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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – SOUTH JUDICIAL DISTRICT

THOMAS SCOTT,
Plaintiff

v.

JOSEPH LEONARD MICHAUD,
KRISTIN TAVIA MIHELIC,
ABRAM STUART FEUERSTEIN,
DOUGLAS HOWARD SMITH,
ALYSSA LAUREN PARENT,
STEVEN J. HART,
SARAH TAFT-CARTER,
BRIAN DAVID THOMPSON,
DANIELLE CELONA KEEGAN,
BRENDEN THOMAS OATES,
LINDA LOPEZ,
CLAUDIA M. ABREAU LAMB,
JAMES D. SYLVESTER,
MICHAEL KEITH ROBINSON,
MATTHEW H. MICHAUD,
TIFFANY LOUISE CARROLL,
LOUISE DECARL ADLER,
MARY SUSAN MCELROY,
JOHN JAMES MCCONNELL JR.,
MARK JEREMY BENNETT,
ANDREA KNEIFEL JOHNSTONE,
HOLLY AIYISHA THOMAS,
GUSTAVO ANTONIO GELPÍ JR.,
JEFFREY ROBERT HOWARD,
WILLIAM JOSEPH KAYATTA JR.,
ROBERT JAY FARIS,
JULIA WAGNER BRAND,
GARY ALLAN SPRAKER,
ERIC DAVID MILLER,
LAWRENCE JAMES CHRISTOPHER VANDYKE,
DOES 1 through X*, inclusive,
Defendants

CASE NO.: 25LBCV00245

VERIFIED FIRST AMENDED COMPLAINT FOR INTENTIONAL TORTIOUS CONDUCT AND CRIMINAL ACTS

JURY TRIAL DEMANDED

DEPT: S26
JUDGE: Michael P. Vicencia

***** TO THE PUBLIC AND MEDIA *****
If you thought the “kids for cash” scandal was bad, this case blows it out of the water because there are far more criminal legal system actors across multiple states who committed far more crimes.

*DOES are ***all*** past, current, and future clerks, attorneys, and judges in the entire U.S. federal court system, either active, senior status, retired, or otherwise.

Per CA Code – CCP § 472, "A party may amend its pleading once without leave of the court at any time before the answer, demurrer, or motion to strike is filed.....," Plaintiff is filing this amended complaint.[1] Pursuant to CA Code–PEN §§ 96.5, 115, 118, 132, 134, 135, 186, 470, 484, 487, 496, and 532; CA Code–CIV §§ 1714, 1940.2, 1946.2, 3333, 3294, and 3336; CA Code–CCP §§ 410.10, 487.020, 490.010, 490.020, and 706.050; CA Code–BPC § 6068; RI Gen. Laws §§ 7-15-1 *et seq*., 9-1-2, 9-4-9, 9-20-4, 9-21-2, 9-26-4, 10-5-8, 11-18-1, 11-32-3, 11-41-1, 19-14.9-6, and 34-18-37; MA Gen. Laws c. 266 § 30 and 268 § 13B; 11 U.S. Code § 362; 15 U.S. Code § 1673; 18 U.S. Code §§ 4, 152, 157, 241, 1001, 1018, 1341, 1343, 1349, 1503, 1505, 1512, 1519, 1621, 1623, 1951, 1956, 1957, 1961, 1962, 1964, 2314, 2315, and 3057; 42 U.S. Code § 1983; and the U.S. Constitution, Plaintiff brings this amended complaint as a result of Defendants' *intentional* tortious and criminal acts committed on many dates, the first of which began on or after September 1, 2014. "Defendant" will mean both the singular and the plural herein, but the term will be clarified with an associated name whenever necessary. Also, the words "defendant" and "criminal" will sometimes be used interchangeably and/or synonymously throughout this complaint.[2]

JURISDICTION AND VENUE

This court has subject matter jurisdiction per Article VI, Judicial Section 10, of the Constitution of the State of California and because state courts have concurrent jurisdiction over RICO claims,[3] and it has personal jurisdiction according to CA Code – CCP § 410.10; because several defendants are presumed to be residents of Los Angeles and other California counties; because of a three-part test in *Gilbert v. Bank of America*, 2014 WL 4748494, at *4 (N.D. Cal. 2014); because of *Calder v. Jones*, 465 U.S. 783 (1984);[4] and because no federal court can decide this lawsuit since all lawyers and judges associated with the federal syndicate—past, present, and future—are defendants. Lastly, the principle of judicial economy and consistency of results suggest joinder of all defendants in one suit, whenever possible.

[1] This complaint is as big as it is because the defendants ***made it*** this big. Plaintiff should have ***never*** had to file it.

[2] Plaintiff doesn't do this to be funny because there is nothing at all funny about no less than ***twenty-two felonies*** being committed against him in order to steal more than $1,000,000 in money and property from him and his family. Plaintiff is a former engineer and is extremely precise in thought and in word; therefore, he calls things exactly what they really are. For example, he refers to the FBI as the Federal Bureau of Iniquity and the DOJ as the Department of Injustice (DOI) because that is what they truly are. He refers to the U.S. legal system as the world's largest crime syndicate (hereinafter, "the syndicate") and proves it is in chapter 1 of his second book, *Our American Injustice System: A Toxic Waste Dump Also Known as the World's Largest Crime Syndicate* (Smart Play Publishing, 2022).

[3] See *Tafflin v. Levitt*, 493 U.S. 455 (1990).

[4] That court held that jurisdiction by California courts over out-of-state litigants "is proper because of their intentional conduct in [another state] allegedly calculated to cause injury to [a litigant] in California. Here, California is the focal point.....of the harm suffered. Jurisdiction over [the defendants] is therefore proper in California based on the 'effects' of their [out-of-state] conduct in California. [Defendants] are not charged with mere untargeted negligence, but rather, their intentional, and allegedly tortious, actions were expressly aimed at [a] California [resident]." Plaintiff is the victim of such "intentional" "tortious, actions" and resides in California.

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The Parties—Plaintiff

- Plaintiff is a U.S. citizen residing and domiciled in California.

The Parties—Defendants

- Defendants are believed to be U.S. citizens residing and domiciled in Los Angeles, other California counties, and elsewhere across the nation. Plaintiff is not revealing their addresses herein because doing so has resulted in either the partial redaction or the full sealing of records, not only in his previous cases, but also for other victims of the syndicate in his nationwide network. stloiyf.com/contact_info_for_judges.php contains their full addresses. This link, of course, can be redacted, but the page will still remain.

1. Venue is governed generally by CA Code of Civil Procedure § 395(a): "[T]he superior court in the county where the defendants or some of them reside at the commencement of the action is the proper court for the trial of the action." This court was selected because at least two of the defendants are believed to be residing in Los Angeles County.[5] It was also selected for the following reasons:

- Because Plaintiff is suing the entire federal half of the syndicate, the defendants can no longer remove the case to federal court so that their friends can flush it once again for them. As an added bonus, they will have to pay out-of-pocket for representation .....instead of wrongly burdening taxpayers as they previously have with defending their criminal misbehavior for "free."
- In exactly ***zero*** federal cases Plaintiff filed has he gotten this far—actually serving the defendant-criminals. He has been blocked in ***every single one***.
- Plaintiff has not yet been a victim of crime and corruption in California state courts.[6]
- More of the litigants reside in California than any other state.
- In ***all*** federal cases in which Plaintiff has ever been involved, ***every single*** jurisprudence-based/non-administrative ruling has gone against Plaintiff and justice—approximately fifty-six rulings total. ***Not a single one*** has been in his favor.....because of crime, fraud, and corruption.[7]

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[5] The *only* other domestic court that can hear this matter would be the CFR/Tribal Court.

[6] This is why he does not refer to it as part of the syndicate like other courts and holds out faint hope that it is not.

[7] There has, of course, been crime and corruption in the state syndicate too. After all, that is what happened in the Massachusetts state courts and started this fiasco. However, the state branch of the syndicate is not "batting 1000" with regard to relentlessly blocking Plaintiff like the federal branch. Blocking someone when he is right and in compliance with the law simply because he is feared/hated is ***not*** justice. It is the very definition of ***in***justice. The syndicate hates Plaintiff because he has written two books railing against it and has protected thousands of others from it. He is also hated for his blogs revealing its crime and corruption, automated email barrages, 17,000+ phone calls to judge-criminals nationwide, and websites listing phone numbers and home addresses of many culpable individuals—which will ***not*** be removed. No doubt he has his very own special category well above the FBI's Ten Most Wanted Fugitives because of who he is. He is convinced the syndicate despises self-represented litigants, not because they don't know what they're doing, but because they expose crime and corruption in it. When powerful people hate certain individuals outside their corrupt clique, that's always good. Most lawyers pretend crime and corruption in the syndicate don't exist, or they'd be biting the hand that feeds them. Such a conflict poses no danger to a *pro se*. Yes, some, like lawyers, are clueless, but by and large many know how to take it right to the syndicate. Regardless, its hatred for Plaintiff pales in comparison to his hatred for it and the evil cabal it has become. Also, none of this would have happened if the syndicate hadn't committed crimes against him in the first place and instead followed the rule of law, but it refused. Incredibly, many judges today don't think, "How can I serve justice?" They instead think, "How can I commit unnoticed crimes?" Well, the answer is "it isn't possible" on Plaintiff's watch.

"The Party told you to reject the evidence of your eyes and ears. It was their final, most essential command." ***— George Orwell,* 1984**[8]

INTRODUCTION

2. This complaint is being brought because of the *deliberate* nefarious actions by Defendant. The staggering story that gave rise to this complaint began more than two decades ago when Plaintiff, working as a small business, BR Enterprises, performed work for defendant-criminal Alyssa Lauren Parent (hereinafter "Parent") totaling $4,313.95, which he was never paid. What follows could be the script for a Hollywood movie or—more appropriately—a Hollywood horror flick. Plaintiff has been pursuing justice for well over two decades. What began as a result of criminal misbehavior of just ***one*** individual, defendant-criminal Joseph Leonard Michaud (hereinafter "J. Michaud"), has "snowballed" into dozens, perhaps even hundreds, of criminal actors working in concert against justice in order to cover for him—and others covering for him—in an ongoing chain reaction, thus constantly increasing the snowball's size.[9] The speculation about hundreds being involved is not fantasy or exaggeration. When Plaintiff sends a single email to the DOI, it sometimes gets read hundreds of times across the nation and even internationally—and consistently—in Brazil, Germany, England, and Australia. See exhibit "A" (stloiyf.com/evidence/images/ex_a.jpg).

3. Plaintiff is not alone regarding the injustices he has suffered at the hands of the syndicate. The syndicate is ***off-the-rails corrupt*** and has negatively impacted ***thousands*** of other victims nationwide. The crimes committed by its personnel every day in every court in every state lead Plaintiff to say: "God, I'm ashamed to be an American today."[10] "The greatest lies are told in the name of truth. The greatest crimes are committed in the name of justice."[11] And the syndicate is king of both. It is precisely ***for this reason*** that some of the counts herein are RICO.[12] In fact, these could be the poster child for the very definition of racketeering, one of which is to "offer a service that solves a problem that would not exist

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[8] The syndicate continues to use this quote as its mantra.....which is precisely why this complaint was filed!

[9] This is in direct contravention of *Branzburg v. Hayes*, 408 U.S. 665 (1972), "[18 U.S. Code § 4] has been construed, however, to require both knowledge of a crime and **some affirmative act of concealment**," which by disposing of Plaintiff's cases or doing anything else to avoid taking steps towards prosecuting the offenders is a violation of federal criminal law (strong emphasis added). As the U.S. Supreme Syndicate has further recognized, "[c]oncealment of crime has been condemned throughout our history," and even in modern times, "gross indifference to the duty to report known criminal behavior remains a badge of irresponsible citizenship." *Roberts v. United States*, 445 U.S. 552, 557 (1980).

[10] Jim Garrison (Kevin Costner), *JFK* (Warner Bros., 1991).

[11] Jim Garrison, District Attorney of Orleans Parish, Louisiana (1967).

[12] Only three RICO counts are pleaded, but Plaintiff reserves the right to add additional counts pending discovery.

without the racket."[13] If the racket of the syndicate did not exist, specifically, the "service" it provides, then Plaintiff and his family would not have had over $1,000,000 in money and property stolen from them and the problem—and this civil case—would not exist.

4. Plaintiff has directly contacted dozens upon dozens of syndicate members in addition to the hundreds he has contacted indirectly as stated above on page 4 at line 13. Other than Agent Jeremy Hunt for the DOI OIG, *not a single one* has come forward to right the massive injustice. Thus, it must be presumed that they are all fighting against justice. One is either for justice or against it. There is no gray area. Moreover, when evil beings don't know they are being monitored, they will continue to do evil things, which will become even more apparent throughout this complaint.

5. Plaintiff has *tried* to litigate related matters in fifteen courts in six states all across the nation. He has been enraged in each one. Every single "judge" has failed to follow rules of court, case law, statutory law, and the Constitution. Exactly *zero* of them performed their jobs according to their oaths of office. The remainder of this introduction will list some major events leading up to now and the responsible offenders, both civil and criminal. While reading this entire complaint, remember that people go to court to be made whole, not to have crimes committed against them—the ***exact opposite*** of what has happened.

6. On July 18, 2014, Plaintiff transferred ownership of the condominium located at 116 Rocky Brook Way, Wakefield, Rhode Island, (hereinafter "the property") to a third party because he strongly suspected he would be a target for litigation—particularly after his experience with the corrupt courts in the People's Republic of Massachusetts (hereinafter "Massachusetts"), because the information in his first book could be misconstrued as legal advice despite the disclaimer in it, and because he named J. Michaud and Parent and described their offenses in it. Lo and behold, Plaintiff's prediction came true.

7. Plaintiff was originally and rightfully given a default judgment of $11,271.53 on August 27, 2014, for nonpayment of the work he did for Parent. Until then the state syndicate, Massachusetts Division, had not done anything corruptly or illegal—in Plaintiff's case. However, soon afterward, J. Michaud made a phone call[14] and conspired with court personnel, including, but not limited to, defendant-

[13] en.wikipedia.org/wiki/Racketeering

[14] It is possible J. Michaud visited the court rather than called it, but his *modus operandi* is to make phone calls as he did to several of Plaintiff's attorneys (while violating criminal law M. G. L. c. 268 § 13B) and to the U.S. Mistrustee's Office (while violating 18 U.S. Code § 152, § 157, and other criminal laws). The type of contact he made will not be known any earlier than during discovery. Accordingly, throughout this complaint where a form of

criminal Claudia Abreau Lamb (hereinafter "Lamb") to take the first step towards reaching a predetermined alternate outcome by illegally transforming the legitimate default judgment awarded to Plaintiff into a fraudulent judgment for J. Michaud's client, Parent.

8. The falsified court record shows that on September 15, 2014, the default judgment was vacated as "issued in error," which is not true. The reason for the lie is that J. Michaud called the court in a panic because he erred by not filing a timely responsive pleading, and he either did not want to or would not be able to attend a court hearing—for any pleadings or motions he then wanted to file *nearly nine years late*—before the judgment would become enforceable. Lamb therefore vacated the judgment beforehand as a favor to him or as a result of bribery—in violation of the rules of procedure, possibly criminal law, and Plaintiff's right to due process. Ample proof of such malicious behavior exists. One piece of indisputable evidence is the email Plaintiff received from the court on September 8, 2014, saying the judgment had been vacated. See exhibit "B" (stloiyf.com/evidence/images/ex_b.jpg). However, the court first *officially* mentioned its "error" (really a non-existent error) on the docket on September 15, 2014, coincidentally six days *after* J. Michaud filed his motion to vacate judgment on September 9, 2014—the 9th being a day *later* than the email Plaintiff originally received from the court saying the judgment had been vacated—and *prior* to any hearing for the motion. See exhibit "B." Note that it took ***seven*** days after the first of two related emails to Plaintiff to "correct" the docket and record the "error" in it. Interestingly, although the docket has no entry for such motion being heard on October 29, 2014, there is a paradoxical ruling on November 9, 2014, allowing the motion to vacate an already vacated judgment, for at least the second time, maybe to ensure it wouldn't somehow unvacate itself. See exhibit "C" (stloiyf.com/evidence/images/ex_c.jpg).

9. On September 10, 2014, Plaintiff received an additional email from the court clerk saying "the judgement [*sic*] was entered in error." See exhibit "B" (stloiyf.com/evidence/images/ex_b.jpg). The implication of any error is just not true according to civil procedure rule 55(b)(1), the rule under which Plaintiff filed for default judgment. Although the Massachusetts state district court said that the default judgment was entered in error, it was not. All requirements of the case were met perfectly according to rule 55(a) and (b)(1). Now, if rules 55(c), 60(a), and 60(b) are all studied carefully, it can be seen that the

the word "call" is used with regard to J. Michaud contacting a court, it really means some form of the phrase "call or visit."

only way an error-free default judgment can be vacated is by motion under 60(b). The emails by court personnel and the contrived court record are all part of a smokescreen to cover up a call by J. Michaud to the court on or before September 8, 2014, in order to get the judgment orally and illegally vacated. This is nothing less than conspiracy to commit fraud and is clearly intentional misconduct.[15] At a time beginning shortly thereafter, the court then tried to cover its tracks with multiple docket entries to conceal the call and the conspiracy.

10. Plaintiff knows this call was made because a package from J. Michaud was delivered by U.S. mail not long after September 8, 2014, to the mailing address Plaintiff gave to the Massachusetts court by email on August 28, 2014. The only way J. Michaud could have possibly known about this address is via contact with the court since this was not the residential address of Plaintiff.

