Arising from refusal to recognize the exercise of divorce court jurisdiction on the basis of residence (prohibited by U.S. Supreme Court decisions), seizing personal and property rights adjudicated in prior jurisdictions of residence and acquired as a divorced person; right to exercise jurisdiction on residence; due process and equal protection.

federal judges and justices who had sworn to uphold these rights and protections. The injunctive orders augmented the earlier violations of these important protections by denying to petitioner even the formality of filing for relief. And thus saved the federal judges and justices the embarrassment/felony acts of openly violating these protections while protecting those engaged in a felony conspiracy committing the violations.

**m. VIOLATES RIGHTS AND PROTECTIONS ARISING DIRECTLY UNDER THE U.S. CONSTITUTION AND UNDER BIVEN'S CLAIMS.**

Federal officials, including federal judges, Justice Department officials, engaged, and are engaging, in a scheme to (a) block petitioner's reporting of the federal air safety and criminal violations, the Chapter 11 felonies, and the felonies consisting of judicially engineered acts to block petitioner's reporting of the federal crimes and retaliating against him for having sought to do so. These acts violated federal civil right protection statutes,<sup>67</sup> and invoked federal court jurisdiction for injunctive relief and damages. But the injunctive orders by federal judges, and the criminal prosecution by Justice Department officials for exercising rights and protections under federal laws from the acts they themselves have committed against petitioner, deprives him of the right to defend. A corollary would be to bar a woman being repeatedly gang-raped from seeking relief, and when she does, to prosecute her for having sought relief from government officials responsible to prevent the attacks.

**n. VIOLATES RIGHTS AND PROTECTIONS ARISING UNDER THE RICO ACT.**

Petitioner is unable to report violations of the RICO Act that has been implicated in large numbers of airline crashes which petitioner initially discovered during his federal air safety investigator's duties, and the RICO violations committed against him to silence his reporting of the crimes. The RICO Act (Title 18 U.S.C. §§ 1961-1965) provides rights and protections to a party who suffers harm from two or more corrupt acts, perpetrated by two or more persons acting in conspiracy,

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<sup>67</sup> Title 28 U.S.C. § 1343; Title 42 U.S.C. §§ 1983-1986; Title 18 U.S.C. §§ 1961-1965, 241.

and where it affects interstate and international commerce, as it obviously does.<sup>68</sup>

**o. VIOLATES RIGHTS ARISING UNDER FEDERAL RULES OF COURT**

The injunctive orders, and as applied, deprives Petitioner of the protection of Federal Rules of Court, including Rules 1 through 10 authorizing filing federal actions; Rule 38 for jury trials; Rule 65 for injunctions seeking relief from the shocking harms inflicted upon petitioner as a part of the record-setting civil, constitutional, and criminal violations; Federal Rules of Appellate procedure, including rules 8 and 21 applying to injunctions.

**p. VIOLATES THE PROTECTION OF TITLE Title 28 U.S.C. Section 1331.**

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, ... of the United States.

**q. VIOLATES Title 42 U.S.C.S. Section 1983-1986:**

**CIVIL ACTION FOR DEPRIVATION OF RIGHTS**

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileged, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law [in federal courts], suit in equity, or other proper proceeding for redress. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia. (R.S. Section 1979; December 29, 1979, P.O. 96-170. Section 1, 93 Stat. 284.)

The Court held in *Mitchum v. Foster* (1972) 407 U.S. 225, that the purpose of § 1983 was to interpose the federal courts between the States and the people, as guardians of the people's federal rights--to protect the people from unconstitutional actions under color of state law, "whether that

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<sup>68</sup> The tragic effects upon the lives of many people in fraud-related airline crashes are described and documented in the Third Edition of *The Real Unfriendly Skies—Saga of Corruption*.

action be executive, legislative, or judicial." But in the record numbers of civil right violations committed during eight years of constitutional outrages in the sham California action, federal judges and justices, and even this Court, have protected those committing these outrages, with grave implications as to the meaning of such acts.

Rarely has this need been as obvious as in the underlying California action. Petitioner has been deprived of every single relevant substantive and procedural due process protection, numbering in the dozens, for the past six years, solely on a cause of action that has been held unconstitutional by the U.S. Supreme Court for the past half century.

The *Mitchum* Court continued:

... this Court long ago recognized that federal injunctive relief against a state court proceeding can in some circumstances be essential to prevent great, immediate, and irreparable loss of a person's constitutional rights. ... For these reasons we conclude that ... § 1983 is an Act of Congress that falls within the "expressly authorized" exception of [the anti-injunction statute]. [*Id.* at 242-43.

r. **THE INJUNCTIVE ORDER VIOLATED RESPONSIBILITIES TO REPORT FEDERAL CRIMES DISCOVERED BY PETITIONER INITIALLY AS A FEDERAL AIR SAFETY INVESTIGATOR, AND THEN IN RAMPANT CHAPTER 11 CORRUPTION**

It is a crime, **not to report a federal crime**, to a federal court (or other federal tribunal).<sup>69</sup> It is also, a crime, for a federal official, including a federal judge, to block the reporting, giving testimony, introducing evidence, of a federal crime. The injunctive order prevents petitioner from reporting the federal air safety and criminal felonies that have played a causative and permissive role in a series of specific airline crashes, and will continue to do so until there is prosecution of the guilty. While feloniously protecting the felons associated with many brutal deaths, Justice Department officials and federal judges, through the unlawful injunctive orders, are sentencing

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<sup>69</sup> Petitioner is unable to report the federal crimes to Justice Department officials because of their complicity in the federal air safety and criminal offenses related to a series of fatal airline crashes; related to the Chapter 11 corruption; and related to the felony obstruction of justice and retaliation against petitioner for attempting to report the federal crimes to a federal court. (Violated, inter alia, Title 18 U.S.C. §§ 1512, 1513, and 241.)

petitioner to federal prison, and stripping him of his life's assets, misusing federal officials in a criminal racketeering enterprise.

For four years petitioner has been persecuted with threats of and actual imprisonment. Now, it is starting all over again. The reason? Judge Patel rendered a March 5, 1987 order forever barring petitioner from filing any action in any state or federal court. She knew, at that time, that California judges and non-judicial parties in the sham California action were rendering orders destroying petitioner's life's assets, his business, his home, while the state action was removed to federal court,<sup>70</sup> from June 17, 1986, where it still remains as of January 30, 1991! On November 23, 1990, Judge Patel, seeking jurisdiction over petitioner in a law suit unlawfully and unconstitutionally dismissed nearly four years earlier,<sup>71</sup> ordered petitioner arrested, without charges, on the basis that petitioner desperately sought relief in the district court at Chicago (90-C-2396). While Judge Patel made possible petitioner's conversion from a multi-millionaire to a state of poverty, and suffering record-setting human right violations, by the unlawful dismissal of the 1986 action, she compounded this malfeasance by imprisoning petitioner without jurisdiction and without charges.

