

CLIFTON JACKSON AFFIDAVIT AND APPENDIX OF EXHIBITS ARE NUMBERED (first two cover pages of affidavit unnumbered, iii-ixiii) IN ROMAN NUMERAL. EXHIBIT PAGES ARE CROSS REFERENCED AS APPENDIX (Appendix Pages are numbered 1-655) PAGES. AFFIDAVIT AND EXHIBITS ARE IN SUPPORT OF 26B MOTION TO REOPEN STATE OF OHIO v. CLIFTON JACKSON, CASE NO. 11CR083104, NINTH DISTRICT COURT OF APPEALS CASE NO. 14CA010555, Not Limited Too.

EXHIBIT

AAO

EXHIBITS A-AAAAE IN SUPPORT OF CLIFTON JACKSON ENCLOSED AFFIDAVIT AND APPENDIX PREPARED MARCH OF 2016 OF A DETAILED TIME LINE OF FACTUAL EVENTS BETWEEN JUNE 14th, 2011 AND OCTOBER OF 2015 TO THE BEST OF MY LAYMEN LEGAL ABILITIES.
THIS EXHIBIT "AAO" IS REFERENCED IN ¶ 131, 133, 135 not limited too.

Bombshell of an Active Story

Inside the Lines

Thorough review of the enclosed, regardless to whether or not your eye is trained legally, you can bear witness to a lie. This report includes supporting information (media and documentary) that highlights police and judicial corruption, e.g., falsification of arrest reports, perjury committed by law enforcement, and prosecutorial misconduct.

www.openyoureyes.com

Bombshell of an Active Story

Inside the Lines

SEPTEMBER 2014

Thank you for your immediate attention, in today's society of social media, proudly we live instant, whether its photo's, texting, Instagram, YouTube, World Star, Face Book, Twitter etc., no one really likes or takes the time to read anymore which is a negative, however personally I am tired of the myth "if you want to hide something from a black man or the streets" put it in a book.

The **BOMB SHELL OF AN ACTIVE STORY** is a 25 page "must read" especially for the trenches in the streets, Urban "Hip Hop" America, Judicial Communities and Public Relations of Corporate America, as the contents can directly or indirectly affect someone dear to you! You will immediately relate to the Audio & Video collectively with the read, which highlights the legal standoff over 2 kilos of cocaine because this writer would not cooperate with the DEA or the Ohio State Troopers June 14th, 2011 to date (a true story, the movie plot coming soon)!

We must be mindful of our judgmental state of being, no matter if you have ever been in trouble or not, in life everyone wants an advantage but no one wants to be labeled a cheater so the enclosed story is extremely informational to so many parents, homes, collegiate and professional industries since the Urban American swag of "Hip Hop" culture have graduated all barriers and cultures and being the look is so easily profiled and continues to be targeted therefore,

MY DETAINING
FACILITY NEWS, See the
Bonus Post Attached.

For an immediate copy of
the supporting file
referred to, my email
address is on page 24.

The mentioned crisis far
supersedes a budget, of
most international affairs
besides national security
issues. Monies are spent all
the time globally
regardless the placement of
our economy for present
and future goals, however
it is this simple "NO
YOUTH NO FUTURE"!

See the "Shout out Section
on pages 22 and 23. Special
shout outs went to the
NBA, Doc Rivers, Steve
Ballmer, LeBron James and
Paul George.

Welcome back Tony
Stewart and more
importantly RIP Kevin
Ward Jr.!

To the Hip Hop world,
Major shout out to
"REMY MA", welcome
home! Put it on for the city.

SEPTEMBER 2014

• 1

Bombshell of an Active Story

• • •

IN REFRESHING THE READERS MEMORY FROM THE MAY/2014 ORIGINAL POST OF THE SAME STORY, THE IMMEDIATE STORY DERIVES FROM LORAIN COUNTY, ELYRIA COURT OF COMMON PLEAS, AND CASE NO. 11-CR-083104. THE CURRENT STATUS OF THIS CASE CAN BE DIRECTLY AND ELECTRONICALLY FOLLOWED VIA THE WEBSITE OF THE NINTH DISTRICT OF THE COURT OF APPEALS IN THE STATE OF OHIO, CASE NO. 14 CA 010555.

I CANNOT STRESS THIS POINT ENOUGH; ANY AND ALL STATEMENTS AND OR ALLEGATIONS, MADE BY THIS WRITER BEING CLIFTON A. JACKSON ARE CLEARLY AND SOLELY SUPPORTED BY THE DOCUMENTED RECORD SOLELY AND IN ITS ENTIRETY!