11. The corrupt Massachusetts court—in concert with certain employees conspiring with J. Michaud—reversed the original and legitimate default judgment it had awarded Plaintiff on August 27, 2014, and turned it into a $32,913.30 fraudulent judgment in favor of Parent on November 3, 2015, after which date Plaintiff filed mountains of complaints and appeals. However, when one uses loaded dice, he will get the same result every single time. Coincidentally, this figure was quite close to the damages requested ($31,438.31) in Plaintiff's MOTION FOR DEFAULT JUDGMENT. Visit stloiyf.com/evidence/letter.htm for a summary of some of the misconduct in the original case.[16]

12. Interestingly, the Massachusetts courts denied any existence of "fraud, corruption, and violations of court rules and statutes." However, shortly after doing so, in 2018, the year J. Michaud was appointed judge, MA Gen. Laws c. 268 § 13B—a criminal law that Plaintiff *repeatedly* demonstrated in multiple court papers and elsewhere that J. Michaud had violated several times—magically changed. See exhibit "D" (stloiyf.com/evidence/images/ex_d.jpg). The change was made so that his misleading and intimidation of Plaintiff's attorneys—and their subsequent withdrawals—was no longer considered a crime under the new version of this law and J. Michaud could not be prosecuted—which, of course, had he been, would have put a damper on the plans to appoint him judge.

[15] Fraud has been of epidemic proportions in prior related cases and, because of the number of offenders and crimes involved, actually eclipses that in the notorious criminal case underlying *Fields v. Wharrie*, 740 F.3d 1107 (7th Cir. 2014), in which a judge not only accepted a bribe, but prosecutors fabricated evidence and coerced witnesses into providing false testimony in order to secure a conviction and a death sentence against Fields.

[16] Under the incorporation by reference doctrine, a court may consider documents whose contents "are not physically attached to" the filing. *In re Silicon Graphics Inc. Sec. Litig*., 183 F.3d 970, 986 (9th Cir. 1999).

13. Parent, seemingly through a lawyer at the time and unbeknownst to Plaintiff, entered the fraudulent judgment she obtained in Massachusetts in the Rhode Island Superior Syndicate (case number WC-2016-0053; allegedly filed February 3, 2016; still pending to Plaintiff's knowledge; and hereinafter "the RI case"). That lawyer has apparently withdrawn—possibly because he discovered the judgment to be fraudulent and had a conscience—and been replaced with defendant-criminal Douglas Howard Smith (hereinafter "Smith"). While attempting to collect the "debt" that is the result of the fraudulent judgment Parent and J. Michaud obtained for themselves in Massachusetts (hereinafter, "the fraudulent debt"), certain defendants have ignored rules of procedure, the code of conduct, the law, and the Constitution and, in doing so, have managed to remove the rightful owner of the property—the owner immediately prior to its fraudulent sale on June 10, 2021 (hereinafter "the owner")—from the deed/title of it via the RI case. The defendants' grossly negligent acts and intentional misconduct have caused financial and psychological injury to Plaintiff. As such, Defendant is liable for compensatory and punitive damages.

14. The evidence shows that at least two writs have been issued against the property by clerks of the Rhode Island Superior Syndicate. On February 22, 2016, defendant Brian David Thompson (hereinafter "Thompson") issued one such writ, and on November 5, 2019, defendant Danielle Celona Keegan (hereinafter "Keegan") issued another. Of crucial note in *Rose Dionne, Etc., Plaintiff, Appellee, v. Gerard Bouley, Etc., Defendant, Appellant. Rose Dionne, Etc., Plaintiff, Appellant, v. Gerard Bouley, Etc., Defendant, Appellee*, 757 F.2d 1344 (1st Cir. 1985), "The United States District Court for the District of Rhode Island, in a comprehensive opinion, *Dionne v. Bouley*, 583 F. Supp. 307 (1984), held that current procedures were constitutionally insufficient. It enjoined defendant Gerard Bouley, Chief Clerk of the District Courts of the State of Rhode Island, from issuing writs of attachment thereunder." Therefore, such actions by Thompson and Keegan contravene rulings established by that court and have violated due process. It is not known at this time whether their actions constitute criminal activity.

15. Around the end of 2019 or beginning of 2020, Plaintiff decided to begin setting up a trust in a third party's name. As a first step, he was advised to record the deed of the property. Upon attempting to record the deed, he learned of a discrepancy with its title. He traced this to a fraudulent lien entered in Rhode Island Superior Syndicate based upon entry of the fraudulent judgment issued in Massachusetts.

16. In order to prevent the theft of the property and the loss of $2,200 (in today's dollars) per month

1 Plaintiff received for managing it, which, if stopped, would relegate him to extreme poverty, he filed
2 Chapter 7 on February 28, 2020. The stay began on that day and continued through August 3, 2021.
3 17. Sometime during the period from March 1, 2020, through May 30, 2020, J. Michaud called the
4 U.S. Mistrustee's Office and, as a legally disinterested party, interfered with justice by conveying false
5 information to an employee there in order to block the discharge of Plaintiff's "debt"—that he
6 fraudulently helped create—while violating CA Code – PEN § 96.5 and 18 U.S. Code §§ 152, 157, 241,
7 1001, 1349, 1503, 1505, and 1512. No less than seven distinct forms of evidence exist that prove he
8 made the call.[17] Whoever took the call, and then later defendant-criminals Kristen Tavia Mihelic, Abram
9 Stuart Feuerstein, Tiffany Louise Carroll, and Louise DeCarl Adler (hereinafter "Mihelic," "Feuerstein,"
10 "Carroll," and "Adler," respectively), and possibly others, failed to report J. Michaud pursuant to 18 U.S.
11 Code § 3057: "Any judge, receiver, or trustee.....shall report to the appropriate United States attorney all
12 the facts and circumstances of the case, the names of the witnesses and the offense or offenses....."
13 (emphasis added). Rather, they became *active participants* in J. Michaud's crimes and furthermore
14 violated CA Code – PEN § 96.5.
15 18. In order to interfere with Plaintiff's business as a landlord and convert the vast majority of his
16 income stream, Mihelic and Feuerstein produced innumerable falsified documents and spoke untruthfully
17 to sustain their false narrative during the bankruptcy regarding Plaintiff and his business operations and
18 thus obstructed justice per CA Code – PEN § 96.5. Every single known filing by them contained lies.
19 19. Plaintiff tried his hardest and spent thousands of hours disputing Mihelic's and Feuerstein's
20 falsified documents and untrue claims, but despite having rock-solid and voluminous evidence, he was
21 deliberately blocked by Adler from bringing the evidence to light, or at least she failed to take
22 "appropriate action" according to Canon 3(B)(6) when Plaintiff revealed to her that "a lawyer violated
23 applicable rules of professional conduct." [18] [19] Plaintiff was later sanctioned—ironically, for bringing a
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[17] See page 82 of exhibit "T" (stloiyf.com/evidence_of_criminal_misconduct_for_OIG.html) for this evidence.

[18] From the syndicate's own website, uscourts.gov/administration-policies/judiciary-policies/ethics-policies/code-conduct-united-states-judges, "A judge should take **appropriate action** upon receipt of reliable information indicating the likelihood that a judge's conduct contravened this Code, that a judicial employee's conduct contravened the Code of Conduct for Judicial Employees, or that a lawyer violated applicable rules of professional conduct," and, "See Rules for Judicial-Conduct and Judicial-Disability Proceedings, Rule 4(a)(6) (providing that 'cognizable misconduct includes failing to call to the attention of the relevant chief district judge or chief circuit judge any reliable information reasonably likely to constitute judicial misconduct or disability. **A judge who receives such reliable information** shall respect a request for confidentiality but **shall nonetheless disclose the information to the chief district judge or chief circuit judge**'" (emphases and strong emphases added).

motion for sanctions against Mihelic—by Adler for revealing *just* her federal crimes: 18 U.S. Code §§ 4, 152, 157, 241, 1001, 1018, 1341, 1349, 1503, 1505, 1512, 1519, 1621, and 1623. Don't sanction the person *committing* the crimes; sanction the person *reporting* them. Shoot the messenger. Certainly, 100 percent of the sane population outside the syndicate and over the age of five years would agree Adler's response was not "appropriate action."

20. Plaintiff informed Mihelic, Feuerstein, and Adler on many occasions—both verbally and in writing—that Mihelic and Feuerstein were producing falsified documents, including declarations made under penalty of perjury pursuant to 28 U.S. Code § 1746 from Mihelic, concealing evidence, and lying in the statements they were making and therefore were violating state (and federal) civil and criminal law, for example, CA Code – PEN §§ 96.5, 115, 118, 132, 134, 135, 470, 484, 487, 496, and 532; CA Code – BPC § 6068; and 18 U.S. Code §§ 152, 157, 1001, 1018, 1341, 1505, 1512, 1519, 1621, and 1623. They nonetheless knowingly and deliberately continued on their course of fraud and other crimes.

21. Mihelic, Feuerstein, and possible other perpetrators behind the scenes committed *multiple* federal felonies against Plaintiff for which Canon 3(B)(6) easily applies since committing crimes violates any "rules of professional conduct."[20] Later during appeals, defendant-criminals Robert Jay Faris, Gary Allan Spraker, and Julia Wagner Brand (hereinafter "Faris," "Spraker," and "Brand," respectively) also violated this same canon—as has every judge who has covered for the original criminals and judges who have covered for the coverers in a recursive fashion. Judges are supposed to ***report*** the crimes, not try to ***hide*** them. If the Code of Conduct for United States Judges had been followed initially, then there would only be ***one*** black-gown-wearing criminal instead of more than a dozen now—in the instant case anyway. Additionally, Faris, Spraker, and Brand deliberately blocked defendant but had to violate 18 U.S. Code § 4 according to *Branzburg* in order to do so. They even went so far as to call the facts and evidence "[i]mproper inferences, unwarranted speculation, inuendo [*sic*], and hyperbole" and label Plaintiff a "conspiracy" theorist. See exhibit "E" (stloiyf.com/evidence/images/ex_e.jpg).

22. On June 10, 2021, nearly *two full months* before the automatic stay terminated and unbeknownst

[19] Adler abruptly and mysteriously "retired" in June 2022 shortly after Plaintiff filed an official complaint against her with the Ninth Circus Court.

[20] See provision (b) under this rule: calbar.ca.gov/Portals/0/documents/rules/Rule_8.4-Exec_Summary-Redline.pdf. Nobody in his right mind can reasonable argue that falsifying records, committing perjury, obstructing justice, and more—in direct contravention of no less than a dozen federal felony statutes—do not reflect "adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects."

to Plaintiff at the time, Ronald Russo, as an agent for J. Michaud and others, "sold" the property in full violation of CA Code – PEN §§ 484, 487, 496, and 532 and the automatic stay then in effect per 11 U.S. Code § 362. For Smith and Parent to make such a bold maneuver, it stands to reason that they were informed of the fraudulent denial of the discharge of Plaintiff's "debt" long before it even happened on August 4, 2021, and were thus told of the bankruptcy's predetermined outcome. "Selling" any property under such circumstances would make the sale and corresponding deed void as a matter of law. See, for example, *Albany Partners Ltd. v. Westbrook* (*In re Albany Partners, Ltd.*), 749 F.2d 670, 675 (11th Cir. 1984). See also *In re Soares*, 107 F.3d 969 (1st Cir. 1997) (Holding that action taken in derogation of the automatic stay is not merely "voidable" but "void").

23. On August 4, 2021, Adler entered her final fraudulent ruling into the record denying discharge of the fraudulently created debt by J. Michaud and others—this after ignoring the multitude of crimes committed by him, Mihelic, and others at the Department of Injustice, which include: perjury, misprision of felony, fraud, conspiracy to commit fraud, obstruction of justice, withholding/falsifying/manipulating evidence, falsifying judicial and public records and documents, and more. Plaintiff ***repeatedly*** informed Adler about the plethora of crimes committed in his bankruptcy and its predecessor cases. In violation of Canon 3(B)(6) and 18 U.S. Code § 4, she took no (remedial) action upon receiving this information, but instead decided to be complicit in the crimes, including CA Code – PEN § 96.5, just like every other named judge-criminal being sued here.

24. As any normal person could guess, Plaintiff was *extremely* pissed at this point and getting more so with time. On August 26, 2021, he filed suit in state court against Mihelic, Carroll, and Adler for their nefarious and outright criminal activity. The snowball was continuing to grow. The complaint was amended on September 14, 2021. Other than the addition of a brief STATEMENT OF THE FACTS section, the title page of the complaint was really the only thing that substantially changed. Notably, the "Does" were replaced with actual names in the amendment, which was filed *after* Plaintiff's fee waiver was granted and the case was approved. This is the same pattern he is following here. Shortly afterward, certain federal criminal actors removed the case to federal court against Plaintiff's strong and very vocal objections. Over the succeeding months, Plaintiff engaged with these criminals and tried ardently but unsuccessfully to stop injustice once again.

25. On February 4, 2022, Mihelic emailed Plaintiff's coauthor in an attempt to set up a "conference call." The email stated in part: "Please provide me with a phone number where I can call you this afternoon, along with the best time for you to chat." Plaintiff was forwarded this message with a certain vernacular for "are you serious?" Apparently, Mihelic felt the walls closing in with the impending launch of Plaintiff's second book and was trying to spread the same lies about Plaintiff that J. Michaud had spread to her in an attempt to paint Plaintiff as a monster and potentially convince his coauthor to persuade him to remove Mihelic's name and offenses from the book. Plaintiff is such a "monster" that he has helped hundreds and hundreds of people nationally and internationally who have been or who have yet to be victimized by the syndicate. Before its tremendously bad actors left him destitute and living in extreme poverty, he even sponsored two children—one in the Philippines and one in Guatemala—which is probably more children than all of the *named* defendants have ever sponsored combined.

26. On February 8, 2022, defendant-criminal Linda Lopez (hereinafter "Lopez") entered an order dismissing with prejudice Plaintiff's civil case against Mihelic, Adler, and Carroll. She makes no mention of the crimes they committed; therefore, she would not have reported them nor recommend prosecution of these offenders. Moreover, she makes statements that are patently false in order to try to protect criminals Mihelic, Carroll, and Adler. Her statement, "The [c]ourt finds that the United States has properly certified that at the time of the conduct alleged in Plaintiff's Amended Complaint, [d]efendants Mihelic and Carroll were acting within the scope of their employment as employees of the Office of the United States [Mist]rustee, and [d]efendant Adler was acting within the scope of her employment," is false because nobody's (legitimate) "scope" of employment requires crimes to be committed.

27. Another statement Lopez makes, "Plaintiff fails to present any <u>evidence</u> that Defendants Mihelic, Carroll and Adler were acting outside the scope of their employment," (emphasis added) needs addressing. Firstly, it is well known in jurisprudence that evidence is ***not*** required in a complaint.[21] Discovery is the process for usually gathering evidence. Secondly, Lopez's statement is also misleading since Plaintiff clearly presented evidence in the bankruptcy court, the BAP, the U.S. Court of Appeals for the Ninth Circus, blog posts, his second book, and elsewhere of the massive crime and corruption that took place during the bankruptcy, although it was a mere *fraction* of the evidence he had in his

[21] Neither F.R.Civ.P. 8 nor 9 make any mention whatsoever of evidence being required in any pleading. See law.cornell.edu/rules/frcp/rule_8 and law.cornell.edu/rules/frcp/rule_9.

possession. If she truly wanted to see the evidence of criminality—which always falls outside everyone's "scope" of legitimate employment—she could have easily looked in any of those places. She later claims: "Plaintiff alleges that Defendants Carroll and Mihelic committed fraudulent acts in connection with the adversary proceeding. ECF No. 2-1 at 3-8. Notably, the FAC lacks any specific allegations of actions by Defendants Carroll and Mihelic." The ***entire*** FAC except for the caption, the jurisdictional statement, paragraph 8, and the signature page is *filled* with "specific allegations." Just because a criminal that wears a black gown says something doesn't exist does not mean that it doesn't exist. It means the criminal is corrupt and is trying to cover for his or her colleagues' wrongdoing.

28. It would be absurd to believe that the perjury, fraud, and falsification of records, documents, and evidence that Plaintiff *unequivocally* describes in his complaint lack "any specific allegations" against the defendant-criminals. The icing on the proverbial cake is Lopez's preposterous conjecture: "The entirety of the allegations in the FAC concern the judicial process." With the possible exception of paragraph 8, absolutely ***none*** of Plaintiff's FAC concerns "the judicial process." It concerns crime and corruption. But the way courts are run today here in Amerika, the argument could definitely be made that crime and corruption are part of "the judicial process." When criminals who mistakenly think they are the final authority write orders or opinions replete with falsities and omissions of truth and facts, such as this one by Lopez—which happens all too often in courts nationwide—it is crystal clear that they are trying to hide the offenses of their perpetrator-colleagues. By making the preceding statements in her "ORDER," Lopez has violated 18 U.S. Code § 4, 241, 1001, 1018, and 1349.

29. After the "sale" of the property and on unknown dates in the first half of 2022, J. Michaud and/or defendant-criminal Matthew H. Michaud (hereinafter "M. Michaud") left one or more intimidating notes at the property telling Plaintiff's tenant: "Coming back after the 7th to move items out. Contact me to discuss where you'd like your property stored." See exhibit "F" (stloiyf.com/evidence/images/ex_f.jpg). Defendant-criminal Steven J. Hart (hereinafter "Hart") appears to have mailed a notice to the tenant on February 28, 2022, stating, "You are hereby directed to vacate and remove your property and personal possessions from the premises.....If you fail to vacate the premises by the date specified, an eviction will be instituted against you without further notice." See exhibit "G" (stloiyf.com/evidence/images/ex_g.jpg). This letter was sent in violation of law, specifically, RI Gen.

Laws §§ 9-20-4, 34-18-37, and possibly more. All the preceding also violated RI Gen. Laws § 19-14.9-6.