**s.THE INJUNCTIVE ORDER BLOCKS PETITIONER'S REPORTING OF FEDERAL CRIMES, AND IS THEN USED TO FELONIOUSLY PERSECUTE PETITIONER WHEN HE EXERCISES LEGAL AND MORAL RESPONSIBILITIES**

Title 18 U.S.C. § 4 makes it a crime not to report federal offenses to a federal court or other federal tribunal. Petitioner has been blocked at every attempt to report federal crimes related to a series of fatal airline crashes; related to Chapter 11 corruption; related to felony acts taken in retaliation for petitioner's attempts to report the federal crimes.

Justice Department officials and federal judges have compounded their misprision of felonies by retaliating against petitioner for trying to report the crimes; retaliating against him for having sought to make the reports; and threatened and harmed petitioner for exercising rights and

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<sup>70</sup> E.D. Cal. Nr. C 86-0715 MLS.

<sup>71</sup> N.D. Cal. Nr. C 86-6046 MHP.

protections under the laws and Constitution of the United States. These acts, misusing federal offices, violated numerous federal criminal statutes.<sup>72</sup> These acts also constitute crimes against the United States.<sup>73</sup>

The first amendment protects those who express public dissent.<sup>74</sup> Decisional law<sup>75</sup> protecting whistle-blowers have made reference to first amendment protections,<sup>76</sup> prohibiting obstructing to the filing of federal actions reporting the alleged misconduct. Whistle-blowing is essentially the exercise of a first amendment free speech right. A whistleblower victimized by retaliation or any other form of discrimination, has a potential Civil Rights Section 1983 action.<sup>77</sup> Even if there is no state action, whistleblower retaliation which concerns a private conspiracy to retaliate may have a valid cause of action.<sup>78</sup> Under the state common law public policy exception, even in the absence of state action the

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<sup>72</sup> **Title 18 U.S.C. § 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 (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).

<sup>73</sup> **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); **Title 18 U.S.C. § 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); **Title 18 U.S.C. § 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)**.

<sup>74</sup> Grivhan v. Western Line Consolidated School District (1979) 439 U.S. 410.

<sup>75</sup> E.D. Cal. Nr. C 86-0715 MLS.

<sup>76</sup> Bush v. Lucas, 103 S. Ct. 2404, 2418 (1983) (concurring opinion of J. Marshall); Bartel v. Federal Aviation Administration, 725 F.2d 1402, 1415 (D.C. Cir. 1984); Doe v. U.S. Department of Justice, 753 F.2d 1092, 1109, n. 17 (D.C. Cir. 1984); Pope v. Langhorne Bond, et al., Civil Action No. 84-2922 (D.C. DD.C. June 20, 1985).

<sup>77</sup> Pickering v. Board of Education, 391 U.S. 563 (1968).

<sup>78</sup> See, e.g., 42 U.S.C. 1985; Griffin v. Breckenridge, 403 U.S. 88 (1971).

exercise of free speech rights might also be protected.<sup>79</sup>

Congressional concern to protect whistleblowers is well known, and has been reflected by passage of title 31 U.S.C. 3734, providing for federal district court remedies. So important is the public policy right to report misconduct, that rather than limiting causes of action to public policy exception, the whistleblower statutes extends the traditional causes of action to include intentional infliction of emotional distress,<sup>80</sup> fraud,<sup>81</sup> invasion of privacy,<sup>82</sup> defamation.<sup>83</sup>

The Federal Aviation Act provides criminal penalties for those who fail to report matters affecting the nation's air safety. Petitioner sought to make such reports, invoking protections under the Civil Right Act, the RICO Act, declaratory judgment statute, and under constitutionally provided rights (28 U.S.C. § 1331).

#### **t.REVERSING THE LEGAL CRITERIA FOR INJUNCTIVE ORDERS**

The injunctive orders reversed the authorizing legal criteria. Instead of protecting the party suffering great and irreparable harms, the orders protecting those inflicting the harms, committing the wholesale violations of federally protected rights, and barred the victim from the protections of federal laws and Constitution. Compounding these judicial outrages, federal judges then punished, and retaliated, against petitioner, for exercising federal remedies for the subsequent violations and harms perpetrated.

To qualify for a preliminary injunction, it must be shown that "(a) irreparable harm will occur and (b) either (1) likelihood of success on the merits or (2) sufficiently serious questions going to the merits to make them a fair ground for litigation and a balance of hardships tipping decidedly toward the party requesting the preliminary injunctive relief." *Jackson Dairy v. Hood*, 596 F.2d 70,

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<sup>79</sup> *Novosel v. Nationwide Ins. Co.*, 721 F.2d 894 (3rd Cir. 1983); *Joney v. Memorial Hospital System* 677 S.W. 2d 221 (Tex. App. 1984).

<sup>80</sup> *Agis v. Howard Johnson Co.*, 355 N.E.2d 315 (Mass. 1976); *Lucas v. Brown & Root, Inc.*, 736 F.2d 1202 (8th Cir. 1984); *Kelly v. Gen. Tel. Co.*, 136 Cal.App.3d 278, 186 Cal. Rptr. 184 (1982).

<sup>81</sup> *DuSesoi v. United Refining Co.*, 540 F.Supp. 1260 (W.D. Pa. 1982).

<sup>82</sup> *Payton v. City of Santa Clara*, 183 Cal. Rptr. 17, 132 Cal. App. 3d 152.

<sup>83</sup> *Kelly v. Gen. Tel. Co.*, 136 Cal.App. 3d 278, 186 Cal.Rptr. 184 (1982); *Agarwal v. Johnson*, 25 Cal. 3d 932, 160 Cal. Rptr. 141 (1979).

72 (2d Cir. 1979).

### **REVERSING THE IRREPARABLE HARM REQUIREMENT**

Just as the Ninth Circuit has reversed the legal definition of the frivolous doctrine to suspend Defendant's due process and equal protection, it has also reversed the requirements for rendering an injunctive order. Instead of rendering an injunctive order to protect the party suffering great and irreparable harm, the Ninth Circuit rendered to order barring the party suffering the harm from seeking relief.

Injunctive relief may not be granted in the absence of proof of any threatened or probable act which might cause irreparable injury. *Public Service Com. v. Wycoff Co.* 344 US 237, 73 S Ct 236, 97 L Ed 291. The basis for injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies. *Beacon Theaters, Inc. v. Westover*, 359 US 500, 79 S Ct 948, 3 L Ed 2d 988; The basis of injunctive relief in the federal courts is irreparable harm and inadequacy of legal remedies. *Sampson v. Murray*, 415 US 61, 94 S Ct 937, 39 L Ed 2d 166; the equitable injunction remedy is unavailable absent a show of substantial and immediate irreparable injury. *Los Angeles v. Lyons* 103 S Ct 1660, 74 L Ed 2d 675; an order denying a person equal protection of the law cannot support contempt.