IT IS A DOCUMENTED FACT OUR COUNTRY WASTE 30 TO 40% OF FOOD. THOSE NUMBERS ARE TRULY ALARMING, AND FRANKLY SPEAKING A SAD STATISTIC BASED ON OUR HOMELESS AND STARVING RATES. WE CAN NO LONGER AFFORD TO WASTE FOOD, NOT EVEN FOOD FOR THOUGHT!

MORE IMPORTANTLY FOR THE PERSONAL KNOWLEDGE FOR ALL UNITED STATES CITIZENS, ANY AND ALL KNOWN DUE PROCESS, STATE OR UNITED STATES CONSTITUTIONAL PROTECTION VIOLATIONS GREATLY OUT WEIGHS AND SUPERSEDES ANY AND ALL ALLEGATIONS, CHARGES OR THE INTENTIONS DERIVING THEREOF!

In an attempt to briefly simplify the facts of the story before the actual presentation, for educational and understanding purposes here are several definitions per the BLACK'S LAW LEGAL DICTIONARY that will be referred to (this dictionary is used by the judicial community):

1) **Suppression Hearing directs you to Hearing-** A judicial session, open to the public held for the purpose of deciding issues of fact or of law, sometimes with witness's testifying (If the suppression hearing decision is "GRANTED" as documented in the September 29th, 2012 suppression hearing decision then by Judge Zaleski, then legally the drugs are suppressed per the immediate definition below).

2) **Suppression of the Evidence-** a trial judge's ruling that evidence offered by a party should be excluded because it was illegally acquired.

3) **Intracorporate Conspiracy-** a conspiracy existing between a corporation and its own officers, agents or employee's.

Keep all in mind, there is a very important reasoning of why in America etc., **AUDIO, VIDEO, SURVEILLANCE, EYE WITNESS'S, FINGER PRINTS and DNA** are the most sought after evidence in solving anything, be it alleged crimes, mysteries and even the biological parent. If avail, it is an uncompromised truth!

Regarding **THE BOMB SHELL OF AN ACTIVE STORY**, the mentioned uncontested and uncompromised **AUDIO & VIDEO** was recorded directly from the pursuing and illegally arresting

SEPTEMBER 2014

• 2

Bombshell of an Active Story

• • •

trooper police vehicle! This **AUDIO & VIDEO** documents the entire truth in its entirety relevant the attached Clifton Jackson story!

Early morning on June 14th, 2011, I was traveling in about a 40 car pack on the Ohio Turnpike toward the Cleveland area. As documented on the police reports I was within speed limits etc., in which the Audio & Video relevant clearly documents there was no traffic infractions committed of any kind, including the alleged of tailing a motor home to closely of the alleged 2 to 3 car lengths. As documented, this was the alleged sole reasoning of the traffic stop!

While traveling in this 40 car pack, collectively we passed a point where both troopers Christopher Beyers, Michael Trader and K-9 Argo were positioned facing our direction of traffic in the median in 2 separate state trooper vehicles, one being a patrol car occupied by trooper Beyers and the other being a patrol K-9 truck occupied by troopers Trader and K-9 Argo (this point is most important to remember, and finally confirmed via the troopers during trial but denied prior to trial at the suppression hearing June/2012).

After passing the combo, approximately 4 to 6 miles up the highway after a legal and safe attempted to pass a slower vehicle (due to excellent road and visibility conditions), checking my mirrors, I could see the trooper bearing down at a ultra-high rate of speed in the express lane passing car packs as though they were not moving from about a mile in a half to two miles back. Once trooper Beyers reached the vicinity of the car pack I was traveling, he slowed his speed dramatically and paced our pack, slowly closing the space now although still afar directly behind me, he switched to the middle lane, as I was traveling in the far right lane (this was all clear time for the trooper to record, but he choose not to why). As I approached the motor home as the **Audio & Video** clearly shows, I legally approached and passed the motor home (regardless the alleged prior tailing to closely), but as you'll see when I passed the motor home switching to the center lane, trooper Beyers switches to the express lane again, then immediately behind me as he's attempting to narrate and validate his pre disposition of profiling (which is extremely illegal)! The trooper never made any attempts to pass me or pull along side of me at no point in time. As alleged, trooper Beyers stated I was tailing to closely miles back, so why did it take trooper Beyers almost two miles to pull me over after passing the motor home (this answer was also perjured at the suppression hearing June/2012 compared to the actual **Audio & Video**)?