30. On April 25, 2022, Plaintiff received an email from the tenant renting the property: "So I had to get my real estate lawyer [defendant Michael Keith Robinson, (hereinafter "Robinson")] involved with this situation because of the contact from the court constable, etc.....I was instructed to pay the rent to the 'new' owners by my lawyer and [defendant] James [Sylvester, the court constable (hereinafter "Sylvester")]." See exhibit "H" (stloiyf.com/evidence/images/ex_h.jpg) Based on the actions of certain defendants following the entry of the fraudulent judgment in the Rhode Island Superior Syndicate, including, but not limited to, the steps Smith took to move the case through the court and cause corruption of title to the property and the harassing notices left at or sent to the property by J. Michaud, Hart, and others, Plaintiff no longer receives any of the $2,200 in monthly rent due under the provisions of the (now expired, but presumably updated if still landlord) lease for the property. Since April of 2022, Plaintiff has not received a single penny as landlord of the property and never heard from his tenant again. Plaintiff assumes certain defendants forced his tenant out of the property. It is not known at this time if the actions of Robinson and/or Sylvester rise to the level of criminality.

31. On May 13, 2022, Plaintiff filed a FOIA request with the federal syndicate, California Division, addressed to Lopez. In the request, he mentioned his indigent status justifying a waiver of fees. This request went completely ignored, most likely in an attempt to hide more crime and corruption.

32. Defendant Brenden Thomas Oates (hereinafter "Oates") stated in an email to Plaintiff on June 14, 2022, that the date change for the hearing originally scheduled for June 15, 2022, on his motions to vacate current orders and dismiss the fraudulent case was made "by Justice Taft-Carter." See exhibit "I" (stloiyf.com/evidence/images/ex_i.jpg). Plaintiff does not have enough evidence at this time to determine if any conduct by Oates rises to the level of criminality, but he certainly has enough evidence to support a conspiracy as will be illustrated in the next paragraph in conjunction with the information in this one.

33. On June 30, 2022, Plaintiff received email correspondence from defendant Sarah Taft-Carter (hereinafter "Taft-Carter") as a result of U.S. mail he sent to the presiding judge in the Rhode Island Superior Syndicate. Taft-Carter contradicted Oates when she said, "As I understand it [Smith's] request for a continuance was made through the clerk's office." See exhibit "J" (stloiyf.com/evidence/images/ex_j.jpg). Both can't be relaying truthful information, and possibly neither

are. Deflection by Oates and Taft-Carter against each other further supports this allegation and points to a conspiracy between Smith and Oates or Smith and Taft-Carter or between all three and perhaps others. Smith may have wanted to change the hearing date, but its rescheduling was done in violation of rules of procedure and due process. He never filed a motion. Nothing was recorded in the docket about it—in addition to other docket omissions/shortcuts. And Plaintiff was never notified. Plaintiff's suspicion is that rescheduling was done this way so that he would waste time and expenses on travel to the court that he could not afford to waste, expecting the hearing to take place on June 15, 2022. He only learned about the rescheduling by pure luck during a June 3, 2022, phone call to the Rhode Island Superior Syndicate.

34. Taft-Carter stated in that same message, "the protocol in effect requires that all cases involving self representing litigants be conducted in person." However, non-self-represented litigants are given the luxury of virtual appearances. Plaintiff does not live within a 1,000 mile radius of that court. Not allowing him to attend remotely is not only unfair, but it is discrimination against a class—the class of *pro se* litigants—and is constitutionally offensive. Plaintiff is the defendant in that action. He didn't pick the court. The "plaintiff" did. Furthermore, Plaintiff could not afford repeated travel expenses because he has been made destitute *precisely because of the defendants*. Creating one's own self-fulfilling prophesy in a legal matter smashes the very foundation of jurisprudence. Certain defendants have basically ensured that they can "win" their case by default if they can manage to continue to "litigate" far enough away from Plaintiff's geographical area. While Taft-Carter was definitely biased against Plaintiff and violated his constitutional rights, there is not enough evidence at this time to determine if her misconduct rises to the level of criminality.

35. On July 1, 2022, Plaintiff emailed a demand letter to several defendant-criminals to satisfy any requirements of law prior to filing suit. See exhibit "K" (stloiyf.com/evidence/images/ex_k.jpg). That letter was sent to Smith and Oates, among others. Smith forwarded the message to J. Michaud, but, even if he didn't, would have almost certainly spoken with him by phone. See exhibit "L" (stloiyf.com/evidence/images/ex_l.jpg). It was also recorded in the docket by Oates. See exhibit "M" (stloiyf.com/evidence/images/ex_m.jpg). Therefore, J. Michaud knew about the incoming suit and would have had plenty of time to prepare to deflect it, that is, by setting up automated notifications of new federal case entries with PACER so that he could call the court when the notification arrived in his inbox.

He couldn't call the court and contaminate the crime scene in July of 2022 because Plaintiff had redacted the name of the federal court in the attached lawsuit template because he knew J. Michaud was going to try to interfere with justice once again. See exhibit "N" (stloiyf.com/evidence/images/ex_n.jpg). In fact, J. Michaud could not make contact with the court any time prior to knowing the name of the federal court where Plaintiff's case would be filed.

36. However, Plaintiff didn't know at that time that PACER accounts could be configured to receive new case notifications based on party names or that defendant-criminal Mary Susan McElroy (hereinafter "McElroy") would blast the case opening notice out to the whole world before Plaintiff would be given the chance to serve the criminals. Thus, J. Michaud had to wait until McElroy issued the order on PACER, which would then have given him clear indication regarding the court in which the case had been filed.....so that he could commit more crimes, such as violations of 18 U.S. Code §§ 241, 1001, 1503, and 1512 and state criminal statutes, such as RI Gen. Laws § 11-32-3, by blocking progress of the case—thereby carrying out his plan for its ultimate dismissal, which is exactly what happened.

37. On September 29, 2022, Plaintiff—being quite a bit more than just slightly perturbed at the magnitude of crime and corruption manifested by the syndicate and its minions—filed the above mentioned civil complaint with the U.S. District Court for the District of Rhode Island (1:22-cv-354-MSM-LDA) in an attempt to finally begin undoing the damage caused by the syndicate, J. Michaud, and other criminal actors.

38. On January 25, 2023, after having nearly four months to carefully consider the case according to 28 U.S. Code § 1915(e)(2) since the complaint was filed with a motion for a fee waiver, McElroy issued orders allowing the motions to proceed IFP and to file electronically and directing the U.S. Marshals Service to effectuate service. See exhibit "O" (stloiyf.com/evidence/images/ex_o.jpg). The case opening notice was posted on PACER this same day, which is also shown on the same exhibit. Note that she had not yet done anything criminal regarding 1:22-cv-354-MSM-LDA as of the above date.....but she would within twenty-four hours.

39. On January 25, 2023, or January 26, 2023, J. Michaud—after learning via an automated email from PACER that he was being sued—promptly called McElroy or someone else at the federal syndicate, Rhode Island Division, to complain that he was being sued for his criminal misconduct and that he didn't

like it and wanted to keep the condominium he stole from the owner and its rental income that he stole and continues to steal from Plaintiff, all in violation of several state and federal felonies, including, but not limited to 18 U.S. Code §§ 241, 1001, 1503, and 1512; CA Code – PEN § 487; MA Gen. Laws c. 266 § 30; and RI Gen. Laws §§ 11-32-3 and 11-41-1. PACER accounts can be configured to send case opening notifications based on party names, which J. Michaud and/or another defendant in 1:22-cv-354-MSM-LDA had likely configured. See exhibit "P" (stloiyf.com/evidence/images/ex_p.jpg). This upstanding citizen has also been sued at least two other times. One matter was related to wind turbines,[22] and another involved union issues.[23] For him to be so brazen to call the federal syndicate, Rhode Island Division, in order to interfere with Plaintiff's case is mind-boggling considering that he was reprimanded in late 2022 by the Massachusetts Supreme Syndicate.[24] Interestingly, it is *really* bad to post "red" content in a communist state on Facebook.....but OK to commit felonies against Plaintiff.

40. On January 26, 2023, McElroy *then* acted criminally by immediately and illegally vacating all of her previous rulings. See exhibit "O." She did this because of J. Michaud's prior contact. Instead of being outraged by the reprehensible behavior of someone who should know better because he is allegedly versed in law and is a "judge," McElroy went out of her way to condone his criminal acts. Instead of reporting him for his illicit contact and additional crimes, she decided to improperly allow his *ex parte* communication and be complicit in his crimes. McElroy was thus a co-conspirator to the crimes mentioned in paragraph 39 and also violated 18 U.S. Code § 4 herself according to *Branzburg*.

41. On February 7, 2023, after taking nearly two weeks to concoct bogus reasons thinly veiled in "law" to justify the reversal orders McElroy issued on January 26, 2023, and to dismiss the case entirely, she issued a fraudulent terminating order. See exhibit "O." She would not have waited this long to issue her terminating "order" if she had valid reason to do so. She would have had the reason, vacated the orders, and dismissed the complaint all at the same time. The reason it took so long is that she had to contrive a reason for dismissal after receiving the call, and she manipulated events and the court record in order to stop marshals from serving papers so that the court's precious funds would not be wasted on true justice. Reading the "order" of February 7, 2023, it is abundantly obvious that McElroy—or whoever

[22] web.archive.org/web/20210615204639/https:/s3.amazonaws.com/windaction/attachments/1890/DartmouthMA_Turbinelawsuit.pdf

[23] mass.gov/doc/town-of-dartmouth-and-dartmouth-police-brotherhood/download

[24] mass.gov/news/housing-court-judge-reprimanded-by-supreme-judicial-court

wrote it and gave it to her for rubber stamping—was grasping at straws to dismiss the case.

42. Of note is another smoking gun. After McElroy wrongly dismissed the case, she immediately went looking for any other cases Plaintiff had pending and found 1:22-cv-00421-MSM-PAS. She dismissed it for the very same diversity "reason" so that the dismissal of 1:22-cv-354-MSM-LDA wouldn't look so concocted. If she had allowed Plaintiff's case against Fidelity to continue but not 1:22-cv-354-MSM-LDA, that would have been a blaring red flag. However, in her enthusiasm to block Plaintiff, she dismissed it on the very same day, February 7, 2023. She wasn't even smart enough to wait several weeks to make it not look so obvious. There is no way *Fidelity* would have been next in the queue since it was filed almost two months after Plaintiff filed his first case in that court.

43. Incidentally, that federal court has five active judges, so let's take a look at the likelihood of the same judge being "randomly" assigned to the same litigant in two lawsuits. The formula for such a conditional probability is given by $1/n^{(x-1)}$, where 'n' things are to be matched 'x' times in a row. In this example, the probability would be $1/5^{(2-1)}$ or 1/5 or 20 percent. While not zero, it is certainly unlikely. The probability of McElroy being assigned *both* of Plaintiff's cases truly randomly then speaks for itself.

44. Defendant-criminal John James McConnell Jr. (hereinafter "McConnell") didn't lift a toxic finger to remedy the injustice when Plaintiff notified him via email on February 17, 2023, about McElroy's and J. Michaud's conspiracy. See exhibit "Q" (stloiyf.com/evidence/images/ex_q.jpg). His inaction also contravened 18 U.S. Code § 4 according to *Branzburg*.

45. Plaintiff called the federal syndicate, Rhode Island Division, on February 17, 2023, and spoke with Kayla. She said she has never seen an IFP motion be granted and an opening order be issued, then be vacated, and then the complaint be dismissed weeks later. That is because it has never happened .....before Plaintiff's case. If McElroy can be swayed by a single phone call from J. Michaud who belongs in prison for his many crimes and who has exactly zero evidence, yet not allow a plaintiff who has 100 percent rock-solid evidence to proceed, then she is certainly ***not*** an unbiased judge. In fact, she should be permanently removed from the bench, if not also imprisoned. The injustice to which she has been part is specifically the reason judges cannot be trusted and why Plaintiff *always* demands a jury trial.

46. On February 21, 2023, Plaintiff filed a petition for a writ of *mandamus* with the U.S. Court of Appeals for the First Circus, hoping that the criminals in black gowns would finally do something.....other

than commit more crimes. See exhibit “R” (stloiyf.com/evidence/pdfs/mandamus.pdf).

47. Being pissed off to the highest degree by the cumulative injustice at that time, Plaintiff filed an identical case in the federal syndicate, Massachusetts Division, on February 24, 2023, but in one of the state’s western courthouses in order to try and avoid the massive corruption he experienced previously in the eastern part of the state. Filing in this court was permitted according to court rule. However, this time he used placeholder names instead of real names, “Does” if you will, in order to try to trick the syndicate into delivering justice and to prevent J. Michaud from learning about the lawsuit prior to being served. It has become *so bad* in this nation that victimized litigants must stoop to such tactics in order for justice to have the slightest chance of prevailing. Plaintiff’s plan was to later file an amended complaint—as allowed by MA R. Civ. P. 15—with actual names.....just like he is doing now in this state matter. Against his wishes, the syndicate transferred the case to Boston, Massachusetts. Once that happened, Plaintiff knew exactly what the outcome was going to be.

48. It has taken *monumental* effort and several years, but Plaintiff has *finally* proved what he set out to prove: the federal syndicate is exactly that, a criminal enterprise run exclusively by criminals. When the litigants’ names were either hidden, redacted, aliased, or otherwise unknown, the case was allowed to proceed just fine. But once the names were known, or even suspected to be known, then the case had to be blocked at all costs. This is ***not*** justice. It is the very antithesis of justice and represents all that is wrong and evil in this world. This is why Plaintiff has filed in state court and is suing the entire federal syndicate—because it is *wildly, off-the-rails* corrupt and has never done anything according to law and continually injures Plaintiff. By making it this far in the instant case—*actually serving the defendant-criminals*—Plaintiff has gotten further than he has in all five prior attempts in the federal syndicate.

49. On March 8, 2023, unsurprisingly, defendant-criminals Gustavo Antonio Gelpí Jr., Jeffrey Robert Howard, and William Joseph Kayatta Jr. (hereinafter “Gelpí,” “Howard,” and “Kayatta,” respectively)—criminals because they violated 18 U.S. Code § 4 as determined in *Branzburg* by ignoring and trying to hide J. Michaud’s violations of and McElroy’s covering for 18 U.S. Code §§ 241, 1001, 1503, and 1512 and RI Gen. Laws §11-32-3 (all felonies) when J. Michaud contacted McElroy or someone else at the U.S. district court, and are now accessories to those crimes—refused to issue the writ of *mandamus* or

take any appropriate action whatsoever towards prosecuting the criminals.[25]

50. Plaintiff simultaneously also sued the syndicate, Rhode Island Federal Court Division, in the U.S. District Court for the District of Rhode Island on May 8, 2023, in order to force them to bring in an external arbiter in the matter since he didn't know how deep the corruption with McElroy penetrated. Was McElroy contacted by J. Michaud, or was someone else contacted.....who then informed McElroy to "fix" the case?[26] The answer will not be known until discovery, if at all. Plaintiff was hoping, albeit anemically, that ***one*** outside judge would finally step up to the plate and deliver justice instead of more fraud, crime, and corruption. Defendant-criminal Andrea Kneifel Johnstone (hereinafter "Johnstone") issued a "report and recommendation" that tried to hide the crimes, once again in violation of 18 U.S. Code § 4 and *Branzburg*. Plaintiff filed an objection to this report but to no avail.

51. On May 24, 2023, defendant-criminals Mark Jeremy Bennett, Eric David Miller, and Lawrence James Christopher VanDyke (hereinafter "Bennett," "Miller," and "VanDyke," respectively) committed criminal acts pursuant to 18 U.S. Code § 4, 241, 1001, 1018, and 1349 against Plaintiff via their bogus "MEMORANDUM." There, they falsely stated, "[Plaintiff] failed to allege facts sufficient to establish that these defendants' actions exceeded the scope of their employment." Crime *should not* fall within the "scope" of anyone's employment.[27] Plaintiff alleged—and can prove—perjury, fraud, and falsification of records, documents, and evidence in his complaint. These are all crimes under federal statutes. They further stated, "We reject as unsupported by the record [Plaintiff]'s contentions that the district court acted improperly or was biased against [Plaintiff]." By this statement, they were overtly and falsely

[25] 18 U.S. Code § 1503 (a) and (b) says: "(a) Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States.....shall be punished as provided in subsection (b).....imprisonment for not more than 10 years, a fine under this title, or both" (emphasis added).

[26] Former legendary jurist, Richard Allen Posner told Brian Vukadinovich, the foreword writer of Plaintiff's second book, that case-fixing happens all the time in American courts. One need look no further than Operation Greylord in which seventeen judges were indicted and several went to prison for this very crime, which is commonplace today.

[27] See *Traub v. Board of Retirement*, 34 Cal.3d 793, establishing that "illegal activity [is] outside the scope of employment" and *Burlington Industries, Inc. v. Ellerth,* 524 U.S. 742 (1998) "In applying scope of employment principles to intentional torts, however, it is accepted that 'it is less likely that a willful tort will properly be held to be in the course of employment'" and a "tort committed while '[a]cting purely from personal ill will' not within the scope of employment" (emphases added). Because of the abundance of evidence Plaintiff has revealing the massive fraud and criminal activity directed at him by Mihelic, her felonious acts were thus based upon personal ill will and maliciously directed at him. Her "conduct.....was motivated entirely by personal malice and did not occur within the course and scope of [her] employment." *Kephart v. Genuity Inc*., 136 Cal.App.4th 280, 38 Cal. Rptr. 3d 845 (Cal. Ct. App. 2006). "Scope of employment presents a question of fact" when events are in dispute and "conflicting inferences are possible." *Mary M. v. City of Los Angeles* (1991) 54 Cal.3d 202, 213 [285 Cal.Rptr. 99, 814 P.2d 1341]. The suit against Mihelic, Adler, and Carroll was wrongly dismissed since events were in ***significant*** dispute.

saying that members of the court did no wrong. However, since some of the original criminals—J. Michaud, Mihelic, Feuerstein, and Carroll, for instance—haven't been prosecuted, then it can be assumed that nobody in the district court reported their criminal misconduct and therefore violated 18 U.S. Code § 4 according to *Branzburg*. Based on the same reasoning, Bennett, Miller, and VanDyke did likewise.