The *Roso-Lino Beverage Distributors, Inc., v. Coca-Cola Bottling Company of New York, Inc.*, 749 F.2d 124 (2nd Cir. 1984) court held:

In our circuit a preliminary injunction will be issued when there is a showing of "(a) irreparable harm and (b) either (1) likelihood of success on the merits or (2) sufficiently serious questions going to the merits to make them a fair ground for litigation and a balance of hardships tipping decidedly toward the party requesting the preliminary relief." *Jackson Dairy, Inc. v. H.P. Hood & Sons*, 596 F.2d 70, 72 (2d Cir. 1979).

The requirement and standard for an injunction was defined in *Stanley-Fizer Assoc. v. Sport-Billy P.R.D.*, 608 F.Supp. 1033 (D.C.N.Y. 1985):

The standard for obtain a preliminary injunction is well settled in this Circuit. A plaintiff must establish 1) possible irreparable injury and 2) either a) a likelihood of success

on the merits or b) sufficiently serious questions going to the merits to make them a fair ground for litigation and a balance of hardships tipping decidedly in the plaintiff's favor. *Le Sportsac Inc. v. K Mart Corp.*, 754 F.2d 71 (2d Cir. 1985); *Arthur Guinness & Sons, PLC v. Sterling Publishing Co.*, 732 F.2d 1095 (2d Cir. 1984).

Petitioner was losing his business, his home, his assets, his income, by the litany of violations of rights and protections under the laws and constitution of the United States, constituting great and irreparable harm. But instead of rendering an injunctive order to protect Defendant, the injunctive order was rendered barring Petitioner from access to federal remedies, and protecting those committing the violations.

**u.FEDERAL JUDGES AND JUSTICE DEPARTMENT OFFICIALS ARE INFLECTING GREAT HARMS UPON PETITIONER FOR EXERCISING FEDERAL CRIME-REPORTING RESPONSIBILITIES AND EXERCISING FEDERAL PROTECTIONS SEEKING RELIEF FROM VIOLATIONS OF FEDERALLY PROTECTED RIGHTS**

Federal judges<sup>84</sup> and Justice Department officials have charged petitioner with committing federal crimes in the Ninth Circuit. (E.D. Cal. Nr. CR 87-0124 RAR) The basis for sentencing petitioner to six months in federal prison, was the filing of three law suits, each of which stated multiple federal causes of actions.<sup>85</sup> These retaliatory acts include:

1. **Felony retaliation.** As a direct result of the unlawful and unconstitutional injunctive orders rendered by federal judges, the same Justice Department officials and federal judiciary that were threatened by petitioner's attempted reporting of the federal crimes, retaliated against petitioner:<sup>86</sup>

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<sup>84</sup> Judges Milton Schwartz, Raul Ramirez, Magistrate John Moulds.

<sup>85</sup> D.C. Nr. 86-2523 and 87-2214; N.D. Cal. Nr. C-86-6046 MHP. Each action exercised federal remedies and obligations, including:

4. Declaratory Judgment Act, to establish rights and legal obligations stated in five judgments. (Title 28 U.S.C. §§ 2201, 2202, FRCivP 57.)

5. Injunctive relief from an ongoing series of gross civil right violations committed in the sham California action, including orders and judgments rendered while the state action was removed to federal court (lacking jurisdiction to render any order), which inflicted grave harms upon petitioner.

<sup>86</sup> **Title 18 U.S.C. § 241 retaliation.** These retaliations violated numerous criminal and civil right protection statutes, including Title 18 U.S.C. § 241, which makes it a crime for two or more persons (including federal or state judges) to retaliate against a citizen for having exercised rights and protections under the laws and Constitution of the United States.

**A. Six months prison sentence in retaliation for exercising declaratory and injunctive relief remedies, and for reporting federal crimes committed by federal officials.** (E.D. Cal. Nr. CR 87-0124 RAR.) During this time petitioner was repeatedly transported in leg irons and handcuffs throughout the western United States, under humiliating conditions, while the same Justice Department officials and federal judges feloniously destroyed petitioner's life's assets in the Chapter 11 cases.<sup>87</sup>

**B. Three weeks imprisonment on a August 3, 1990 warrant rendered without personal jurisdiction and without charges.** This warrant was rendered by Judge Marilyn Patel (N.D. Cal. C 86-6046 MHP), in retaliation for filing a federal action in the district court in the Northern District of Illinois (Nr. 90 C 2396). The illinois action was filed out of California on the basis that the injunctive orders caused the U.S. District Court clerks at San Francisco and Sacramento to refuse to file any federal action for any basis whatever.

**2. Threat of prison, or actual prison, will continue for the remainder of petitioner's life, as Justice Department officials and federal judges seek support in the unlawful and unconstitutional injunctive orders.** Petitioner has just come from under four-year-prosecution and imprisonment arising out of the prior criminal contempt charge (E.D. Cal. Nr. 87-0124 RAR), and is now undergoing the same treatment (December 10, 1990 criminal contempt charge, N.D. Cal. Nr. CR 90-0636 VRW). This criminal contempt charge was based upon petitioner's exercise of rights and protections under the laws and Constitution of the United States, by filing a First and Fifth Amendment federal action under the following federal authorities:

**A. Declaratory Judgment Act.** Petitioner exercised federal remedies to declare his rights and legal relationship established in five divorce judgments, as contradicted by a July 28, 1988 judgment rendered by California judge Dennis Bunting, who acted

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<sup>87</sup> Oakland bankruptcy court, Nrs. 487-05974J and 05975J.

without jurisdiction and in violation of dozens of state and federal statutes, rules of court, and constitutional safeguards, as previously stated. This July 28, 1988 judgment was rendered after the injunctive orders were rendered, and constituted a serious and new cause of action, for which petitioner was left defenseless by the unlawful, unconstitutional, injunctive orders rendered in a conspiracy pattern.

**B. Injunctive relief.** Petitioner sought injunctive relief from:

a. The embezzlement, fraud, and looting of his chapter 11 estates by officers of the court, including trustee Charles Duck and his law firm of Goldberg, Stinnett and MacDonald (both of whom are listed in the attached Justice Department report as engaging in a pattern of criminal activities).