Subsequently trooper Beyers initiates the alleged traffic stop, stating to whomever possibly illegally talking to trooper Trader "stating I am about to run him through leads" (leads is the radio system where the operational status of your license etc. are checked and reported back from), then the audio remains clear of ongoing traffic and clearly the active operational status of the leads program via all other ongoing activities per the highway patrol (this point is also most important, because trooper Beyers perjured himself relevant in testimonies and falsifying documents of the arrest reports etc.).

As the **Audio & Video highlights**, trooper Beyers immediately exits his patrol cruiser, approaches my vehicle with a series of questions, not one questions was related to the alleged traffic infraction which is most important (based on constitutional and due process protections) because the proper scope of the alleged traffic stop must be entertained, in which it was never entertained! Trooper Beyers obtains my license and vehicle credentials, after a series of inappropriate questions of my comings and goings, my responses were very short, knowledgeable within my constitutional and due process protections, professional and most respectful, **nor did I ever consent to a search etc.!**

SEPTEMBER 2014

• 3

Appx. P. 451

Bombshell of an Active Story

• • •

As the Audio & Video highlights, the trooper immediately returns to his patrol cruiser, without a second wasted literally, he calls trooper Trader on the phone and requests his K-9 assistance (which is illegal and lacked the probable cause in calling for a K-9 and or prolonging the stop for a K-9 to arrive, all the above are grave constitutional and due process violations, in which troopers Beyers etc. knew because he gravely perjured himself relevant at my suppression hearing June/2012, "stating he was reviewing the fine prints of the vehicles rental agreement, license etc.", which the Audio & Video clearly shows all the above was a lie, nor did trooper Beyers check my license during the life of the documented stop).

After trooper Beyers immediate request for K-9 assistance, again literally without wasting another second, trooper Beyers exits his patrol cruiser and immediately returns back to my vehicle and states your license are fine (as you'll see the trooper never checked my license during the life of the stop), then asked for immediate permission to search the vehicle, which I respectfully denied as the affidavit is clearly documented and attached to the original suppression motion submitted November/2011, but trooper Beyers stated he was searching the vehicle any ways, I reiterated my legal position and trooper Beyers reiterated his illegal position, so as I exited the vehicle per trooper Beyers own suppression hearing testimony "I locked the vehicle doors"! From this point on I was illegally striped of my liberty (which is gravely illegal, constitutionally violating and invading etc.)! Also per trooper Beyers own suppression hearing testimony etc., relevant a legal position of probable cause, there were no sight, smell and indirectly consent to search the vehicle legally! Under no circumstance should I have ever been legally placed in trooper Beyers patrol cruiser! Any information obtained under these illegal set of circumstances are considered "fruits from a poisonous tree".

Again per trooper Beyers own testimony, another constitutionally protected dynamic now exist, a lock vehicle that can only be legally accessed via the proper warrant request, and lastly copies of the obtained warrant(s). Per the prosecutor's office, neither exists!

At this point now illegally detained in trooper Beyers patrol cruiser, troopers Trader and K-9 Argo arrives. Troopers Trader and K-9 Argo immediately begins a counter clock wise open air sniff on the vehicle starting at trunk, moving clear around the vehicle it is clear the K-9 did not independently detect drugs as constitutional required per the K-9 services and title, clearly you can see per the Audio & Video—trooper Trader slightly pulls back, and clearly changes his posture and taps the exact location 2 to 4 times where K-9 Argo scratched the vehicle (which is extremely and gravely illegal and constitutionally violating), and this was the troopers and the State of Ohio's alleged and documented probable cause as documented to date!

Subsequently trooper Beyers chose to illegally take the car keys and broke into the vehicle. Now troopers Beyers, Traders and K-9 Argo's constitutionally invading and criminal behaviors of prompting K-9 to scratch the vehicle in their desired location to falsify probable cause, arrest reports etc., has caused the illegally detention, and undo financial and emotional stress onto me and my family but not limited to.