52. Plaintiff sent an unrelated email to the syndicate, Ninth Circus Division in California, on July 10, 2023, asking a completely generic question about faxes. The ***very next day*** the email was read in Boston, Massachusetts, and defendant-criminal Leo Theodore Sorokin (hereinafter "Sorokin") coincidentally dismissed 1:23-cv-30024-LTS calling it fraudulent and threatening sanctions against Plaintiff, hoping once and for all to bury his quest for justice. See exhibit "S" (stloiyf.com/evidence/images/ex_s.jpg). His dispositive ruling also contravened 18 U.S. Code § 4 and *Branzburg*. Yet again, when criminals don't know they are being monitored, they will continue on their nefarious course. It is strongly suspected at this time that Sorokin not only violated 18 U.S. Code § 4 as proved by the evidence but also other elements of federal criminal law.

53. On November 2, 2023, Bennett and defendant-criminals Jennifer Sung and Holly Aiyisha Thomas (hereinafter "Sung" and "Thomas," respectively) committed several felonies, including, but not limited to, 18 U.S. Code § 4, 157, 241, 1001, 1018, and 1349. They did this when they knowingly made false statements in their unpublished "MEMORANDUM." They claimed, "However, the record does not support [Plaintiff's] contention" that "the bankruptcy court's and [Acting] United States [Mist]rustee's ([A]UST) alleged errors and malfeasance" are true. See the mountain of evidence of crime and corruption in exhibit "T" (stloiyf.com/evidence_of_criminal_misconduct_for_OIG.html)—in which only a *fraction* of it is revealed in a report to the DOI OIG, by the way—that these criminals chose to ignore in their ruling and that proves Plaintiff's allegations are ***100 percent true***. They further support hiding of the crimes below them with: "[W]e must take the well-pleaded factual allegations of the complaint as true." Mihelic filed the complaint. It, along with every single other document she filed, was rife with lies. Nobody should ever take *anything* said or written by a compulsive liar as "true." Bennett, Sung, and Thomas simply wanted to reinforce their desired corrupt outcome. For the record, Plaintiff never stated the bankruptcy court or the AUST—or anyone else for that matter—made any "errors" whatsoever in the bankruptcy. One or two falsified documents or misstatements could be considered errors. Fifty-plus

cannot. The actions of the prior criminals were calculated and deliberate. The statement by Bennett, Sung, and Thomas is yet another lie.[28]

54. On December 13, 2023, Plaintiff called the U.S. Supreme Syndicate.[29] He did so because he had previously filed two petitions for *writ of certiorari*, but one apparently the syndicate had lost. During the call, clerk Emily Walker asked Plaintiff for certain related case numbers so she could research what might have possibly happened to the petition. Plaintiff provided case number 20-20093-CL. Upon checking this matter in the system, she told Plaintiff that it had been sealed. This makes sense. Of all thirty-five or so cases in which Plaintiff has been involved, this is the one that had the most crime and corruption in it. Sealing, of course, is the best way to prevent such malignant behavior from being seen by public eyes.[30]

55. With Plaintiff's fury redlining during the aforementioned period, he decided to make several more attempts at justice at various times from mid-2021 through mid-2023, once each in the Florida, California, New York, and Georgia federal syndicates. He selected the latter two specifically because case law from them *absolutely* supports anonymous case filings. Instead of repeating the same mistake in Massachusetts, he decided to try a different approach and file anonymously.

56. Of course, case law unequivocally only supports anonymous filings.....if the plaintiff isn't this one. Once again, justice was stymied and blocked in these courts. Plaintiff pursued the matters in New York and Georgia to the appellate levels. The same tune was heard in those courts. Rules of court were broken. Law was perverted. Submitted papers were ignored, with "mandates" even being written saying such papers were never filed.....despite the court record clearly showing them on the docket. See exhibits "U" (stloiyf.com/evidence/images/ex_u.jpg) and "V" (stloiyf.com/evidence/images/ex_v.jpg). Although gaps exist in the docket as stated in exhibit "V," the criminals must have forgotten to include document 18-5, Plaintiff's MOTION TO RETAIN TEMPORARY ANONYMITY, in their sealing shenanigans, which would have made their lie revealed in exhibit "U" impossible to prove.[31] If they didn't forget, then

[28] The syndicate is so incredibly evil now that instead of recognizing the evidence Plaintiff submits so the criminals can be prosecuted and imprisoned where they belong, it is becoming abundantly obvious that syndicate members instead sift through it looking for anything they can use *against him* so they can stop not the crime, but the *reporting* of it.

[29] See line 8 on page 87 of exhibit "T" (stloiyf.com/evidence_of_criminal_misconduct_for_OIG.html) for the reason why the highest court in the land is also part of the syndicate and its judges and lawyers are part of this suit.

[30] Fraudulent intent "can be inferred from efforts to conceal the unlawful activity." *United States v. Montgomery*, No. 20-5891, 2022 WL 2284387, at *9 (6th Cir. June 23, 2022)

[31] See footnote 30.

they wanted the world to see their crime or they were just too stupid to hide the motion.

57. Plaintiff spoke with Barbara Hurst, law clerk for McElroy, by phone on March 18, 2024, who said she would inquire about the call J. Michaud made to the court. However, it would be folly to expect that those who committed state and federal felonies with J. Michaud would admit to doing it. Unsurprisingly, she replied in an email three days later, "No one I spoke to had any knowledge of such a call." Give Plaintiff the phone records. He will find proof of such a call. J. Michaud has made many calls to several attorneys, courts, and agencies in order to interfere with or obstruct justice to Plaintiff over the years. J. Michaud has made such illicit contact on no less than five different occasions.

58. Ultimately, because of Defendants' *ongoing* criminal and fraudulent conduct, Plaintiff lost—and is continuing to lose—$2,200 (in today's dollars) in monthly rental income, which he obtained from the property he managed as the legal landlord, thereby totaling lost revenue of approximately $66,600 to date.

59. Defendant has interfered with Plaintiff's business activities by depriving him of the vast majority of his income stream, which he obtained as landlord of the property. The property has also been stolen from an innocent third party in violation of CA Code – PEN § 487, MA Gen. Laws c. 266 § 30, and RI Gen. Laws § 11-41-1.

60. Plaintiff was already on the cusp of poverty. Defendants' actions have wrongly pushed him into *extreme* poverty since his other gross income stream of approximately $1,325 in monthly rental income (a net of only about $842 after condo fees, taxes, and insurance) as the landlord of another property is not even enough to cover his own apartment rental expenses totaling $1,515 monthly, which do not include utilities (all figures in today's dollars).

61. Plaintiff was put under extreme financial duress because of Defendant and was forced to liquidate his retirement account early in order to survive. As a result, the IRS now wants an exorbitant amount of money in penalties and interest that is truly the responsibility of Defendant.

62. Finally, here we are today—in California state court after successfully tricking the syndicate into taking a first step towards serving *justice* instead of relentlessly serving *in*justice and one step closer to a jury trial, which the defendants ***ABSOLUTLEY.....DO.....NOT.....WANT!*** In fact, Plaintiff has been blocked from a jury trial *no less than eight times* and has never been before a jury. The matter is now pushing twenty-five years with *thousands* of complaints having been filed, *thousands* of phone calls to

criminals in black gowns having been made, *tens of thousands* of emails having been sent to these same criminals and others, and *millions* of words written in court papers, in blogs, on social media, and in two books—all of which have been completely ignored by the syndicate with regard to delivering justice.

63. Judges are ***not*** completely immune from suit nor should they be. Maybe judges should not be liable for damages when they make genuine errors, but they should ***absolutely be liable for intentional misconduct or criminal acts***.[32] Anything contrary is just plain wrong. The sad reality is that the overwhelming majority of the 100-plus judges involved in Plaintiff's legal battles have been nothing more than despicable criminals in black gowns supporting criminal activity and committing crimes themselves. Only slightly more than a mere handful of them do not fit this description. If Plaintiff had done one-tenth of the reprehensible things that these criminals have done to him, he would have been put in "the chair" long ago.

64. Crime and deliberate misconduct of judges have recently been disfavored whereby the beloved *Stump* was blown out of the water with a ruling made in 2022 that slapped the judge-criminals involved in the "kids for cash" scandal with $206 million in damages.[33] Justice finally seems to be taking hold, at least in small steps, across the nation. "We've got to judge the judge."[34] The fact of the matter is that most glorified lawyer-criminals in black gowns *think* they can get away with it because they have a golden get-out-of-jail-free card. "It is ironic that any discipline doled out to the lawbreakers in these instances is *less* severe than it is to the average person when all logic dictates that it should be *more* severe because they know the law and, criminal defense attorneys excepted, enforce it on unsuspecting citizens every day" (emphasis original).[35]

65. This is just round three of a twelve-round fight—one that has lasted more than twenty years and forced Plaintiff to spend well over ***12,000 hours*** fighting crime. Note, however, that anytime criminals in black gowns commit crimes against Plaintiff, they will be held accountable so long as he hasn't taken a

[32] "It is true that as a general rule a judge can not be held criminally liable for erroneous judicial acts done in good faith. 30 Am.Jur., Judges, § 52. But he may be held criminally responsible when he acts fraudulently or corruptly." *Braatelien v. United States*, 147 F.2d 888 (8th Cir. 1945). See also *Mireles v. Waco*, 502 U.S. 9 (1991): "The Court, however, has recognized that a judge is not absolutely immune from criminal liability, *Ex Parte Virginia*, 100 U.S. 339, 348 -349 (1880), or from a suit for prospective injunctive relief, *Pulliam v. Allen*, 466 U.S. 522, 536 -543 (1983)" (emphasis added).

[33] law360.com/pulse/articles/1521688/-kids-for-cash-judges-slapped-with-206m-damages-ruling

[34] Pete Townshend, *White City: A Novel, Face the Face* (United States: ATCO Records, 1985).

[35] Sara Naheedy, Tom Scott, *Stack the Legal Odds in Your Favor* (United States: Smart Play Publishing, 2016), p. 14.

1 bath with a hairdryer or hanged himself from a doorknob or shot himself twice in the back of the head.
2 As the years pass, Plaintiff's tolerance for crime and corruption within the syndicate gets lower and lower.
3 He now has *zero* tolerance for it, maybe less. But the topic shouldn't even be up for discussion—because
4 crime in the U.S. legal system should not even exist!

5 66. The defendant-criminals fighting Plaintiff have one goal: defeat him at all costs. Just as the
6 Democrats will do anything to block President Trump, their archenemy, as was disgustingly clear during
7 his address to Congress on March 4, 2025, syndicate members will do anything to block Plaintiff, their
8 archenemy, including violating civil and criminal laws. As can be seen from page two and throughout
9 this complaint, the question is not: what laws did they break? The question is: what laws ***didn't*** they
10 break? In fact, they have violated no less than ***<u>sixty laws</u>*** in order to steer matters in the direction they
11 desire, i.e., ***away*** from justice and towards ***in***justice. Ruling contrary to case law—even against
12 *unanimous* U.S. Supreme Syndicate precedent, *Maness v. Meyers*, 419 U.S. 449 (1975), at one point—
13 wasn't enough to ensure victory in their minds. If they had been content with only ruling contrary to case
14 law, then Plaintiff would not have been able to bring this action because it would have no merit. There
15 are no laws, civil or criminal, about ignoring *stare decisis*. But they had to be greedy and go next-level in
16 order ***not*** to risk losing and therefore guarantee a "win." They had to violate civil and criminal statutes to
17 be assured of their claim to the trophy. This is far beyond infuriating! As with any matter, this one
18 should be decided on facts and law, not lies and criminal influence.[36] And just because a judge says
19 something wrong or false doesn't mean it is then true. It means the judge is corrupt. A judge could say—
20 or order—that gravity doesn't exist. We all (should) know that such a statement is false. And lastly,
21 ***members of the syndicate are not supposed to help the opposing party and break laws in order to do so!***

22 67. Case-related "coincidences" over the past decade or so include, but are not limited to:

23
24
- The sum awarded to Parent and J. Michaud by the corrupt Massachusetts courts was suspiciously close to the damages requested ($31,438.31) in Plaintiff's MOTION FOR DEFAULT JUDGMENT.

25
26
27
- The corrupt Massachusetts court first *officially* mentioned its "error" on the docket on September 15, 2014, six days after J. Michaud filed his motion to vacate judgment on September 9, 2014—the 9th being a day *later* than the email Plaintiff received from the court saying "the judgement [*sic*] that issued has been vacated,"—and *prior* to any hearing for the motion. Note that it took ***seven*** days after the first of two related emails to

28
[36] "Artists use lies to tell the truth, while politicians [and members of the legal system] use them to cover the truth up." Evey Hammond (Natalie Portman), *V for Vendetta* (United Kingdom: Silver Pictures/Warner Bros., 2006)

Plaintiff to "correct" the docket.

- The year J. Michaud was appointed judge, 2018, MA Gen. Laws c. 268 § 13B magically changed after Plaintiff *repeatedly* revealed in court filings and elsewhere that J. Michaud violated it numerous times—this after it not having changed in decades.
- Just *one day after* the case opening notice for 1:22-cv-354-MSM-LDA was blasted out on PACER, McElroy reversed/vacated everything, but it took her nearly *two weeks* to state *why* she was dismissing the lawsuit.
- The *day after* Plaintiff sent a generic email to the U.S. Court of Appeals for the Ninth Circus and it being read in Boston, Massachusetts, apparently after forwarding—without any righteous reason—Sorokin dismissed 1:23-cv-30024-LTS, which was filed essentially using "Does," but he, of course, made it sound like fraud.
- The ***only*** party that *didn't* get involved in Plaintiff's bankruptcy is the ***only one*** he listed as a "creditor"/criminal on his initial schedules—Parent—most likely because Smith, her attorney, was told by J. Michaud, "Don't worry; I will make a call and take care of all this, so don't waste your time," since J. Michaud specializes in making nefarious phone calls and committing crimes.
- Less than a year after Plaintiff filed a judicial misconduct complaint against Adler, she abruptly and mysteriously "retired."
- One day after sending approximately 10,000 emails from his server to thirty judge-criminals and other court personnel nationwide thus crippling for an entire day the U.S. District Court for the District of Rhode Island and the U.S. Court of Appeals for the First Circus, Plaintiff was greeted by roughly ten domestic terrorists (federal agents) upon leaving his abode for the airport.[37] He essentially told them to pound sand. Amazingly, for the *first time* in his life, he could not get through TSA and therefore missed his flight.
- The probability of McElroy being assigned to both of Plaintiff's cases randomly is only 20 percent.
- All fifty-plus of the "errors" in Mihelic's bogus lawsuit favored her. Not a single one favored Plaintiff. Chances of that happening purely randomly are less than 1 in 1,125,899,906,842,624. Powerball is more than 3.8 million times *easier* to win.[38]
- Other than administrative/non-jurisprudence-based rulings, Plaintiff has been ruled against seventy-seven consecutive times. The chance of that happening by (bad) luck is 1 in 151,115,727,451,828,646,838,272 (151 sextillion). By comparison, *only* half that many stars are suspected to exist in the known universe.

68. Considering all of the preceding, this is a 16-count action for intentional tortious conduct with the following causes:[39]

- INTENTIONAL VIOLATION OF LAW, RESPONIBILITY PER CA CODE – CIV § 1714
- CONVERSION/CIVIL THEFT PER CA CODE – CIV § 3336, CA CODE – PEN § 496,

[37] At least four or five *known* times have they visited, but as of March 10, 2025, they are now visiting other people instead of Plaintiff because they cannot get what they need out of him in order to build a bogus case against him.

[38] Incidentally, if all the "errors" are included since the genesis of Plaintiff's dealings with the syndicate in precipitating matters, the number would easily eclipse 100. Taking this into consideration, the chances then become roughly 1 in 10^{30}. Illustrating the lunacy of this number, it is approximately equal to the mass of our sun in pounds.

[39] While only one person is a plaintiff in this lawsuit, there is at least one other victim who has been injured by the defendants: the owner. This is mentioned particularly for certain counts that also affect that third party, for example, actual fraud/concealment, RICO, personal injury, wrongful attachment, and IIED.

RI GEN. LAWS § 10-5-8, AND 15 U.S. CODE § 1673

- VIOLATION OF CA CODE – CCP §§ 487.020 AND 706.050; RI GEN. LAWS §§ 9-26-4, PROPERTY EXEMPT FROM ATTACHMENT, AND 10-5-8, GARNISHMENT OF WAGES RESTRICTED TO AMOUNTS NOT EXEMPT; AND 15 U.S. CODE § 1673
- VIOLATION OF CA CODE – CIV §§ 1940.2 AND 1946.2 AND R.I. GEN. LAW § 34-18-37, IMPROPER TERMINATION OF PERIODIC TENANCY
- WRONGFUL ATTACHMENT PURSUANT TO CA CODE – CCP §§ 490.010 AND 490.020
- INTENTIONAL INTERFERENCE WITH ECONOMIC ADVANTAGE
- ABUSE OF PROCESS
- VIOLATION OF 11 U.S. CODE § 362, AUTOMATIC STAY DURING BANKRUPTCY, AND CA CODE – PEN §§ 484, 487, 496, AND 532
- NEGLIGENCE/VIOLATION OF CA CODE – CIV § 1714 AND RI GEN. LAWS §§ 9-20-4 AND 9-26-4
- FILING A FRAUDULENT LIEN IN VIOLATION OF CA CODE – PEN § 115 AND RI GEN. LAWS § 11-18-1
- ACTUAL FRAUD/CONCEALMENT
- LIABILITY PURSUANT TO 42 U.S. Code § 1983
- VIOLATION OF RICO STATUTES CA CODE – PEN § 186, RI GEN. LAWS § 7-15-1 *ET SEQ*., AND 18 U.S. CODE § 1962 AND § 1964 (in three distinct counts)
- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

This is a *pro se* complaint entitled to a liberal reading and less stringent standards since it was prepared without assistance of counsel. See *Haines v. Kerner, et al.*, 404 U.S. 519, 92 S. Ct. 594 (1972).