**b. From the unlawful and unconstitutional orders/judgments rendered by California judges** acting without jurisdiction, and in wholesale violations of state and federal laws, after the injunctive orders were rendered.<sup>88</sup>

**c. Corrupt seizure and looting of a healthy Chapter 11 estate by officers of the court, including felon Charles Duck,** after petitioner was forced to seek refuge in Chapter 11 from the combination unlawful orders rendered by California judges (Exhibit "F"), and suspension of

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<sup>88</sup> Eight years ago a scheme was commenced to silence petitioner's reporting of the federal crimes related to a series of fatal airline crashes and the felony obstruction of justice by Justice Department officials and others. The scheme took the form of an attack upon the validity of five divorce judgments that established petitioner's divorced status and property rights as of January 31, 1966. To be successful the scheme had to have California and federal judicial protections against the wholesale violations of federal and state laws and Constitutional protections that barred the action. Attached Exhibit "E" lists many of the violations that occurred. Solely on the legally preposterous argument/holding that California judges would not recognize the millions of divorce judgments in which the courts exercised personal jurisdiction on the basis of residence, petitioner suffered eight years of record-setting violations of state and federal laws, and shocking harms inflicted upon him by California and federal judges. This scheme is described and documented in detail in the Third Edition of *The Real Unfriendly Skies—Saga of Corruption*, including the covert relationship between the Justice Department and the law firm of Friedman, Sloan and Ross who carried out the scheme.

all federal protections and due process by federal judges, including the injunctive orders.

d. **From the felony retaliatory actions (18 U.S.C. § 241)** taken against him by Justice Department officials and federal judges in the Ninth Circuit for exercising rights and protections under the laws and Constitution of the United States.

**v.HARMS CONCURRENTLY INFLICTED UPON PETITIONER IN CONJUNCTION WITH THE INJUNCTIVE ORDERS.**

As a result of being unable to defend against an onslaught of major violations of federally protected rights, plaintiff endured the following losses and deprivations, and as listed more completely in attached Exhibit "B.":

A. **Worst embezzlement in U.S. history.** Embezzlement, looting, fraud, by convicted trustee Charles Duck, with over one million dollars embezzled from petitioner's Chapter 11 case. This amount exceeds the record in the United States for embezzlement by a trustee in a single case.

B. **Loss of his life's assets, converting him from multi-millionaire to a state of poverty,** riddled with judicial misconduct aided and abetted by Justice Department officials.

C. **Permanent destruction of petitioner's credit worthiness.**

D. **Eight year pattern of loss of human rights, privacy, freedoms, quality of life,** arising from the pattern of judicial persecution and due process gridlock.

E. **Suffering felony retaliation for exercising rights and protections under the laws and Constitution of the United States.**

F. Committing wholesale number of federal offenses against the United States, and its citizens.<sup>89</sup>

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<sup>89</sup> FEDERAL FELONIES COMMITTED BY FEDERAL OFFICIALS  
**Title 18 U.S.C. §§ 1505 (obstructing proceedings** before federal courts, and earlier, before FAA, NTSB,

**w.FEDERAL JUDGES/JUSTICES HAVE MADE PETITIONER A MAN WITHOUT A COUNTRY, STRIPPED OF ALL THE PROTECTIONS UNDER THE LAWS AND THE CONSTITUTION OF THE UNITED STATES, WHILE SIMULTANEOUSLY PROTECTING THOSE DEFRAUDING THE UNITED STATES AND ITS CITIZENS**

The injunctive orders have totally gridlocked petitioner out of the rights and protections under the laws and Constitution of the United States. Simultaneously, the same judges sworn to uphold the laws, are feloniously blocking petitioner's reporting of the deep-seated federal crimes that continue to cause and make possible some of the most brutal air disasters in history. Further, the criminal racketeering activities rampant in the Ninth Circuit, reported in Justice Department reports (Appendix "C") continue to financially destroy thousands of American citizens and small businesses, who also suffer from exercising federal remedies. In addition, petitioner has suffered eight years of judicially engineered persecution, as he is judicially deprived of the rights and protections under our form of government.

These judicial acts are not mere abuses of discretion. They are hard-core criminal acts, misusing judicial offices, all of which are occurring in this Court's area of supervisory responsibilities. These acts can only continue to defraud the United States, its citizens, and continue to kill and maim in fraud-related air disasters, continue to financial destroy American citizens in Chapter 11 corruption, if this court abdicates its responsibilities.

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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 (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); Title **18 U.S.C. § 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)**.

Each of the many crimes, including the nation's worst Chapter 11 trustee embezzlement on record,<sup>90</sup> were brought to this court's attention earlier. Eighteen months after petitioner brought to this Court's attention, seeking relief, the embezzlement by officer of the court Charles Duck, the Justice Department was forced by public pressure to make token charges against Duck, and in a plea bargain sent to a federal prison camp. This took the pressure off the judicial hierarchy that made the crimes possible. The series of injunctive orders, and misdeeds by federal judges, prevented petitioner from defending against Duck. When petitioner sought relief from Duck's embezzlement by filing the Chicago action (90C2396), the same Ninth Circuit courts and Justice Department officials that protected Duck, that deprived petitioner of relief, then charged petitioner with a crime for seeking relief from Duck's embezzlement, and other federal crimes.

**OPEN PATTERN OF PROTECTING THOSE DEFRAUDING THE UNITED STATES AND ITS CITIZENS, WHILE CONCURRENTLY VIOLATING THE RIGHTS AND PROTECTIONS THEY HAD SWORN TO UPHOLD, WHILE SIMULTANEOUSLY INFLECTING FELONY RETALIATION AGAINST PETITIONER FOR EXERCISING RIGHTS AND PROTECTIONS UNDER THE LAWS AND CONSTITUTION OF THE UNITED STATES**

Ninth Circuit district judges and Court of Appeals justices have engaged in a de facto suspension of all due process, while concurrently protecting those committing a pattern of federal civil right and criminal offenses, knowing and contributing to the outrages related to the underlying issues. Federal judges have engaged in a pattern of unlawful and unconstitutional injunctive orders,<sup>91</sup> while protecting those committing major civil right and criminal offenses against the United States and its citizens, and made possible some of the most brutal harms inflicted upon American citizens. These felony offenses by federal judges have (a) literally stripped petitioner of every conceivable

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<sup>90</sup> Embezzlement of over one million dollars by officer of the court, trustee Charles Duck, in petitioner's Chapter 11 cases (Oakland bankruptcy court numbers 487-05974J and 05975J), which is the largest trustee embezzlement in the nation's history.

<sup>91</sup> District judge Marilyn Patel, N.D. Cal. Nr. C 86-6046 MHP (March 5, 1987); Judge Milton Schwartz, E.D. Cal. Nr. C 86-210 MLS, July 30 and September 16, 1986); Samuel Conti, N.D. Cal.); Chapter 11 judge Edward Jellen, Nr. 487-05974J and 05975J); and then dismissals and unfiled of subsequent complaints addressing major federal causes of actions, including seeking relief from subsequent constitutional outrages, and reporting subsequent criminal acts by federal officials that defrauded the United States.

right and protection under our form of government and the laws and constitution of the United States;<sup>92</sup> (b) converted federal courts into criminal enterprises; (c) have made the exercise of the rights and protections under the laws and Constitution of the United States into a federal crime by perverting the federal judicial office. The implications are grave.

x. **RELIEF REQUESTED**

Petitioner requests the following relief:

A. Render order holding it unconstitutional to bar petitioner, or any other citizen, from exercising the federally protected rights and protections.