"Most of us.....thought that justice came into being automatically, that virtue was its own reward, that good would triumph over evil. But.....we know this just isn't true. Individual human beings have to create justice. And this is not easy because the truth often poses a threat to power. And one often has to fight power at great risk to themselves. The truth is the most important value we have, because if the truth does not endure, if the government murders truth, if we cannot respect the hearts of these people, then this is not the country in which I was born, and it's certainly not the country I want to die in." **— *Jim Garrison (Kevin Costner),* JFK *(United States: Warner Bros., 1991)***

COUNT 1: INTENTIONAL VIOLATION OF LAW, RESPONIBILITY PER CA CODE – CIV § 1714

69. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

70. This count is against all defendants.

71. Defendant had and has the "duty to use ordinary care" to follow civil and criminal law and ***not*** intentionally violate it against Plaintiff. Defendant was fully aware, or should have been, that Plaintiff was going to be *severely* injured financially because of their *intentional tortious and criminal actions* and that he would lose his job as landlord of the property and would continue to be without this job if they did not stop disregarding civil law and committing crimes; however, Defendant continues to act willfully

contrary to civil and criminal law against Plaintiff and failed and will continue to fail to make him whole. By doing so, he was removed as landlord of the property and no longer receives the income associated with being landlord of it.

72. Plaintiff did not consent to Defendant submitting falsified documents, committing other criminal acts, making untruthful statements, or violating civil law. To the contrary, he *vehemently* opposed all this. It did no good, however. Defendants' crime and violations of civil law continue unabated.

73. Defendant was the direct and proximate cause of damages to Plaintiff. By the foregoing acts or omissions to act, Defendant *intentionally* caused damages to Plaintiff.

74. As a direct and proximate result of the foregoing acts or omissions to act, Defendant has intentionally injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

75. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 2: CONVERSION/CIVIL THEFT PER CA CODE – CIV § 3336, CA CODE – PEN § 496, RI GEN. LAWS § 10-5-8, AND 15 U.S. CODE § 1673

76. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

77. This count is against all named defendants.

78. Because Defendants *intentionally* falsified documents, made false statements, and/or participated in fraudulent activity, Plaintiff's income stream from the property was converted.

79. The actions of Robinson and Sylvester and other actions following the entry of the fraudulent judgment in the Rhode Island Superior Syndicate by Parent, including, but not limited to, the steps Smith took to move the case through the court and cause corruption of title to the property and the notices left at or sent to the property by J. Michaud, M. Michaud, Sylvester, and Hart, have been in contravention of the laws for this count. So have the actions of the remaining named defendants who have directly, or indirectly as accessories, violated the laws for this count. The preceding actions by Defendants thus caused the monthly rental income due to Plaintiff under the provisions of the lease for the property at that

time to be diverted away from him so that, as of April 2022, he has received none of the rent money.

80. Defendants were notified by email—once on June 27, 2022, and again on July 5, 2022—and in filings in the RI case of garnishment law violations yet continue to convert directly or indirectly monies due Plaintiff and failed to return amounts already converted and have thus financially crippled him. Except possibly for Sylvester and Parent, all named defendants are presumed to have a Juris Doctor degree (hereinafter "JD") since they "practice law" in some form or another and should be well aware of garnishment/attachment limitations.

81. As of today, no known (written) court order has issued that dictates rent moneys for the property should be so diverted. With regard to civil theft, RI Gen. Laws § 9-1-2 allows for double damages, but California law allows for treble damages.[40]

82. Upon information and belief, certain defendants either directly or indirectly benefitted from the rental income from the property after their nefarious actions diverted the rent payments away from Plaintiff. Based on an email from Plaintiff's then tenant, the beneficiaries likely included J./M. Michaud and Parent, but discovery will be needed to prove the amounts to each thief and if others are recipients. See exhibit "H" (stloiyf.com/evidence/images/ex_h.jpg).

83. Plaintiff did not consent to Defendant submitting falsified documents, committing other criminal acts, making untruthful statements, or violating civil law. To the contrary, he *vehemently* opposed all this. He also did not consent to the conversion of his income, that being the rental income from the property.

84. As a direct and proximate result of the foregoing violations of civil theft doctrine, Defendant has intentionally injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

85. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92, trebled to $1,059,983.76 per California Supreme Court case law, together with interest pursuant to CA Civil Code § 3336. Plaintiff also seeks punitive damages because Defendants' actions involved intentional fraud and malice and disregarded

[40] *Siry Investment, L.P. v. Farkhondehpour* (Cal. Jul. 21, 2022 No. S262081) 2022 WL 2840312

Plaintiff's rights.[41]

COUNT 3: VIOLATION OF CA CODE – CCP §§ 487.020 AND 706.050; RI GEN. LAWS §§ 9-26-4, PROPERTY EXEMPT FROM ATTACHMENT, AND 10-5-8, GARNISHMENT OF WAGES RESTRICTED TO AMOUNTS NOT EXEMPT; AND 15 U.S. CODE § 1673

86. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

87. This count is against all named defendants.

88. CA Code – CCP § 487.020 specifically says in part, "[T]he following property is exempt from attachment: (b) Property which is necessary for the support of a defendant who is a natural person or the family of such defendant supported in whole or in part by the defendant." Plaintiff's rental income/earnings from the property was absolutely "necessary for the support" of Plaintiff, but it has basically been attached as has been the property itself—to be clear, both have been ***stolen*** in contravention of CA Code – PEN § 487, MA Gen. Laws c. 266 § 30, and RI Gen. Laws § 11-41-1.

89. RI Gen. Laws § 9-26-4(8)(ii) specifically says, "The entire wages or salary of any debtor due or payable from any employer, where the debtor has been the object of relief from any state, federal, or municipal corporation or agency for a period of one year from and after the time when the debtor ceases to be the object of such relief," is exempt.

90. Defendants Parent and Smith were made aware that Plaintiff was receiving such relief because Plaintiff stated so in a motion filed in the RI case, which they were served: "Just days ago I have been put on SNAP/food stamps. I am also on state medical aid and the Lifeline program." Evidence was attached to the motion showing that such relief had been ongoing since as early as January 5, 2022, and the medical aid, in fact, predates 2016. Other defendants know this because it has been plastered in countless filings in a multitude of cases in numerous courts, including, but not limited to, IFP waivers in every single one.

91. Irrespective of the legitimacy of anything else related to the property, both state and federal laws limit the amount of income that can be garnished. Based on Plaintiff's income at the time, 15 U.S. Code § 1673(a)(2) sets the limit at $23.57 per month, but RI Gen. Laws § 9-26-4(8)(ii) and CA Code – CCP § 706.050 set it at $0 per month. Also, pursuant to RI Gen. Laws § 10-5-8, any amounts *legally* attached must be "in excess of the amount of the defendant's salary or wages exempt by law from attachment."

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[41] *In re Brian S.* (1982) 130 Cal.App.3d 523, 530.

92. RI Gen. Laws § 9-26-4(16) specifically says, "In addition to the exemptions herein, a debtor in bankruptcy may exempt an additional six thousand five hundred dollars ($6,500) in any assets" (emphasis added). Since the only major asset Plaintiff owns is his vehicle—valued at approximately $1,129—and he was "litigating" in the bankruptcy court at the time his assets were in attachment, as were those of a third party, their seizure of rent payments has exceeded the amount allowable according to law by $5,371.

93. Plaintiff did not consent to any garnishment whatsoever of his income.

94. As a direct and proximate result of their violations of 15 U.S. Code § 1673, CA Code – CCP §§ 487.020 and 706.050, and RI Gen. Laws §§ 9-26-4 and 10-5-8, Defendant has intentionally injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

95. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 4: VIOLATION OF CA CODE – CIV §§ 1940.2 AND 1946.2 AND R.I. GEN. LAW § 34-18-37, IMPROPER TERMINATION OF PERIODIC TENANCY

96. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

97. This count is against all named defendants.

98. Although one notice from defendant Hart was received by Plaintiff's tenant "at least three (3) months prior to the expiration of the occupation year," the lease applicable to the tenant did not expire until September 30, 2022, so instructing him to move before then as defendant Hart did in this notice violated RI Gen. Laws § 34-18-37. CA Code – CIV § 1946.2 requires "just cause" stated in a "written notice" in order to evict a tenant at any time; otherwise, the tenant can only be removed at the end of the lease. Thus, any removal of Plaintiff's tenant before September 30, 2022, without "just cause" in a "written notice" would have contravened the law. Regardless, Hart's notice amounted to nothing more than threats and harassment since the defendants have *fraudulently* changed "ownership" of the property.

99. Defendants J. Michaud and/or M. Michaud left at least one notice at the property shortly before April 7, 2022, threatening eviction and/or removal of belongings. Other harassing notices have been left at or sent to the property around this time frame by Defendants or their operatives in violation of CA

Code – CIV § 1940.2(3).

100. Plaintiff did not consent to Defendants' termination of his tenant's tenancy.

101. As a direct and proximate result of the acts by the defendants regarding corruption of title to the property and the violations of RI Gen. Laws § 34-18-37 and CA Code – CIV §§ 1940.2 and 1946.2, Defendant has intentionally injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

102. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 5: WRONGFUL ATTACHMENT PURSUANT TO CA CODE – CCP §§ 490.010 AND 490.020

103. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

104. This count is against Parent and Smith, but Plaintiff reserves the right to add others if evidence found during discovery reveals other culprits.

105. The property was not subject to attachment because it provided more than 50 percent of Plaintiff's income, and since it has been levied and "sold" via Defendants' civil and criminal acts, his net income has become and remains negative and he has been forced into extreme poverty. It was also not subject to attachment because it was ***not even owned*** by Plaintiff, which Defendants know.

106. In a letter dated March 25, 2021, Smith even addressed the owner as if it was exclusively hers—because it truly was—and still is. Smith knew that it was and stated, "In accordance with our written request, the Constable has scheduled a Constable's Sale of your real estate at 116 Rocky Brook Way, Unit 26, South Kingstown, Rhode Island" (emphasis added). He continued: "If you plan to pay this matter in full prior to the sale, you must do so at our office....." The owner has never owed any debt—fraudulently obtained or otherwise—to Defendants and is not, and never was, obligated to pay any monies to them. Smith openly admitted he pursued the wrong person to pay the fraudulent debt attributed to Plaintiff.

107. The owner has been the sole owner of the property since July 2014 and well before Parent or J. Michaud filed any pleadings whatsoever in the originating case in Massachusetts; therefore, Defendants have wrongfully attached the property since the owner has never owed a debt to either of them. Both

have perhaps even benefited from its "sale." As such, Defendants' act of attachment and "sale" also violates CA Code – CCP §§ 490.010, which has injured Plaintiff and the owner.

108. Plaintiff did not consent to Defendants' illegal attachment of the property or the "sale" of it.

109. As a direct and proximate result of the wrongful attachment of the property by the defendants and their violation of CA Code – CCP §§ 490.010, Defendant has intentionally injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

110. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333 and/or CA Code – CCP §§ 490.020, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 6: INTENTIONAL INTERFERENCE WITH ECONOMIC ADVANTAGE

111. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

112. This count is against all named defendants.

113. Plaintiff had been the landlord of the property for many years, since 2014. For each tenant of the property from that time until his respective landlord job was terminated and his rental income converted due to Defendants' misconduct, he maintained a written yearly lease with each tenant.

114. Certain named defendants were well aware of the lease because Plaintiff had provided copies directly to them. Others were aware because they have access to the court "records" containing the lease.

115. Defendant engaged in conduct that prevented or hindered execution of the lease, specifically, they produced falsified documents, made false statements, left or sent the tenant harassing notes/letters, and/or did other fraudulent acts that ultimately led to the early termination of Plaintiff's rental income from the property in violation of the lease and the loss of Plaintiff's respective income thereafter as landlord, or their malevolent actions prevented remediation of other defendants' bad conduct via their fraudulent rulings and/or criminal activity directed at Plaintiff in order to protect these miscreants and prevent Plaintiff from recovering his rental income and the owner from recovering the property.

116. Defendant knew without question that Plaintiff's income as landlord of the property would cease due to their nefarious activity.

117. Plaintiff did not consent to Defendants' interference with his position as landlord of the property.

118. Defendant was the direct and proximate cause of damages to Plaintiff. By the foregoing acts or omissions to act, Defendant intentionally caused damages to Plaintiff.

119. As a direct and proximate result of the foregoing acts or omissions to act, Defendant has intentionally injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

120. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 7: ABUSE OF PROCESS

121. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

122. This count is against Hart, J. Michaud, M. Michaud, Parent, and Smith.

123. Assuming incorrectly for the moment that Parent had a valid judgment against Plaintiff and then entered that judgment in the Rhode Island syndicate, which it appears she did in 2016, such legal proceeding would then have been done in "proper form." However, Defendants have violated Plaintiff's constitutional rights, rules of procedure, various state and federal civil and criminal laws, and various elements of common law and have used the proceedings for an "ulterior or wrongful purpose" to attach and/or seize the owner's real property and to wrongly garnish Plaintiff's income. Moreover, Defendants have acted with malice and have not legally enforced any "judgment" against Plaintiff.

124. As a direct and proximate result of the foregoing acts or omissions to act, Defendant has intentionally injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

125. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92. Because of the egregiousness of the offenses and as supported by settled law from the U.S. Supreme Syndicate, Plaintiff seeks punitive

damages against Defendants.[42]

COUNT 8: VIOLATION OF 11 U.S. CODE § 362, AUTOMATIC STAY DURING BANKRUPTCY, AND CA CODE – PEN §§ 484, 487, 496, AND 532

126. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

127. This count is against Hart, J. Michaud, M. Michaud, Parent, and Smith.

128. As stated in the introduction, Plaintiff filed for bankruptcy on February 28, 2020. The stay began on that day and continued through August 3, 2021. On June 10, 2021, Ronald Russo, as an agent for Defendants, "sold" the property in violation of the stay in effect at the time and CA Code – Pen §§ 484, 487, 496, and 532. "Selling" any property under such circumstances would make the transaction and corresponding deed void as a matter of law. See, for example, *Albany Partners Ltd. v. Westbrook* (*In re Albany Partners, Ltd.*), 749 F.2d 670, 675 (11th Cir. 1984). See also *In re Soares*, 107 F.3d 969 (1st Cir. 1997) (Holding that action taken in derogation of the automatic stay is not merely "voidable" but "void"). Plaintiff does not now know if Russo is in violation of civil or criminal law, and Plaintiff reserves the right to add him later as a defendant pending discovery.

129. Plaintiff did not consent to Defendants' violation of the automatic stay, which they deliberately, knowingly, and willingly violated.

130. As a direct and proximate result of Defendants' violation of the automatic stay, Defendant has injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

131. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 9: NEGLIGENCE/VIOLATION OF CA CODE – CIV § 1714 AND RI GEN. LAWS §§ 9-20-4 AND 9-26-4

132. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

133. This count is against all defendants.

134. Lamb illegally vacated the default judgment originally and rightfully given to Plaintiff after communicating with J. Michaud on or before September 8, 2014. She did this either as a favor to J.

[42] *Heck v. Humphrey*, 512 U.S. 477 (1994)

Michaud or because of bribery. Both of them intentionally, knowingly, and recklessly contravened the rules of civil procedure, civil and criminal law, and the U.S Constitution.

135. Lamb also spoke with the owner by phone on September 15, 2015, regarding rescheduling of the trial in the Massachusetts case and again sometime during November or December of that year regarding status of certain aspects of that case. However, the owner received no definitive information with respect to either but should have since the trial was scheduled for September 15, 2015, and the status was also available during the latter conversation. Plaintiff also emailed Lamb prior to this date regarding same.

136. Rhode Island clerks were precluded, according to *Dionne* as stated in paragraph 14, from issuing writs against property of alleged debtors—much less against property of others. Nonetheless, at least two clerks, Keegan and Thompson, carelessly issued them against the property.

137. Parent and/or Smith should have contacted Plaintiff by phone, text, or email to give notice of proceedings in the RI case or, at a minimum, ask if process could be sent via one of these means to ensure it would be received. Plaintiff has provided his phone number and email address in various court records in several matters in many states, some to which Parent and/or Smith have even been a party. Rather than exercise due care by exhausting all means of communication to contact Plaintiff, they did not do so.

138. Robinson and Sylvester exhibited gross negligence when they failed to check if Plaintiff's income was subject to a court order for garnishment relative to the fraudulent debt and if any of his rental income could be taken under 15 U.S. Code § 1673(a)(2) or if it was exempt under RI Gen. Laws § 9-26-4(8)(ii). They could have contacted Plaintiff through his tenant to inquire about this; however, without doing so, they informed the tenant to send rent payments for the property to other defendants or their operatives.

139. Relevant to statutes limiting garnishment of wages, the defendants who are known to be versed in law—more than 99.997 percent of them—should be aware of such statutes. Plaintiff made perfectly clear in many court filings to which Parent and Smith were privy that his income bordered on the poverty line. Parent, J. Michaud, M. Michaud, Hart, and Smith acted recklessly by failing to take proper precautions before garnishing more of Plaintiff's income than should have been taken, which is $0 according to law.