B. Provide relief from the many peripheral issues arising from the suspension of federal protections. Especially critical now are the latest actions to imprison petitioner, a 68-year citizen, for exercising federal responsibilities and protections. Next in importance is halting the Chapter 7 liquidation of petitioner's once healthy assets, destroyed by criminal acts of officers of the court when petitioner sought refuge after every level in the federal courts either participated in the retaliatory persecution, or aided and abetted in the acts.

C. Specifically halt all proceedings in Chapter 11 (Oakland Bankruptcy Court, numbers 487-05974J and 05975J) in which petitioner was barred from seeking relief from the orders unconstitutionally seizing petitioner's assets; and all subsequent orders; vacate all orders rendered in the Chapter 11 proceedings following the September 11, 1987 abstention order refusing to accept jurisdiction (which was then followed by orders seizing petitioner's assets without the case being on the calendar), which petitioner could not oppose due to the injunctive orders suspending for petitioner the protections in federal law.

Dated: February 5, 1991.

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<sup>92</sup> The only recognized exception is that racial protections haven't been violated.

Rodney F. Stich  
Petitioner in pro se

**DECLARATION**

I, Rodney Stich, declare that the statements made in this petition are true, to the best of my knowledge and belief. Executed this fifth day of February, 1991, in the County of Contra Costa, State of California.

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Rodney F. Stich

Petitioner presents to the Supreme Court, via Justice Clarence Thomas, the following issues, and the following pattern of civil, constitutional, and criminal acts perpetrated by officers of the court over whom the Justices of the U.S. Supreme Court have supervisory responsibilities.

Petitioner is in the ninth year of repeated and intense persecution, perpetrated in a scheme involving a covert Justice Department law firm; Justice Department attorneys; federal judges and justices, and related to a series of hard-core crimes perpetrated against the United States, against its citizens, and against Petitioner.

The pattern of hard-core violations of federally protected rights can be revealed by articulating highlights of the harms and violations involving misuse of the federal courts:

In an attempt to obstruct Petitioner's reporting of federal crimes, and to block constitutional and statutory defenses against the felony retaliation taken to silence him, the following harms, stated here as examples, were inflicted upon Petitioner:

2. Pattern of charges by Justice Department attorneys, and federal judges/justices, charging Petitioner with committing federal crimes, for having:

A. Reported federal crimes\* to a federal court, as required to be reported by federal criminal statutes, including Title 18 U.S.C. § 4.\*

B. Exercised constitutional and statutory remedies to halt the severe and brutal harms\* inflicted upon Petitioner through a series of civil, constitutional, and criminal violations.

C. Pattern of unlawful and unconstitutional orders barring Petitioner from the constitutional and statutory right to federal court access and to the rights and protections under the laws and Constitution of the United States. The injunctive orders obstructed justice, by blocking Petitioner's reporting of the federal crimes to a federal court, and blocked Petitioner's defenses against the judicially related scheme to intent of the injunctive orders

D. Suspension of blocks of federal constitutional, statutory and case law rights and protections, which b

3. May federal judges render injunctive orders voiding for petitioner, the rights and protections under the laws and Constitution of the United States? These violations include:

A. Barring petitioner from reporting federal crimes committed by federal officials, related to (a) a series of fatal airline crashes; (b) related to Chapter 11 corruption by officers of the court in the Ninth Circuit; (c) related to federal offenses retaliating

against a citizen for seeking to make such reports; (d) and inflicting great and irreparable harms, including imprisonment, for exercising federal remedies to protect against the judicially and Justice Department oriented retaliatory acts?

B. Forcing petitioner to commit federal crimes, including accessory after the fact, misprision of felonies, aiding and abetting, by the use of judicial threats and retaliation, forcing him to cover up for crimes defrauding the United States and its citizens?

C. Voiding First Amendment rights guaranteeing access to federal courts, blocking petitioner's exercise of federal remedies addressing a pattern of civil, constitutional and criminal violations that inflicts grave harms upon him, and defrauds the United States?

D. Voiding Fifth Amendment due process protections of the laws and Constitution of the United States, especially when record-numbers of violations of these rights are inflicted in a clearly-discernible pattern?

E. Voiding and depriving to petitioner, the protections of federal statutes, including (a) access to federal court to obtain relief from violations of federally protected rights (including Title 28 U.S.C. §§ 1331, 1343, 2201, 2202; violations of civil and constitutional rights (Title 42 U.S.C. §§ 1983-1986); violations of criminal statutes (Title 18 U.S.C. §§ 1961-1965, 241 (threatening and retaliating against a citizen for exercising rights and protections under the laws and Constitution of the United States));<sup>93</sup>

4. May federal judges charge a citizen of the United States with federal crimes, and sentence him to prison, in retaliation for exercising rights and protections in the laws and Constitution of the United States, when such acts by two or more people violates criminal statutes, including Title 18 U.S.C. § 241; 42 U.S.C. §§ 1983-1986?

5. Do the Justices of the U.S. Supreme Court have a **mandatory** responsibility to intervene, and prevent the pattern of civil right and criminal offenses committed by officers of the courts and judges over whom they have supervisory responsibilities, and responsibilities to prevent these same federal officials from committing a pattern of civil right and criminal offenses?

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December 10, 1990, the U.S. Attorney at San Francisco charged petitioner with having committed a criminal act for exercising rights and protections under the laws and Constitution of the United States. (N.D. Cal. Nr. CR 90-0636 VRW) (Appendix "B"). The alleged criminal act, as interpreted by Ninth Circuit judges and U.S. Attorney, was petitioner's filing of a federal action in the District Court, N.D. Illinois, number 90 C 2396, seeking declaratory and injunctive relief, and reporting federal crimes committed by federal officials.

The basis for the criminal charges was that federal judges rendered a series of injunctive

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<sup>93</sup> Violated by the judicial and Justice Department retaliation against petitioner for reporting federal crimes related to a series of fatal airline crashes which petitioner initially discovered in his federal air safety inspector responsibilities; Chapter 11 racketeering activities by officers of the court, as further proven by internal Justice Department reports; investigative media reporting; imprisonment of officer of the court, trustee Charles Duck; history of embezzlement and looting of petitioner's Chapter 11 assets after he was forced to seek refuge in Chapter 11 from the retaliatory actions taken against him and the suspension/voiding/violations of every relevant right and protections in the laws and Constitution of the United States.

orders (Appendix "A")<sup>94</sup> that suspended for petitioner all access to federal court; suspended the rights and protections under the laws and Constitution of the United States; and has resulted in petitioner being charged with crimes for exercising these federally protected rights.

On January 30, 1991 petitioner filed a Petition for Writ of Mandamus and request for declaratory judgment in the Ninth Circuit Court of Appeals (Nr. 91-70064). Since the same Court of Appeals has dismissed every appeal seeking relief from the outrageously unconstitutional injunctive order, relief cannot be expected from the Ninth Circuit courts, and the filing of the petition was a mere formality, and to provide a basis for bringing these serious acts to the attention of the Supreme Court, who are responsible for the acts of the federal judges and officers of the court in the lower federal courts.