140. Pursuant to Rule 4 of the Rhode Island rules of civil procedure and an email exchange Plaintiff had with Keegan, out-of-state litigants are to be personally served process or served with a signed receipt of delivery, most likely to prevent this precise type of fiasco from occurring. No such service was made

or, to the best of Plaintiff's knowledge, ever attempted.

141. RI Sup. Ct. R. Civ. P. 4(m)(3) states, "The writ of attachment.....shall be submitted to the court with a motion for its issuance." Nothing in the docket reveals such a motion ever being submitted or heard. The vacated hearing of June 15, 2022, was never entered into the court docket nor was any motion to continue by Smith. Most likely, he moved the hearing originally scheduled for that date by simply phoning the court and asking for it to be moved to July 15, 2022, which was then rescheduled again because of an alleged conflict according to the chief clerk, Oates, in an email: the judge "will not be in Washington County during the week of July 15, 2022 [*sic*] as she has been assigned to a matter in Providence County that week." See exhibit "I." The hearing was then rescheduled for July 8, 2022, but was vacated again; however, this action was also never entered into the docket. One is left to wonder how many other important events have been omitted from the docket and/or short-circuited. The syndicate has the duty to follow rules of procedure, the law, and the U.S. Constitution but hasn't done so.

142. RI Gen. Laws § 9-4-9(a) requires that a *lis pendens* be filed in the town or city where property is situated whenever a legal action has been filed that concerns title to real estate.[43] Smith and Parent failed to file such a document. It is quite possible that the town of South Kingstown, Rhode Island, would have contacted Plaintiff about such a document had it been filed, which would have given Plaintiff notice during the very early stages of the RI case that things were amiss. The town has called Plaintiff on multiple occasions regarding the property, for example, when issues related to taxes have arisen.

143. Parent knowingly filed the fraudulent judgment in Rhode Island, and she and Smith also placed a lien on the wrong property. They acted with gross negligence—if not malice—by not removing the lien once informed that the property was owned solely by the owner.

144. Other defendants had or have the duty to follow this nation's laws since all related litigation (so far) has occurred domestically. They failed ***every single time*** and will continue to fail fulfilling that duty. There is no reason and no proof to believe otherwise.

145. Plaintiff did not and does not consent to any of Defendants' intentional acts in this count.

146. As a direct and proximate result of Defendants' negligent acts, Defendant has injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property.

[43] webserver.rilegislature.gov/Statutes/TITLE9/9-4/9-4-9.htm

1 Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be
2 subject to approximately $286,727.92 in interest and penalties.
3 147. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said
4 interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals
5 approximately $66,600 to date, for a grand total of $353,327.92.

6 **COUNT 10: FILING A FRAUDULENT LIEN IN VIOLATION OF CA CODE – PEN § 115 AND RI GEN. LAWS § 11-18-1**

7 148. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.
8 149. This count is against Parent and Smith, but Plaintiff reserves the right to add others if evidence
9 found during discovery reveals other culprits.
10 150. The lien on the property allegedly filed on February 7, 2020, by Defendants is fraudulent in that
11 the foreign judgment ultimately used to create the lien was fraudulently obtained. The lien has also been
12 placed on real estate not owned by Plaintiff and is therefore also fraudulent and false for that reason.
13 151. CA CODE – PEN § 115(a) is relevant with the latter stating: "<u>Every person who knowingly</u>
14 <u>procures</u> or offers <u>any false</u> or forged <u>instrument</u> to be filed, registered, or recorded in any public office
15 within this state, which instrument, if genuine, might be filed, registered, or recorded under any law of
16 this state or of the United States, <u>is guilty of a felony</u>." RI Gen. Laws § 11-18-1(a) states: "<u>No person</u>
17 <u>shall knowingly give to any</u> agent, employee, servant in public or private employ, or <u>public official any</u>
18 receipt, account, or other <u>document</u> in respect of which the principal, master, or employer, or state, city,
19 or town of which he or she is an official is interested, <u>which contains any statement which is</u> false or
20 erroneous, or <u>defective in any important particular</u>....." (emphases added). Defendant has violated both.
21 152. Plaintiff did not consent to Defendants' filing and maintaining a fraudulent lien on the property.
22 153. As a direct and proximate result of Defendants' showing intentional misconduct by knowingly
23 filing a fraudulent lien and thereafter refusing to remove it once they were informed that Plaintiff did not
24 own the property, Defendant has injured Plaintiff in his business/employment as landlord thus causing
25 him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement
26 account early in order to survive and will be subject to approximately $286,727.92 in interest and
27 penalties.
28 154. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said

interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 11: ACTUAL FRAUD/CONCEALMENT[44]

155. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

156. This count is against all defendants.

157. The ***overwhelming majority*** of the extrinsic fraud—if not all the fraud—illuminated in this action was fraud on the court by officers of the court.[45] [46] Plaintiff has been blocked from presenting his cases in New York, Florida, Georgia, Massachusetts, Rhode Island, and California—all because of such fraud.[47]

158. In the case in Massachusetts that gave rise to the fraudulent judgment entered in Rhode Island, rules of procedure, civil and criminal laws, the code of conduct, judicial canons, and the U.S. Constitution were not violated—they were obliterated. Evidence revealing the sheer magnitude of the egregious behavior of many bad actors can be found in nearly all hyperlinks here: stloiyf.com/evidence/letter.htm. A complaint Plaintiff filed with the DOI that encompasses the fraud in the originating case and in his bankruptcy can be found at: stloiyf.com/complaint/complaint.htm.[48] See also chapter six in his second book which can be read for free at: oais.us.[49]

159. All the wrongdoing described in count nine, if done deliberately, constitutes more fraud, if not

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[44] For this and all remaining counts, see the mountain of evidence of crime, corruption, and fraud in exhibit "T" (stloiyf.com/evidence_of_criminal_misconduct_for_OIG.html).

[45] From *Kenner v. C.I.R*, 387 F.2d 689 (7th Cir. 1968), "[A] decision produced by fraud on the court is not in essence a decision at all, and never becomes final" and "'Fraud upon the court' should, we believe, embrace only that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication" (emphasis added). Any "abnegation by the judge of his judicial function" is "fraud by him upon the judicial institution." "Courts have found fraud upon the court.....where there has been the most egregious conduct involving a corruption of the judicial process itself.....[such as] the involvement of an attorney (an officer of the court) in the perpetration of fraud." *Lockwood v. Bowles*, 46 F.R.D. 625, 13 Fed. R. Serv. 2d 1299, 1969 U.S. Dist. LEXIS 13523 (D.D.C. 1969). ***All*** the named judge-criminals herein have "abnegated" their duties. J. Michaud and Mihelic have been instrumental "in the perpetration of fraud" to the highest levels imaginable.

[46] F.R.Civ.P. 60(d) sets no time limit for an "independent action" or to "set aside a judgment for fraud on the court." This rule also states that the "action may or may not be begun in the court which rendered the judgment."

[47] "Fraud or mistake is extrinsic when it deprives the unsuccessful party of an opportunity to present his case to the court. [Citations.] If an unsuccessful party to an action has been kept in ignorance thereof [citations] or has been prevented from **fully** participating therein [citation], there has been **no true adversary proceeding**, and the judgment is open to attack **at any time**" (strong emphasis added) *Hamacher v. People*, 26528 2d. (1963).

[48] *Allen v. WestPoint-Pepperell, Inc.*, 945 F.2d 40, 44 (2d Cir.1991). The complaint may include: (1) documents incorporated by reference in the complaint; and (2) facts taken on judicial notice. *Pungitore v. Barbera*, No. 12-1795-cv, 2012 WL 6621437, at *2 (2d Cir. Dec. 20, 2012).

[49] amazon.com/Our-American-Injustice-System-Syndicate/dp/0996592970

conspiracy to commit fraud. Evidence revealed during discovery should provide enlightenment as to whether those acts were negligent or deliberate and thus may be later incorporated into this count.

160. J. Michaud's political connections with former U.S. Senator Scott Brown helped the level of fraud and corruption in the Massachusetts case that truly spawned this complaint reach astronomical levels. ***Everything*** Defendants have done is fraudulent and includes, but is not limited to, the following:

- On at least three occasions from 2005 to 2015, J. Michaud contacted Plaintiff's lawyers and—at least twice by his own admission—violated MA Gen. Laws c. 268 § 13B in order to mislead and/or intimidate Plaintiff's lawyers to "withdraw" and get one step closer to transforming a legitimate default judgment in Plaintiff's favor into a fraudulent judgment in his client's favor. One example can be found at: stloiyf.com/evidence/images/my_attorney_confirms_michaud_violates_GL_chapter_268_section_13B.jpg.
- In September 2014, J. Michaud called the Massachusetts court. The purpose of his call was to vacate the legally sound default judgment originally given to Plaintiff, which Lamb did merely as a result of receiving the phone call—a fraudulent act in clear violation of the rules of procedure, law, and Constitution.
- In September 2014, *nearly nine years late*, Parent and J. Michaud filed a fraudulent answer and counterclaim. Proof can be found at the following link: stloiyf.com/evidence/images/docket_fall_2014.jpg.
- The court "docket" in that case was contrived/manipulated/falsified several times in favor of J. Michaud and Parent, which is easily proved and reflected in the evidence. One example can be found at: stloiyf.com/evidence/images/manipulated_court_record2.jpg. Never was it contrived/manipulated/falsified in favor of Plaintiff.
- Plaintiff was told in an email not to contact the court about the case and was denied a trial—clear violations of his constitutional rights.
- Hearings were held clandestinely. One example can be found at the following link: stloiyf.com/evidence/images/secret_hearings.jpg.
- After J. Michaud was appointed judge in 2018 and Plaintiff had *repeatedly* stated in many court filings and elsewhere that J. Michaud had violated MA Gen. Laws c. 268 § 13B, it magically changed so that he could not be prosecuted for multiple violations of it.
- After being the beneficiary of the new "judgment" and likely viewing it as a "free lunch" but knowing full well that it was fraudulent, Parent, seemingly through her then-counsel, entered it as a foreign judgment in the Rhode Island Superior Syndicate, allegedly on February 3, 2016.
- Sometime during the period from March 1, 2020, through May 30, 2020, J. Michaud contacted the U.S. Mistrustee's Office and, as a legally disinterested party, interfered with justice by conveying false information to an employee there in order to block the discharge of Plaintiff's "debt." No less than seven distinct forms of evidence exist that prove he made contact.[50]
- Sometime after March 1, 2020, Mihelic concealed much information that was crucial to Plaintiff's defense in his bankruptcy: records of emails (some of which she accidentally provided to Plaintiff), records of phone calls (particularly to J. Michaud), and probably

[50] See page 82 of exhibit "T" for this evidence (stloiyf.com/evidence_of_criminal_misconduct_for_OIG.html).

many other such records—all after denying their very existence.[51] Some records, such as the crucial audio recordings of the 341 meetings, were provided at the 11th hour—only about two months before the fraudulent "FINAL ORDER" issued thus confirming the ***predetermined*** outcome of the case, which was decided well over a year prior at about the time Plaintiff filed his chapter 7 petition.

- On or about March 25, 2021, Smith sent a letter to the owner allegedly informing her that a "sale" of the property was planned—despite knowing that she owed no debt to him, Parent, or anyone else; knowing that the automatic stay from Plaintiff's bankruptcy was still in effect; and knowing that the property was solely in the owner's name.
- On June 10, 2021, Parent "bought" the property during a fraudulent sale of it that also violated the stay.
- On or about July 14, 2021, Parent "sold" the property to FUBAR Realty Trust, to which M. Michaud was mistrustee. Ironically, the acronym describes the syndicate perfectly.
- On dozens of dates after March 1, 2020, *every single* judge-criminal-defendant that has ruled in related matters has committed *no less than* **two federal felonies**—falsification of official records and misprision of felony—since *every single jurisprudence-based/non-administrative ruling* has ignored the crime and corruption leading up to that point and has also protected the criminals below the criminal making the ruling. Moreover, every such ruling has been against Plaintiff because the syndicate harbors animus towards him because he hates injustice.....which is now synonymous with the syndicate.

161. Plaintiff did not and does not consent to any of Defendants' fraud or concealment.

162. As a direct and proximate result of Defendant committing fraud, Defendant has injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

163. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT 12: LIABILITY PURSUANT TO 42 U.S. CODE § 1983

164. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

165. This count is against J. Michaud, M. Michaud, Hart, Parent, Smith, Oates, Taft-Carter, Thompson, Keegan, and Lamb.

166. Defendants violated the civil and constitutional rights of Plaintiff while acting under color of "statute, ordinance, regulation, custom" when:

- Lamb wrongly and corruptly vacated the original legitimate default judgment awarded to

[51] See footnote 30.

Plaintiff, which she did based upon the lies and misinformation of J. Michaud, who conspired with her to achieve this goal, thus violating due process

- Parent filed the RI case and then conspired with Smith to continue it fraudulently.
- Smith conspired with Thompson and Keegan, which resulted in the latter two issuing writs against the property—contrary to the ruling in *Dionne, supra*—thus violating due process
- Oates, Thompson, and/or Keegan failed to record properly in the docket events in the RI case—a basic duty of a clerk—raising the concern about how much of the RI case has been short-circuited and, furthermore, preventing Plaintiff from ascertaining what is really happening, thus violating due process
- the chief clerk, Oates, and the judge, Taft-Carter, provided Plaintiff with conflicting information regarding the first rescheduling of the June 15, 2022, hearing, with each blaming the other for the rescheduling and that hearing ultimately not being held, thus violating due process
- Plaintiff was prevented from having a virtual hearing on his motion to dismiss the RI case because, according to Taft-Carter, the "protocol in effect" at the time required *pro se* litigants to have in-person hearings, but it allowed virtual hearings to litigants represented by counsel, which is a clear act of discrimination against a class, i.e., the class of *pro se* litigants, thus violating the Equal Protection Clause of the Fourteenth Amendment.[52]
- Smith conspired with Oates, Thompson, Keegan and/or Taft-Carter to move the June 15, 2022, hearing, most likely via a simple phone call and in clear violation of the rules of procedure and the rules of professional conduct, thus violating due process
- Smith and Parent did not furnish adequate security to protect Plaintiff's interest nor did they make a specific factual showing before a neutral officer or magistrate, not a clerk or other such functionary, of probable cause to believe that they are entitled to the relief requested, but instead conspired with court administrative personnel in order to seize the property, thus violating due process
- the property was stolen because of the actions of Defendants, despite Plaintiff not yet to this day being heard in the RI case, thus violating due process

167. Via conversion of all rent payments for the property beginning on or about April 5, 2022, and continuing to present, Smith, Parent, J. Michaud, M. Michaud, and Hart have intentionally taken more of

[52] In *Morrison v. Lipscomb,* 877 F.2d 463 (1989), the Sixth Circuit decided that a judge was not entitled to judicial immunity for his decision to issue a temporary ban on "writs of restitution." Even though "no one but a judge could issue such an order," the order was administrative, not judicial, because it "was a general order, not connected to any particular litigation," and it could not be appealed, as is the case here with the "protocol in effect" (emphasis added). Moreover, from *Leiper v. Gallegos*, 69 Cal.App.5th 284, 284 Cal. Rptr. 3d 349 (Cal. Ct. App. 2021), "The result [of the 'protocol in effect']' "would in effect create two separate classes of.....litigants" '.....'[C]ourts of our sister states have.....recognized the unfairness of such discrimination.' " It then follows from *Hernandez v. Texas*, 347 U.S. 475 (1954) "When.....a distinct class is demonstrated, and it is shown that the laws, as written or as applied, single out that class for different treatment.....the guarantees of the Constitution have been violated." Regardless, "status-based classification of persons [such as those with lawyers and those without]" is "something the Equal Protection Clause does not permit" *Romer v. Evans*, 517 U.S. 620 (1996). If the defendant-criminals try to twist the facts and evidence—which they will—and say that settled law makes no mention of virtual hearings, then the response is: it would be folly to expect anything from the appellate level on this specific issue, much less the U.S. Supreme Syndicate, since the concept of remote hearings is much too new, having been in widespread use for just a few years. In fact, it was only in 2011 that a pilot program began in the federal syndicate to record video in courtrooms, which was later declined by the Judicial Conference as generally official policy. The COVID-19 pandemic exception ended on September 21, 2023. uscourts.gov/court-records/access-court-proceedings/remote-public-access-proceedings/history-cameras-broadcasting-and-remote-public-access-courts.

Plaintiff's earnings than allowed by law. The highest written law of the land, the U.S. Constitution, says in its Due Process Clause of the Fourteenth Amendment, "nor shall any State deprive any person of life, liberty, or property, without due process of law." Since Plaintiff's earnings have been constructively garnished—and excessively—without him being heard in the RI case and without any known court order of garnishment relevant to the fraudulent debt having been issued, he has been denied due process.

168. Defendants have also recklessly changed "ownership" of the property—or are responsible for it—without Plaintiff being heard in the RI case and without having been litigated the fraud in the case that caused the fraudulent judgment to issue in the first place and then later be entered in Rhode Island. Both are more violations of Plaintiff's right to due process.

169. Since Plaintiff was never personally served in the RI case, title for the property is still legally in the owner's name according to the U.S. Supreme Syndicate in *Pennoyer v. Neff*, 95 U.S. 714 (1878): "This court now holds that, by reason of the absence of a personal service.....on the defendant, the [court] had no jurisdiction, its judgment could not authorize the sale of land in said county, and, as a necessary result, a purchaser of land under it obtained no title; that, as to the former owner, it is a case of depriving a person of his property without due process of law" (emphasis added). Moreover, settled law authorizing garnishment or other seizure of property of an alleged defaulting debtor requires that[53]:

- the creditor furnish adequate security to protect the debtor's interest
- the creditor make a specific factual showing before a neutral officer or magistrate, not a clerk or other such functionary, of probable cause to believe that he is entitled to the relief requested, and
- an opportunity be assured for an adversary hearing promptly after seizure to determine the merits of the controversy, with the burden of proof on the creditor.

170. No known evidence shows that ***any*** of the above requirements have been met by Smith, Parent, Oates, Taft-Carter, Thompson, or Keegan. Many jurisdictions require a hearing *pre*-attachment for real property, which is no surprise since the U.S. Supreme Syndicate requires it too.[54] The highest written law

[53] *Mitchell v. W.T. Grant Co*., 416 U.S. at 615–18 (1974) and at 623 (Justice Powell concurring). See also *Arnett v. Kennedy*, 416 U.S. 134, 188 (1974) (Justice White concurring in part and dissenting in part). Efforts to litigate challenges to seizures in actions involving two private parties may be thwarted by findings of "no state action," but there often is sufficient participation by state officials in transferring possession of property to constitute state action and implicate due process.

[54] *United States v. James Daniel Good Real Property*, 510 U.S. 43 (1993) is quite similar to the underlying facts here wherein the property was being rented and was seized, but the tenants were allowed to stay. The opinion was that "attachment of real estate without prior notice or hearing was unconstitutional, in the absence of extraordinary circumstances, even though the attachment did not interfere with the owner's use or possession and did not affect, as

of the land, the U.S. Constitution, requires it, ***period***. Not only did the defendants of the Rhode Island Superior Syndicate fail to provide Plaintiff with a hearing prior to attachment or even notice of one, but they failed to provide him with any hearing ***whatsoever***. Additionally, the property was stolen long ***before*** the first scheduled hearing.....which was rescheduled at least twice and then apparently taken off calendar. Lack of a hearing before an *unbiased* court prior to deprivation of real and/or personal property is perhaps the most egregious violation of due process in this entire complaint!

171. Notice must be given in a manner that actually notifies the person or that has a reasonable certainty of resulting in such notice.[55] Smith, Parent, Hart, Oates, Taft-Carter, Thompson, and Keegan were never assured that Plaintiff knew the property had been "sold" or was about to be. Plaintiff did not suspect that title to the property had been corrupted until April 2022. Indeed, with a hearing for his motion to dismiss the RI case scheduled for June 15, 2022—and being based on the fraudulent judgment obtained in Massachusetts in violation of laws there and thus being dismissible according to RI Gen. Laws § 9-21-2, among other illegalities—he did not expect anything detrimental to happen before then, particularly since he also filed a motion to stay many months earlier on October 27, 2021. Plaintiff's right to due process was violated since Smith, Parent, Hart, Oates, Taft-Carter, Thompson, and Keegan provided no (known at the time) notification to Plaintiff about the planned "sale" of the property on June 10, 2021, and Smith and Parent or their operatives "bought" and/or "sold" the property on that day. Plaintiff's right was similarly violated when Taft-Carter seemingly allowed said transfer despite the motion to stay.

172. Rhode Island courts are notorious for infringing upon citizens' right to due process, which is demonstrated by a case that sought class certification. "In sum, we are in general agreement with the district court's conclusion that Rhode Island has not provided judgment debtors whose property it permits creditors to seize unilaterally by writ of attachment with sufficient, defined procedural process to meet the requirements of the due process clause of the fourteenth amendment." See *Dionne, supra*.

173. Plaintiff directly made Defendants, except for J. Michaud, M. Michaud, and Lamb, aware on many occasions that due process rights were being abridged, the foreign judgment was fraudulent, his

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a general matter, rentals from existing leaseholds" (emphasis added). There are so many levels of "wrong" in the RI case compared to just the events and opinion of *Daniel* alone, since the exact opposite happened.

[55] *Mullane v. Central Hanover Bank & Trust Co*., 339 U.S. 306 (1950); *Walker v. City of Hutchinson*, 352 U.S. 112 (1956); *Schroeder v. City of New York*, 371 U.S. 208 (1962); *Robinson v. Hanrahan*, 409 U.S. 38 (1972)

income met the definition of poverty, the property did not even belong to him, and he was on the verge of homelessness due to their improper conduct. Despite any notification by him, ***all*** defendants in this count must have known their actions violated Plaintiff's constitutional rights as would any "reasonable person." Most have a JD degree and should have definitely known. Regardless, Plaintiff removed all doubt when he informed the named Defendants except for the three above—two of whom are known to be attorneys. He made them ***all*** aware in his book, on his websites, and elsewhere. Hence, qualified immunity clearly does not apply. By proceeding anyway, Defendants acted with reckless, willful, and wanton misconduct.

174. Footnote 53 makes clear that "state officials in transferring possession of property" can "implicate due process," which the relevant defendants who are employed in the Rhode Island Superior Syndicate—by their acts—have certainly done. Lamb, who is employed in the Massachusetts state syndicate, has also implicated due process through her fraudulent and criminal acts.

175. For the reasons given heretofore in this complaint, Defendants have deprived Plaintiff of the right of due process guaranteed under the Due Process Clause and the right of equal protection guaranteed under the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution, which renders Defendants liable under 42 U.S. Code § 1983.

176. Plaintiff did not consent to the deprivation of any of his constitutional (or civil) rights.

177. As a direct and proximate result of the Defendants' actions and liability pursuant to 42 U.S. Code § 1983, Defendant has injured Plaintiff in his business/employment as landlord thus causing him to lose all rental income from the property. Plaintiff has also been forced to liquidate his retirement account early in order to survive and will be subject to approximately $286,727.92 in interest and penalties.

178. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, per CA Code – CIV § 3333, which totals approximately $66,600 to date, for a grand total of $353,327.92. Plaintiff also seeks punitive damages in an amount determined at trial in order to punish Defendants for their reckless, willful, and wanton misconduct with respect to disregarding Plaintiff's right to equal protection and due process and violating such rights and to deter such reckless, willful, and wanton misconduct in the future.[56] [57]

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[56] *Smith v. Wade*, 461 U.S. 30 (1983): "The common law, both in 1871 and now, allows recovery of punitive damages in tort cases not only for actual malicious intent, but also for reckless indifference to the rights of others."

COUNT 13: VIOLATION OF 18 U.S. CODE § 1962(b), CA CODE – PEN § 186 (RICO)[58] [59]

179. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

180. This count is against J. Michaud and Smith.

181. An association-in-fact enterprise, the broader-scope purpose of which is to subvert/defeat justice and a smaller-scope purpose of which is to steal the property, created by J. Michaud and later joined by Smith, is engaged in and affects interstate commerce.[60]

182. J. Michaud acquired and maintains interest in and control of the association-in-fact enterprise through a pattern of racketeering activity. He orchestrated and conducted the enterprise's affairs by coordinating with others associated with it, for example, Lamb and/or various court personnel, in order to reverse the original *legal* judgment in Massachusetts and convert it into a *fraudulent* one, by contacting the U.S. Mistrustee's Office and interfering with the discharge of the fraudulent debt he helped create, by contacting the U.S. District Court for the District of Rhode Island thus blocking Plaintiff's cases there, by threatening and intimidating the tenant of the property with notes and/or notices left on the premises, by coordinating and recruiting Smith to join the enterprise, and, along with Smith, by directly or indirectly causing the conversion of rent money while likely using the U.S. mail to accomplish much of this scheme—all of which affect interstate commerce.

183. Specifically, the following related racketeering activities attributed to Defendant:

- 18 U.S. Code § 1341, when J. Michaud used the U.S. mail to conduct the fraudulent enterprise by sending fraudulent court papers to Plaintiff and probably to the court, Smith, Parent, or others, the latter of which will need to be determined during discovery, and when Smith used the U.S. mail to conduct the fraudulent enterprise by sending one parcel dated February 25, 2020, and another dated March 25, 2021, to the owner in Florida regarding "sale" of the property, thereby constituting a pattern of racketeering activity in and of itself
- 18 U.S. Code § 1503, when J. Michaud "corruptly.....influence[d], obstruct[ed], [and/]or impede[d].....the due administration of justice" in:
  - the original Massachusetts case by intimidating Plaintiff's attorneys—at least

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[57] After 1996, § 1983 suits for declaratory relief are still valid against judges in their individual capacity.

[58] As with all RICO counts in this complaint, a criminal conviction is ***not*** required for a civil cause of action. See *Sedima, S.P.R.L. v. Imrex Co., Inc.,* 473 U.S. 479 (1985). This is fortunate because it is virtually impossible to get the syndicate to prosecute dozens of criminals who wear black gowns, J. Michaud being one such criminal.

[59] RICO counts exhibit both open- and closed-ended continuity patterns: open in terms of ongoing conversion of the property's rent and the federal syndicate continuously blocking Plaintiff and justice, but closed in other pattern respects.

[60] Per 18 U.S. Code § 1961(4), "'enterprise' includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact....." (emphasis added).

three times—thus causing them not to take the case or to "withdraw" and again when he later contacted Lamb with respect to her fraudulently vacating the lawful judgment *for* Plaintiff and taking the first steps towards entering a fraudulent judgment *against* him, also constituting a pattern of racketeering activity in and of itself

  - the discharge of Plaintiff's "debt" via his nefarious contact with the U.S. Mistrustee's office
  - the dismissal of Plaintiff's actions in the U.S. District Court for the District of Rhode Island via his illicit contact with that court

- 18 U.S. Code § 1512(c)(2) (same as immediately above, except substitute "[an] official proceeding" for "the due administration of justice")
- 18 U.S. Code § 1951, when Defendant affected interstate commerce between Plaintiff and his tenant, an insurance company, a bank, and a condo association via civil theft of what appears to be many rent payments for the property and fraudulently transferring "ownership" of it either directly or indirectly thus affecting future interstate commerce, also constituting a pattern of racketeering activity in and of itself
- 18 U.S. Code § 1956, when Defendant laundered monetary instruments related to the property by either directly or indirectly transferring it from Parent to FUBAR Realty Trust to "promote the carrying on of" illegal activity, namely, but not limited to, the continued violation of 18 U.S. Code § 1951
- 18 U.S. Code § 1957, when Defendant directly or indirectly engaged in monetary transactions related to the property on at least three occasions—two changes of its "ownership" and interception of at least one rent payment—which was derived from unlawful activity, also constituting a pattern of racketeering activity in and of itself
- 18 U.S. Code § 2314/2315, when Defendant may have transported or transferred at least four converted rent payments from the property outside of Rhode Island or caused a person to travel across state lines to do this for them, but discovery will be needed in order to prove this allegation
- fraud connected with a case under title 11, when J. Michaud contacted the U.S. Mistrustee's Office in order to block the discharge of the fraudulent debt he helped create against Plaintiff, which include violations of 18 U.S. Code §§ 152, 241, 1001, 1349, 1503, 1505, and 1512

constitute an enormous pattern of racketeering activity over the span of several years pursuant to 18 U.S. Code § 1961(5). It is noteworthy that the existence of the enterprise may be inferred from the same evidence establishing the pattern, and the list above and its associated evidence overwhelmingly do exactly that.

184. Pursuant to and in furtherance of their fraudulent scheme, Defendant committed *innumerable* related acts of racketeering as shown in paragraph 183—all or most of which clearly would have required precise communication and coordination, not just among enterprise members but likely with third parties.

185. Defendant has directly and indirectly acquired and maintains interests in and control of the association-in-fact enterprise through the pattern of racketeering activity in violation of 18 U.S. Code §

1962(b).

186. As a direct and proximate result of Defendant's racketeering activities and violations of 18 U.S. Code § 1962(b)—acquisition or maintenance of an interest in or control of the association-in-fact enterprise and their malicious, willful, and wanton misconduct, Plaintiff has been robbed of an $11,271.53 judgment. He has also been robbed of monthly rental income in the amount of $2,200 and been pushed into extreme poverty. Plaintiff has also been forced to expend significant time to generate and/or pursue at least ***ten*** other legal battles and arduously and painstakingly address the ramifications of such battles. These battles have resulted in expenses, *significant* time expenditure on the order of what is projected to be 13,000 total work hours, and tremendous stress, which have occurred since establishment of the association-in-fact enterprise. Time spent working on those cases was time that could otherwise have been used to generate (positive) income, thus truly resulting in a net income loss.

187. Defendants severally and jointly are therefore liable, per CA Code – CIV § 3333, to Plaintiff for compensatory damages in the amount of $11,271.53 trebled to $33,814.59, $50 per hour (irrespective of overtime that was worked nearly every week) trebled to $150, for a total of $1,950,000, plus expenses of $1,100 trebled to $3,300, plus $66,600 in lost rental income trebled to $199,800, for a grand total of $2,186,914.59. Plaintiff also seeks punitive damages in the amount determined at trial against Defendant to deter such malicious, willful, and wanton misconduct in the future.[61]

COUNT 14: VIOLATION OF 18 U.S. CODE § 1962(c), CA CODE – PEN § 186 (RICO)

188. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

189. This count is against all defendants except Parent, Lamb, M. Michaud, Oates, Thompson, Taft-Carter, and Kegan.

190. The entire federal court system, entire Massachusetts state court system, and Rhode Island Superior Court—including human resources, administrative, and other personnel who are not party to this suit—is a criminal enterprise, the purpose of which is to subvert/defeat justice, engaged in and whose

[61] Courts have ruled that punitive damages are available under RICO. See *Com-Tech Assoc. v. Computer Assoc. Int'l*, 753 E Supp. 1078, 1079 (E.D.N.Y. 1990), aff'd, 938 F.2d 1574 (2d Cir. 1991) (holding that claim for punitive damages could be asserted in civil action under RICO, even though treble damages are available). See also *Sea Salt, LLC v. Bellerose, No. 2:18-cv-00413-JAW*, 10 (D. Me. Jun. 9, 2021) (where the court reasoned that "compensatory damages in the amount of $1,500,000, treble damages under the RICO Act, and punitive damages in the amount of $3,000,000" are viable). See also *Unpublished Disposition*, 907 F.2d 155 (9th Cir. 1990) (holding that punitive damages are allowed in addition to treble compensatory damages: "Accordingly, we affirm the verdict as to RICO liability and the punitive damages award").

activities affect interstate commerce.[62] [63] The affect on interstate commerce is obvious because many litigants come from out of state and pay fees to file their cases, and, of course, countless rulings from the criminal enterprise affect such commerce every day. Defendants are or will be employed by or associated with the enterprise.

191. Defendants agreed to and did or will agree to conduct and participate in the conduct of the affairs of the enterprise through a pattern of racketeering activity and for the unlawful purpose of intentionally defrauding Plaintiff. Specifically, they are currently responsible for the following related racketeering activities:

- 18 U.S. Code § 1341, when:
  - they used the U.S. mail to conduct their fraudulent activity, with one known parcel dated February 25, 2020, and another dated March 25, 2021, being sent by Smith to the owner in Florida regarding "sale" of the property, thereby constituting a pattern of racketeering activity in and of itself
  - ***dozens*** of falsified/fraudulent documents, rulings (all which were falsified and/or fraudulent), and otherwise from Mihelic, Feuerstein, Carroll, McElroy, Adler, Miller, Bennett, Thomas, Sung, Faris, Brand, Spraker, Lamb, Lopez, Johnstone, Howard, Kayatta, Gelpí, Hart, and VanDyke were sent to Plaintiff or his tenant by U.S. mail, also constituting a pattern of racketeering activity in and of itself
- 18 U.S. Code § 1343, when:
  - Lamb had her minions send multiple fraudulent emails to Plaintiff trying to concoct a justification for vacating the legal judgment in his favor *in contravention of all rules of court and law* and then later tried to hide the crimes via fraudulent docket entries, also constituting a pattern of racketeering activity in and of itself
  - the U.S. Court of Appeals for the Second Circus used its electronic filing system to commit fraud by saying Plaintiff never filed a motion when he actually did, but the criminals there probably forgot to hide it from the record like they did with other documents and thus make it impossible to prove[64]
- 18 U.S. Code § 1503, when:
  - J. Michaud "corruptly.....influence[d], obstruct[ed], [and/]or impede[d].....the due administration of justice" in:

[62] Any U.S. court or system of courts can be an enterprise. See *Averbach v. Rival Mfg. Co*., 809 F.2d 1016 (3d Cir. 1987); *United States v. Bacheler*, 611 F.2d 443, 450 (3d Cir. 1979) (Philadelphia Traffic Court); *United States v. Herman*, 589 F.2d 1191 (3d Cir. 1978), cert. denied, 441 U.S. 913, 99 S.Ct. 2014, 60 L.Ed.2d 386 (1979) (Pittsburgh Magistrates); *United States v. Vignola*, 464 F. Supp. 1091, 1095 (E.D.Pa.), aff'd mem., 605 F.2d 1199 (3d Cir. 1979), cert. denied, 444 U.S. 1072, 100 S.Ct. 1015, 62 L.Ed.2d 753 (1980), (Philadelphia Traffic Court). See also the infamous "Operation Greylord" in which the Circuit Court of Cook County in Illinois was the "enterprise": *United States of America, Plaintiff-appellee, v. Harold Conn*, Defendant-appellant, 769 F.2d 420 (7th Cir. 1985). This part of the syndicate's own website, cookcountycourt.org, says, "We are the largest judicial circuit in the State of Illinois and one of the largest unified court systems in the world" (emphasis added).

[63] The enterprise need not have "profit-seeking motives." See *National Organization for Women, Inc. v. Scheidler*, 510 U.S. 249 (1994).

[64] The use of the internet/websites, including PACER and other court-related websites, to commit fraud is a violation of 18 U.S. Code § 1343. See *United States v. Kieffer*, 681 F.3d 1143, No. 10–1391 (10th Cir. 2012).