When petitioner exercised federal remedies in another circuit (N.D. Illinois Nr. 90-C-2396) relief was not only denied, but Ninth Circuit judges and Justice Department officials charged petitioner with committing a crime for (a) exercising rights and protections under the laws and Constitution of the United States, and (b) for reporting federal crimes committed by federal officials, that are defrauding the United States, its citizens, and petitioner, and implicated in a series of fatal airline crashes and rampant Chapter 11 corruption in the Ninth Circuit courts. (Justice Department report, Appendix "D.")

This petition for writ of prohibition and mandamus, and relief, addresses exceptional circumstances, involving a pattern of violations by Ninth Circuit judges of criminal statutes, civil right statutes, invoking **mandatory** responsibilities of the Justices of the U.S. Supreme Court.

Adequate relief cannot be obtained in the Ninth Circuit due to the pattern of embracing the serious constitutional violation of barring to petitioner, the rights and protections under the laws and Constitution of the United States. When petitioner attempted to circumvent this unlawful and unconstitutional suspension of all relevant due process, by filing for relief in the district court at Chicago, Ninth Circuit judges and Justice Department officials charged petitioner with committing a crime, and now seek to imprison petitioner, in addition to the persecution already inflicted upon petitioner. The matters affects defrauding of the United States, and its citizens; gross malfeasance and misfeasance, and violations of federal civil right and criminal statutes. Undermining of the federal judicial system is strongly implicated.

This petition for extraordinary relief could also be considered, at the court's option, and under Supreme Court rule 11, a petition for writ of certiorari, based upon the fact that matters of great public importance exists. These matters justify deviation from normal appellate practice and require immediate settlement in the Supreme Court (28 U.S.C. § 2101(e)).

The issues are of grave public importance:

A. Federal judges and justices in the Ninth Circuit are holding, and are inflicting grave and irreparable harm upon petitioner, for exercising rights and protections under the laws and Constitution of the United States. The order embraced by the Ninth Circuit Court of Appeals, and several district court judges, are:

a. Blocking petitioner's reporting of federal crimes<sup>95</sup> perpetrated by federal

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<sup>94</sup> Judge Marilyn Patel, March 5, 1986; Judge Milton Schwartz, May 30, 1986;

<sup>95</sup> Federal air safety and criminal violations related to a series of fatal airline crashes; criminal acts, major civil and constitutional violations, committed within Chapter 11 proceedings in the Northern District of California, which has corruptly, unlawfully, and unconstitutionally, financially destroyed thousands of American citizens and small businesses. This corruption by federal judges and officers of the court has been

- officials, defrauding the United States, its citizens, and petitioner.
- b. Federal officials have criminalized their positions, and have made it a crime, via unlawful and unconstitutional injunctive orders, to exercise federal responsibilities to report the crimes by federal officials, or to exercise rights and protections under the laws and Constitution of the United States. These federal officials by officials over whom this Court has supervisory responsibilities, is undermining our form of government, and making a felonious mockery out of the laws and Constitution of the United States.
  - c. Under criminal statutes, such as Title 18 U.S.C. § 4 (misprision of felonies), or civil and constitutional protection statutes, including Title 28 U.S.C. § 1343 and Title 42 U.S.C. §§ 1983-1986, this Court has a mandatory responsibility to immediately take actions to protect petitioner from these outrages, and protected the United States from continued defrauding.<sup>96</sup>

Bring to a halt the judicial and felony persecution of Petitioner, Rodney Stich, that make the civil right violations against Rodney King pale by comparison. For five years Petitioner has been repeatedly charged with criminal contempt by renegade federal judges/justices acting in unison with renegade and corrupt Justice Department prosecutors, and repeatedly subjected to federal prison, chains, and indignities that make Devel's Island mild by comparison. Petitioner is unable to travel. He is judicially

confined in a literal imprisonment to the counties of Contra Costa and Alameda, in a pre-trial release. Since May 1987 Petitioner has been subjected to these judicial anarchy acts, as federal judges/justices became principals with the renegades that constitute the criminal cartel activities described in this Petition.

The criminal contempt charges and attempt to put Petitioner in prison (and prior imprisonments) constitutes felony retaliation<sup>97</sup> for seeking to report the federal treasonous and

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reported in a Justice Department report, attached as Appendix "D."

<sup>96</sup> Defrauding arises from misusing federal officials for criminal acts, or to inflict civil and constitutional violations upon a citizen.

<sup>97</sup> **Title 18 U.S.C. § 241. Conspiracy against rights of citizens**

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; ... They shall be fined ... or imprisoned ... or both;"

**§ 1512. Tampering with a witness, victim, or an informant—**

"(b) Whoever knowingly uses intimidation or physical force, or threatens another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to —  
 (1) influence, delay or prevent the testimony of any person in an official proceeding:  
 shall be fined ... or imprisoned ... or both. [1988 amended reading]"

**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

subversive criminal acts and for having exercised federal remedies to halt the judicial human right violations. Petitioner had (a) exercised federal crime-reporting responsibility, reporting federal crimes of treasonous and subversive nature, to a federal court;<sup>98</sup> exercising a citizen's right<sup>99</sup> to protest criminal acts by federal officials; and (b) in retaliation for exercising federally guaranteed remedies to halt great and irreparable harms, including human right violations, inflicted through a pattern of hard-core civil, constitutional, and criminal violations.<sup>100</sup>

**Reporting federal crimes.** Petitioner has sought to report federal crimes committed by federal officials, under Title 18 U.S.C. § 4 (misprision of felony) to a federal court. Petitioner sought (a) declaratory relief to declare rights and legal obligations arising in five divorce judgments;<sup>101</sup> injunctive relief from orders rendered by California judicial and non-judicial defendants acting under color of state law, causing great and irreparable harm upon petitioner,<sup>102</sup> acting without

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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 ..."

<sup>98</sup> The federal crimes were initially discovered by Petitioner while he was a federal investigator holding authority to make such determinations, and then expanded to include, inter alia, the following corrupt, treasonous and subversive acts by renegade federal personnel: (a) CIA scheme known as "October Surprise," involving bribes, stealing of U.S. arms, to continue the imprisonment of 52 American prisoners so as to alter the 1980 presidential elections; (b) CIA looting of America's financial institutions, including the yet-to-be-exposed savings and loans and insurance companies; (c) enlarging on the years of CIA drug trafficking in foreign countries to include drug smuggling into the United States; (d) federal judges/trustees engaging in a scheme feloniously misusing federal courts to hide evidence of the looted CIA proprietaries, and to loot the assets of those exercising Chapter 11 statutory protections; (e) aiding and abetting by renegade Justice Department personnel; and other crimes.

<sup>99</sup> **Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty.** The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

First Amendment to the U.S. Constitution guaranteeing to all citizens the right to: "petition the Government for a redress of grievances."

Fifth Amendment to the U.S. Constitution provides that "No person shall ... be deprived of ... liberty, or property, without due process of law;"

<sup>100</sup> Petitioner exercised remedies under the Declaratory Judgment Act, to declare personal and property rights arising under five judgments and to declare the validity of statutory and constitutional protections being denied to Petitioner through a Daisy-Chain-like pattern of judicial acts; injunctive relief, to halt the escalating pattern of hard-core civil, constitutional, and criminal violations, linked to a criminal cartel misuse of federal offices.

<sup>101</sup> The initial scheme to retaliate against petitioner for seeking to report federal crimes that he initially discovered as a federal air safety investigator took the form of a sham California action attacking the validity of five divorce judgments, and in that manner destroy the assets that funded petitioner's humanitarian efforts to report to a federal tribunal the criminal acts by federal officials related to a series of fatal airline crashes.

<sup>102</sup> Converted petitioner from a multi-millionaire to a state of poverty; caused the loss and destruction of his life's assets, including his business, his retirement home; destroyed his quality of life, grossly invaded his privacy, repeatedly sentenced him to federal prison in retaliation for seeking to report federal crimes committed by federal officials and for exercising federal remedies seeking relief from the persecution by

jurisdiction,<sup>103</sup> and violating large numbers of state<sup>104</sup> and federal law<sup>105</sup> that barred the cause of action.

6. **Judicial stonewalling.** Federal judges repeatedly dismissed the actions, despite federal case law barring such dismissals upon the basis of any one of the multiple federal causes of action stated. The denial of federal due process, compounded by judicial protection of those committing the pattern of civil, constitutional, and RICO violations, and the great harms suffered by petitioner, caused him to file additional actions addressing subsequent federal causes of action. In 1986 federal judges compounded the wrongful suspension of due process by rendering orders barring petitioner even the right to file federal actions. In this manner the judges did not have to address the shocking numbers of violations which petitioner raised in his complaints seeking relief.

7. **Retaliation.** As petitioner desperately sought relief from the terminal destruction of his personal and property rights, through exercise of the rights and protections under the laws and Constitution of the United States, federal judges and Justice Department officials embarked on a pattern of retaliation through imprisonment, commencing in 1987 with the filing of a criminal information<sup>106</sup> charging petitioner with committing three criminal acts for filing three federal actions.<sup>107</sup> The first two actions exercised declaratory relief remedies; sought injunctive relief to halt the grave harms petitioner was suffering from the multiple violations of federal civil right and criminal statutes; and reporting federal air safety and criminal offenses related to a series of fatal airline crashes. The third action also exercised declaratory judgment remedies and sought injunctive relief. Federal judges and Justice Department officials, representing government entities deeply implicated in the federal offenses,<sup>108</sup> upheld the imprisonment and Title 18 U.S.C. § 241 retaliation for exercising federal responsibilities and protections. Justice Anthony Kennedy played a key role in

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officials misusing their government offices.

<sup>103</sup> Absence of jurisdiction under the limited jurisdiction of the California Family Law Act, which barred the action seeking to void five prior divorce judgments on the legally preposterous argument that the judgments were void because the initial court exercised personal jurisdiction on the basis of residence, without requiring the subjective mental thought processes of domicile (an argument rejected by 45 years of U.S. Supreme Court decisions; absence of jurisdiction under federal law on the basis of removal of the state action to federal court (E.D. Cal. Nr. C 86-6046 MHP).

<sup>104</sup> Mandatory divorce judgment recognition statutes: Code of Civil Procedure §§ 1699(b), 1713.3, 1908, 1913, 1915; Civil Code §§ 4554, 5004, 5164; Statute of limitations that bars attacks upon the judgments and the property rights acquired and adjudicated years earlier: Code of Civil Procedure §§ 318, 338, 343; Civil Code §§ 880.020, 880.250; Statutes providing for exercise of personal jurisdiction upon the basis of residence: Civil Code §§ 4530(a)(b); 4531; Code of Civil Procedure §§ 410.10, 1713.5; Rule of Court 1230(a)(3).

<sup>105</sup> **(Constitutional requirements to recognize the prior divorce judgments and personal and property rights).** Violated Fourteenth Amendment due process, equal protection, property, liberty, freedom rights; Privileges and Immunity Clause rights under Article IV, § 1, and under the 14th Amendment (depriving right to obtain divorce on universally recognized residence basis, and right to change residence); right to unabridged interstate travel, without losing rights and privileges acquired in prior jurisdictions of residence; Article IV, § 1 (Full Faith and Credit Clause, and Title 28 U.S.C. § 1738, requiring recognition of the personal and property rights in the California divorce judgment, its entry for recognition as local judgments in the courts of Nevada, Oklahoma, and Texas.

<sup>106</sup> E.D. Cal. Nr. CR 87-0124 RAR.

<sup>107</sup> D.C. Nr. 86-2523 and 87-2214; N.D. Cal. Nr. 86-6046 MHP.

<sup>108</sup> Which are described and documented in the Third Edition of *The Real Unfriendly Skies—Saga of Corruption*.

this judicial scheme, despite his professed concern for constitutional rights at his Senate confirmation hearing.

8. **Pattern of repeated unlawful dismissals.** The repeated violations of federally protected rights; the suspension of federal protections by federal judges while protecting those committing the violations, forced petitioner to seek refuge in Chapter 11. The violations then increased in frequency and severity. Because of the injunctive orders, petitioner could not obtain relief. He has subsequently lost his life's assets; his business; his home; along with human rights recognized under our form of government. In addition, federal officials—Judges and Justice Department officials—are retaliating against petitioner for exercising federally protected rights, and subjecting petitioner to repeated prison terms, while they concurrently convert him from a multi-millionaire to a state of poverty. Petitioner needs relief from the pattern of Ninth Circuit outrages that has undermined our form of government, and inflicted grave harms upon the United States, as well as upon petitioner.

Obviously, Petitioner, or any other patriot coming reporting crimes of this severity, should not be the target of a judicial coup against the United States.

They lack authority to punish citizens for exercising the very same constitutional and statutory rights protections that they are paid and entrusted to uphold.

4. Does the Constitution require that Justices of the U.S. Supreme Court:

A. Halt the pattern of hard-core civil, constitutional and criminal acts inflicted upon Petitioner, and the United States, by Ninth Circuit district court judges and Justices?

B. Halt the infliction of great harms upon Petitioner through a pattern of hard-core civil, constitutional and criminal acts, on the basis that the Justices are sworn, and have a duty, to uphold the laws and Constitution of the United States; a duty under Title 28 U.S.C. § 1343; to block the treasonous and subversive acts perpetrated against the United States?

C. Receive Petitioner's reports of federal crimes, which are being reported to this Court (as Petitioner has repeatedly tried to do in the past), under federal crime-reporting statutes?