        - the original Massachusetts case by intimidating Plaintiff's attorneys—at least three times—thus causing them not to take the case or to "withdraw" and again when he later contacted Lamb with respect to her fraudulently vacating the lawful judgment *for* Plaintiff and taking the first steps towards entering a fraudulent judgment *against* him, also constituting a pattern of racketeering activity in and of itself
        - the discharge of Plaintiff's "debt" via contact with the U.S. Mistrustee's office
        - Plaintiff's actions in the U.S. District Court for the District of Rhode Island
    - McElroy, Adler, Miller, Bennett, Thomas, Sung, Faris, Brand, Spraker, Lopez, Johnstone, Howard, Kayatta, Gelpí, and VanDyke issued false/fraudulent rulings in order to protect criminal colleagues thus "corruptly influenc[ing], obstruct[ing], [and/]or imped[ing].....the due administration of justice," which they did for every single one of their dozens of jurisprudence-based/non-administrative rulings and will continue to do, also constituting a pattern of racketeering activity in and of itself
- 18 U.S. Code § 1512(c)(2) (same as immediately above, except substitute "[an] official proceeding" for "the due administration of justice")
- 18 U.S. Code § 1951, when:
    - J. Michaud, Hart, and Smith performed acts that affected interstate commerce between Plaintiff and an insurance company, a bank, and a condo association via civil theft of many rent payments for the property and fraudulently transferred "ownership" of it either directly or indirectly thus affecting future interstate commerce, also constituting a pattern of racketeering activity in and of itself
    - all named judicial defendants failed to stop and reverse the affects described immediately above and restore the interstate commerce, also constituting a pattern of racketeering activity in and of itself
- 18 U.S. Code § 1956, when J. Michaud and Smith laundered monetary instruments related to the property by either directly or indirectly transferring it from Parent to FUBAR Realty Trust to "promote the carrying on of" illegal activity, namely, but not limited to, the continued violation of 18 U.S. Code § 1951
- 18 U.S. Code § 1957, when J. Michaud, Hart, and Smith engaged in monetary transactions related to the property—J. Michaud on at least three occasions: two changes of its "ownership" and interception of at least one rent payment—which was derived from unlawful activity, also constituting a pattern of racketeering activity in and of itself
- fraud connected with a case under title 11, when J. Michaud contacted the U.S. Mistrustee's Office in order to block the discharge of the fraudulent debt he helped create against Plaintiff, with Mihelic, Carroll, Feuerstein, Faris, Brand, Spraker, Bennett, Sung, Thomas, and Adler actively participating in the fraud by issuing false/fraudulent rulings brimming with lies, which they did for every single one of their dozens of jurisprudence-based/non-administrative ruling, also constituting a pattern of racketeering activity in and of itself

and similar activities described in earlier counts, such as COUNT SIX, all of which constitute a massive pattern of racketeering activity over the span of several years.

192. Pursuant to and in furtherance of their fraudulent scheme, Defendants committed *innumerable*

related acts of racketeering as shown in paragraph 191.

193. The acts set forth in this count constitute a pattern of racketeering activity—with the conversion/civil theft by Defendants of the rent payments for the property (and many other predicates) being a pattern in and of itself since it has been ongoing every month beginning in April 2022—pursuant to 18 U.S. Code § 1961(5).

194. Defendants have directly and indirectly conducted and participated in the enterprise's affairs through the pattern of racketeering activity described above and will continue to do so, in violation of 18 U.S. Code § 1962(c).

195. As a direct and proximate result of Defendants' racketeering activities and violations of 18 U.S. Code § 1962(c), Defendant has injured Plaintiff in his business/employment in the form of lost rental income and has forced him to liquidate his retirement account early in order to survive. Plaintiff will be subject to approximately $286,727.92 in interest and penalties. As a further direct and proximate result of Defendant's aforementioned activities and misconduct, Plaintiff has also been forced to seek financial support in the form of SNAP/food stamps, CARE, and the Lifeline program, which has cost him gasoline expenses and wear and tear on his vehicle and taken ample time to apply, reapply, renew, address disputes, schedule and attend hearings, and more. Associated hours are on the order of 100+. This is time that could otherwise have been used to generate (positive) income, thus truly resulting in a net income loss.

196. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages, per CA Code – CIV § 3333, of said interest and penalties plus lost monthly rental income which totals approximately $66,600 to date, plus $50 per hour (irrespective of overtime that was worked nearly every week), for a total of $5,000, for a grand total of $358,327.92 (irrespective of wear and tear on his vehicle and gasoline costs) trebled to $1,074,983.76. Plaintiff also seeks punitive damages in an amount determined at trial against Defendants.

COUNT 15: VIOLATION OF 18 U.S. CODE § 1962(d), CA CODE – PEN § 186 (RICO)

197. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

198. This count is against defendants Parent, Lamb, M. Michaud, Oates, Thompson, Taft-Carter, and Kegan, but Plaintiff reserves the right to add others if evidence found during discovery reveals more

culprits.

199. Defendants agreed to the overall purpose of the conspiracy and conspired to violate 18 U.S. Code § 1962(b) and (c). Specifically, Parent agreed to have Smith represent her—most likely in written form and paid him—in the scheme to enforce the fraudulent judgment. She certainly knew about the overall objective of working through the enterprises—the ones described in the last two counts—in order to secure the property fraudulently and financially benefit from it. As shown in prior RICO counts, Smith was himself an actor in many of the predicate acts: 18 U.S. Code §§ 1341, 1951, 1956, and 1957. J. Michaud, Parent's former attorney with whom she also likely had a written agreement, also committed far more known predicate acts as her attorney than Smith. Moreover, Parent is likely responsible for several of her own predicate acts: using the U.S. mail and/or email to communicate and/or transact with Smith and/or Hart and/or J./M. Michaud in the process of defrauding Plaintiff, and "buying" and "selling" the property in which she has interfered with interstate commerce, laundered money, and engaged in monetary transactions in violation of 18 U.S. Code §§ 1341, 1343, 1951, 1956, and 1957, respectively. Discovery will be needed in order to prove this conjecture.

200. M. Michaud, as alleged mistrustee of the FUBAR Realty Trust, agreed to "purchase" the property from Parent, and he/that trust did. He also was cognizant of the overall objective of working through the enterprises—the ones described in the last two counts—because he is the brother of J. Michaud and would have been well aware of the scheme and because he was an active participant in "purchasing" the property. Since the property was "auctioned," there is no way he could have not known the shady details about its theft. Moreover, he is likely responsible for several predicate acts: using the U.S. mail and/or email to communicate and/or transact with Parent and/or Hart and/or Smith and/or J. Michaud in the process of defrauding Plaintiff, and "buying" the property thus interfering with interstate commerce, laundering money, and engaging in monetary transactions in violation of 18 U.S. Code §§ 1341, 1343, 1951, 1956, and 1957, respectively. Discovery will be needed in order to prove this conjecture.

201. Lamb was a conspirator because she worked through the enterprises—the ones described in the last two counts—to reverse the legitimate judgment originally given to Plaintiff and facilitated the scheme to create the fraudulent judgment against him, which resulted in the fraudulent judgment being entered in Rhode Island, the theft of the property, the loss of Plaintiff's rental income, and his legal battles

nationwide. Without her active participation, none of this would have happened. Next to the kingpin, J. Michaud, with whom she conspired, she carries the greatest responsibility for this whole fiasco. She knew about the overall fraudulent objective of erasing a valid court judgment and agreed to do it—since she vacated it—through several predicate acts. It is possible she benefitted financially, that is, she was bribed, but discovery will be required in order to determine this. Lastly, she has a JD. There is no way she didn't have *mens rea* when she committed her crimes of falsifying official records and thus obstructing justice in violation of 18 U.S. Code §§ 1503 and 1512.

202. Oates, Thompson, and Keegan are alleged to be conspirators because of the way the RI case was handled. They issued writs without legal authority. They omitted important entries in the record. They allowed seizure/"sale" of the property *and* loss of Plaintiff's rental income without him being heard—and over his strongly vociferous objections. And they never required Smith to file motions. They agreed to do these things after communicating with Smith. They knew about the overall objective of working through the enterprises—the ones described in the last two counts—to do what they did. All of the preceding acts *scream* a close association with Smith and repeated violations of Due Process through the enterprise that prompted the theft of the property, the loss of Plaintiff's rental income from it, and his legal battles nationwide. Discovery will be needed in order to determine any further involvement.

203. Taft-Carter is alleged to be a conspirator. She also knew about the overall objective of working through the enterprises—the ones described in the last two counts—to defraud Plaintiff. She and Oates provided conflicting stories regarding a hearing. She agreed to allow the property to be "sold" without a hearing, and she seems to have a close relationship with Smith. She addressed Plaintiff as "Mr." but referred to Smith not as "Mr." or even "Douglas Smith" but simply as "Doug Smith." Such a casual address is major cause for a conspiracy concern. Discovery will be needed in order to determine any further involvement.

204. Discovery will also be needed to determine whether Defendants committed additional predicate acts. Regardless of any actual predicate violations by Defendants, they intended "to further an endeavor which, if completed, would satisfy all of the elements of a substantive criminal offense."[65] Without their conspiratorial actions, the property would have never been stolen nor would Plaintiff's monthly rental

[65] *Salinas v. United States*, 522 U.S. 52, 65 (1997).

income from it have been stopped. It is ***only*** through them that the racketeering of the last two counts was made possible.

205. Defendants have intentionally conspired and agreed to directly and indirectly acquire or maintain interests in the enterprise through a pattern of racketeering activity and conduct and participate in the affairs of the enterprise through a pattern of racketeering activity. Defendants knew that their acts contributed to a pattern of racketeering activity and agreed to the commission of those acts to further the schemes described above. That conduct constitutes a conspiracy to violate 18 U.S. Code § 1962(b) and (c), in violation of 18 U.S. Code § 1962(d).

206. As a direct and proximate result of Defendants' conspiracy to violate 18 U.S. Code § 1962(b) and (c) and their overt acts taken in furtherance of that conspiracy in violation of 18 U.S. Code § 1962(d), Plaintiff has been injured in his business/employment as landlord thus causing him to need to restore the property to the way it was prior to its theft. Plaintiff will need to remediate the corrupted title of the property with the town, which charges a filing fee of $85. He will also need to spend approximately three hours of time at $50 per hour plus printing and postage of $15 for this task in addition to at least $300 to clean, inspect, and restore the property.[66]

207. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages of said amounts immediately above, per CA Code – CIV § 3333, which totals approximately $550 to date, trebled to $1,650. Plaintiff also seeks punitive damages in an amount determined at trial against Defendants.

COUNT 16: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

208. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-eight.

209. This count is against all defendants.

210. As stated earlier in this complaint, Defendant has caused Plaintiff financial stress and duress by pushing him into extreme poverty. This in turn has caused Plaintiff emotional distress. Since the aforementioned Defendant acts were deliberate and malicious, this was intentional infliction of emotional distress on the part of Defendant.

211. The courts have ruled that intentional infliction of emotional distress growing out of conversion is

[66] Costs to clean, inspect, and restore the property are herein estimated to be extremely low and will almost certainly need to be adjusted once the condition of the property is known.

recoverable.[67]

212. The conduct of Defendant has clearly been *beyond* outrageous since the beginning of this legal nightmare as made apparent by them openly and deliberately producing falsified documents, making false statements inside and outside affidavits/declarations signed under penalty of perjury, ignoring facts, concealing/manufacturing evidence, conducting fraudulent activity, and writing bogus court orders/rulings—all while violating ***more than sixty*** civil and criminal laws without restraint.

213. Thus far, Plaintiff has had to spend more than 4,000 painstaking hours on tasks related to this matter because of Defendants' actions. Defendant has *intentionally* inflicted emotional and financial distress upon Plaintiff as a result of their nefarious and tortious acts summarized in the last paragraph, and Plaintiff has suffered a great deal. The infliction of emotional distress continues to present day.

214. Plaintiff has been under constant oppression by Defendant. Additionally, Plaintiff has been under tremendous emotional and financial distress due to the loss of the overwhelming majority of his income because of Defendants' actions, which are in violation of law as shown in the preceding counts and in the INTRODUCTION.

215. Defendant acted with malice or reckless indifference and committed extreme and outrageous acts, such as fraud to the highest degree. Specifically, they:

- deliberately produced false documents against Plaintiff,
- failed to correct those documents and instead produced even more,
- deliberately made false statements against Plaintiff,
- failed to correct those statements and instead made even more,
- deliberately made fraudulent rulings and orders against Plaintiff,
- failed to correct those fraudulent rulings and orders and instead made even more, and
- know Plaintiff has been driven well into extreme poverty and has been forced onto the Lifeline program, CARE, and SNAP/food stamps because of their nefarious actions.

Defendants knew they were violating law because Plaintiff revealed to them this fact. They also knew they would be causing great financial and emotional distress to Plaintiff.

216. Defendant also *intentionally* forced Plaintiff into extreme poverty, with Plaintiff now experiencing approximately a -$673 monthly basic living expense to income shortfall even with the assistance mentioned in paragraph 90, and therefore intended to cause him financial and emotional distress. By their actions, Defendant has caused Plaintiff significant financial and emotional distress.

[67] *Hensley v. San Diego Gas & Electric Co.* (2017) 7 Cal.App.5th.1337, 1358.

217. Because of Defendants' wrongdoing, Plaintiff has been forced to liquidate his retirement account early in order to meet daily living expenses. As a result, penalties and taxes will be due, which Plaintiff cannot afford, and yet more litigation will likely be generated. This is causing Plaintiff tremendous distress.

218. As stated in several counts, Defendant failed to use proper judgment at many points in time and was deliberate and/or reckless in their actions and, furthermore, failed to correct them when notified by Plaintiff. Discovery may reveal additional evidence that further proves Defendants' actions were done intentionally to inflict emotional distress upon Plaintiff. As a result of Defendants' conduct, Plaintiff has suffered severe emotional and financial distress.

219. As a direct and proximate result of Defendants' actions described in this count and throughout this complaint, Plaintiff has been negatively impacted with regard to standard of living, financial reserve, emotional distress, time expenditure, and mental/physical well-being.

220. Defendants severally and jointly are thus liable to Plaintiff for compensatory damages in an amount to be determined at trial. Because of their illicit, deliberate, and outrageous conduct, Plaintiff also seeks punitive damages.

"And in a perfect world, everything we do comes with a price, but this ain't a perfect world. People do bad things. If you're lucky you get a chance to.....set it right, but most of the time it goes unpunished. This ain't one of them times." — ***Robert McCall (Denzel Washington),*** **The Equalizer II** ***(United States: Sony Pictures, 2018)***

DEMAND FOR JUDGMENT

221. WHEREFORE, Plaintiff seeks compensatory damages as stated in the above counts plus $2,200 per month in future lost rental income, as of the date of this filing, until Plaintiff is compensated in full, together with prejudgment interest at the prevailing rate set by law, court costs, fees, penalties imposed on Plaintiff, and any other relief or compensation deemed appropriate.

222. Pursuant to CA Civil Code § 3294, whereby Defendant acted with oppression, fraud, and malice, and pursuant to relevant case law associated with several of the above counts, Plaintiff also seeks punitive damages in an amount determined by the jury at trial.[68]

223. In the alternative to the above two paragraphs, Plaintiff seeks vacation of the related fraudulent

[68] Since there are approximately 70,304 defendants in counts 1, 9, 11, and 14, the total compensatory and punitive damages due should only amount to about $27 each in a worst-case scenario for all defendants.

1 judgments in Rhode Island and Massachusetts, dismissal of those cases with prejudice, payment in full of
2 any tax or other related penalties, deeding and recordation of the property to the owner (as defined in
3 paragraph 13) at no cost to Plaintiff or the owner, plus any costs associated with bringing the property
4 back to prime rentable condition, $3,000 in miscellaneous expenses, and an apology letter from the
5 syndicate written on official letterhead signed by all named defendants. However, this alternative will
6 only be available before the end of discovery or any pretrial conference, whichever comes first.
7 224. Several defendants should be going to prison for an extensive time because of their wantonly
8 egregious criminal acts, and sentence length should be *longer* than for the average person.
9 *"What was done to me created me. It's the basic principle of the universe that every action will create an*
10 *equal an opposing reaction.....What was done to me was monstrous." —* ***V (Hugo Weaving),*** **V for Vendetta** ***(United States, United Kingdom, Germany: Warner Bros., 2006)***
11
DEMAND FOR JURY TRIAL

12 Plaintiff hereby demands a jury trial on all issues raised in this complaint. If this matter is dismissed in
13 any way, shape, or form before trial, outside of any settlement with Plaintiff, he will be releasing it—and
14 all its corresponding evidence—in its entirety to all major media outlets, the public, and major podcasters.
15
DECLARATION

16 ***Pursuant to CA Code Civ. Proc. § 2015.5(a), I declare under penalty of perjury that the foregoing is***
17 ***true and correct.***
18 Executed on February 21, 2025, in California

19
20 Thomas Scott, *pro se*
21 *** **FULL DISCLOSURE**: Plaintiff knows someone who knows White House Chief Counsel. Plaintiff has
22 written a letter to Counsel in hopes that Plaintiff can begin taking the first steps towards creating a new MAJA (make all judges accountable) oversight group, similar to DOGE, and lead the effort once created. He will apply
23 most of what is written in chapter 7 of his second book in addition to other corrective measures. He also guarantees
24 that judges—through staff attorneys or not—who continue to rule against him and others nationally in contravention of civil and criminal law and contrary to justice will be running for the hills if he is successful with this noble
25 endeavor. ***
26
27 *"When the legislative or executive functionaries act unconstitutionally, they are responsible to the people in their elective capacity. The exemption of the judges from that is quite dangerous enough. I know no*
28 *safe depository of the ultimate powers of the society, but the people themselves." —* ***Thomas Jefferson***