9. The rampant criminal activities that Petitioner uncovered, implicating federal personnel, including federal judges and Justice Department attorneys, initially discovered while Petitioner was a federal investigator holding federal authority to make such determinations, constitute treasonous and subversive acts, and an unpublicized coup d' etat against the United States. Without tacit or outright approval by the Justices of the U.S. Supreme Court, and refusal to meet the Justices's duty to Petitioner, or any other citizen who is subjected to such judicial abuse, these criminal and constitutional violations could not exist as they have.

10. The gravity of the civil and constitutional violations constituting a judicial coup against the United States, invokes mandatory relief and corrective actions by the Justices of the U.S. Supreme Court.

11. Under federal crime reporting statutes, the Justices of the U.S. Supreme Court have an even greater responsibility than any other federal entity to receive evidence of federal crimes, especially when committed by those federal employees who are guided by this Court's conduct.

12. The **right**, and the **responsibility**, to report federal crimes to a federal court has been feloniously blocked by federal judges and Justice Department attorneys, whose conduct is controlled by the Justices of the U.S. Supreme Court.

13. The felony persecution of a concerned citizen, an informant, a protesting victim of

federal crimes, by federal judges/justices and Justice Department attorneys whose conduct is the responsibility of the Justices of the U.S. Supreme Court, is a matter of great concern and mandatory responsibilities. Petitioner's statutory responsibility to report federal crimes to a federal court has been feloniously blocked by federal judges/justices. Those judges over whom this Court has supervisory responsibility have rendered orders making it a crime, and inflicting upon Rodney Stich civil right violations that make the civil right violations upon Rodney King pale by comparison.<sup>109</sup>

14. When federal courts are turned into criminal enterprises, inflicting great harms upon innocent citizens through record-setting civil and constitutional violations, invokes mandatory duties of the Justices of the U.S. Supreme Court.

Halt the record-setting violations and pattern/conspiracy by federal judges, and particularly in the Ninth Circuit, misusing their judicial positions, to:

- a. Feloniously persecute protesting victims, informants, whistleblowers, and those who exercise constitutionally guaranteed defenses against great harms and human right violations.
- b. Feloniously block the reporting of treasonous and subversive federal crimes.
- c. Aid and abet, and obstruct justice, relating to the federal crimes Petitioner seeks to report.

B. Reinstate the rights and protections guaranteed under the Constitution of the United States, that have been voided in a scheme implicating federal judges/justices, as they sought to feloniously block Petitioner's reporting of the federal crimes and feloniously persecuted Petitioner for exercising federal protections<sup>110</sup> and responsibilities.<sup>111</sup>

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<sup>109</sup> Federal judges, with the aid and comfort of federal justices, have repeatedly ordered Petitioner to pay huge financial sanctions (to the CIA-related law firm committing the violations), and have repeatedly since 1987, continuing to this date, charged Petitioner with criminal contempt for reporting the crimes; for exercising declaratory and injunctive relief to halt the vicious harms inflicted upon Petitioner.

<sup>110</sup> Exercising protections guaranteed under the Constitution and laws of the United States, including, inter alia: First Amendment right to petition government to halt the harms arising from record-setting violations of federally protected rights; Fifth Amendment protections of personal, property, human rights; Title 28 U.S.C. § 1331 (right to federal court access); § 1343 (right to damages from those refusing to act when they had knowledge of great harms inflicted upon Petitioner through a pattern of civil and constitutional violations, including renegade federal judges/justices and Justice Department personnel); § 2201 (right to declare rights and financial obligations in five judgments, and establish for Petitioner rights and protections guaranteed by the Constitution and violated by the federal judges/justices holding a duty to protect these rights); Title 42 U.S.C. §§ 1983-1986 (damages and injunctive relief against those judges/justices/Justice Department prosecutors and covert Justice Department law firms, engaging in a felony conspiracy to block Petitioner's reporting of federal crimes through misuse of federal offices and through record-setting civil and constitutional violations; Title 18 U.S.C. §§ 1961-1965 (RICO violations arising from a conspiracy of federal employees, inflicting great harms upon Petitioner).

<sup>111</sup> Reporting federal crimes, implicating federal employees, as required to be reported to a federal court or other federal tribunal by federal criminal statutes, including:

**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 not more than \$500 or imprisoned not more than three years, or both."

C. Vacate the pattern of unlawful and unconstitutional judicial orders voiding, for Petitioner, the constitutional right to federal court access, blocking Petitioner's reporting of the treasonous and subversive criminal acts implicating federal judges/justices, and blocking Petitioner's constitutional right to defend against the great human right violations inflicted upon him to silence his reporting of the federal crimes.

D. Reinstate all federal actions that were unlawfully and unconstitutionally dismissed by renegade federal judges/justices, as they feloniously blocked Petitioner's reporting of the federal crimes and blocked the protections in the Constitution and laws of the United States.

E. Vacate the December 10, 1990 information against petitioner, based upon exercising rights and protections under the laws and Constitution of the United States, arising from filing the Chicago action (90-C-2396) which (a) reported federal crimes related to a series of airline crashes and Chapter 11 corruption, as required to be reported by Title 18 U.S.C. § 4); (b) exercising declaratory relief remedies to declare rights and legal obligations in five judgments; (c) exercising injunctive relief remedies for a series of record-setting violations of civil and constitutional rights by state and federal officials, acting in unison.

(appears to be a repetition)

Among the major federal crimes committed by Justice Department officials are the following:

**F. Cover-up by Justice Department officials of the capital crimes committed by federal officials, and officials at United Airlines.** The cover-up made possible the continuing airline crashes and deaths in which the direct causes of specific airline crashes were caused to occur by the federal air safety and criminal offenses Petitioner discovered as part of his federal air safety duties. Justice Department officials:

**G. 25 Year Pattern of Obstruction of justice**, when Petitioner sought to present testimony and evidence of the crimes;

**H. Tampered with federal grand juries** when Petitioner sought to circumvent the high administrative block, and in that manner blocked defendant's report, testimony, and evidence.

**I. Moved to unlawfully dismiss every federal action in which Petitioner sought to report the federal crimes**, sought to present testimony, and sought to present evidence.

**J. Misused the Chapter 11 racketeering activities**, under the control of the Justice Department, against Petitioner, after Petitioner sought refuge in Chapter 11 from the conspiracy of hard-core civil, constitutional, and criminal violations, initiated by the law firm of Friedman, Sloan, and Ross, controlled by Justice Department officials. Extent of this corruption is shown by the Justice Department activities in *Inslaw*, by its protection of Duck's embezzlement for a ten-year period, for its refusal to act on the rampant Chapter 11 corruption.

**K. Misused the power of the Justice Department to imprison Petitioner**, commencing in early 1987, in retaliation for seeking to report the federal crimes to a federal court (violating 18 U.S.C. §§ 1512, 1513), and as punishment for exercising rights and protections under the laws and Constitution of the United States (violating 18 U.S.C. § 241).

**L. Felony conspiracy with others to block Petitioner's reporting of the crimes**, including the Friedman law firm; attorneys; California judges; federal judges. Discovery may reveal the awesome extent of this defrauding of the United States.