As documented attempts were made to get me to cooperate, in which I refused. I was immediately transported to the state trooper's barracks. Trooper Beyers and or his superiors immediately requested assistance from the DEA. The DEA agents arrived at the trooper barracks shortly after. The DEA agents

SEPTEMBER 2014

• 4

approached me in hopes of cooperation, which as documented this writer denied. The DEA agents then reviewed the audio & video simultaneously interviewing troopers Christopher Beyers and Michael Trader and others unknown by name by this writer. After a thorough review of the audio & video, the DEA immediately denied the case, saying within my ear shot "this case would not last 15 seconds in federal court". Troopers Beyers made several pleas to the DEA, all to no avail. I was then taking to the locals via this illegal judicial process. Subsequently bail was posted shortly thereafter.

This writer eventually started to challenge the entire judicial process, because every court date 98% of the time there was never a judge or stenographer present in the courts, it was always an attempt to get me to waive my speedy trial rights (to no avail), and my defense counsel always ran to the back, parts unknown (could have been to the rest room for all I know) but alleged the judge's chambers. My questions was always how could a case of this magnitude be argued off the record for the better part of 32 months, and more importantly how could my lawyer be arguing for me about facts he never himself prepared, he was nothing more than a face of submission of paperwork this writer prepared as documented?

In a little more or less than 32 months, I literally scene a proper court these dates only, initial arraignment June 14th, 2011, the immediate felony/bail hearing, county court arraignment 2011, my suppression hearing June/2012, November 18th, 2013 highlighting the record and firing counsel, November 25th, 2013 solidifying trial counsel for the record, February 11th and 12th, 2014 the actual trial dates. As documented for the record, I never waived any speedy trial rights!

Again, the mentioned above is an attempt to simplify the actual date and events of June 14th, 2011, and how and why the following highlights all the grave documented constitutional and due process violations, consisting of perjury, prompting etc. per the grave inconsistencies per the individual troopers own testimonies, prepared reports etc.! Below I will go into more details as far as the inconsistencies, legalities per the individual players involved throughout my current journey of this entire illegal judicial process!

TO ALL AMERICAN CITIZENS ABROAD THE FOLLOWING POINTS ARE MOST IMPORTANT TO KNOW FOR EVERY AMERICAN CITIZEN NO MATTER IF YOU EVER HAD LEGAL TROUBLES OR NOT!

Probable Cause when being pulled over can only legally be achieved via sight (that would lead an officer to believe a crime is about to be committed or you are in a commission of a crime), smell of drugs etc., or a verbal consent to search the vehicle. If none of the 3 requirements are met, the officer can choose to write you a ticket for the alleged traffic infraction or let you go with a verbal warning. Under no circumstances should you be or can be legally removed from your vehicle (unless voluntarily), and if for any reason you are, that is illegal and anything deriving from that illegal format of activity is illegal as well! Like the documented case of Clifton Jackson, none of the 3 requirements were met in addition although very respectful, nothing was voluntarily, in addition per the trooper Christopher Beyers own testimony June/2012, there were no sight, smell or consent and Clifton Jackson locked the vehicle doors once illegally removed from his vehicle, which brings about another wave of constitutional and due process protections that is governed by the ethical and moral standards and oaths taking to protect this entire judicial process regardless the titles of

defense attorneys, prosecutor's, and or judges etc.! The only means to legally gain access to any locked vehicle under the documented circumstances is of a proper and documented warrant request and if any, the documented warrant(s) obtained etc., none of these constitutionally protected legal procedures and protocols were followed by the law enforcement and judicial community as documented, known to the prosecutors (via written confirmation from the prosecuting office that is attached to the mentioned file, see the partial response from the prosecutor's office dated October 4th, 2013 which confirmed no warrants were ever legally requested or obtained to legally gain access to the locked vehicle) office and the entire judicial community throughout this entire judicial process.

Most importantly regarding the troopers testimonies are the truths highlighted in what is scene per the AUDIO & VIDEO compared to what was documented per the trial and suppression hearing testimonies and what alleged to be said per the documented arrest report which highlighted a specific documented time line per the authored of the arrest report, being trooper Christopher Beyers, and the operational (including the validation of my license which was never done during the life of the video, but was documented that my license were checked and came back valid) status of the LEADS PROGRAM (these documented lies are grave in nature and are known extreme constitutional and due process violations of and per the law where no legal conviction can derive or reside from the documented set of circumstances, which are known to the state troopers themselves, the State of Ohio Highway Patrol, The Prosecuting Office, The Defense Attorneys, The Judges and the County and State of Ohio) at that specific time June 14th, 2011 as documented, compared to what was alleged to be said that was clearly not said supported by the truth, the Audio & Video!

Per the trial prosecutor own testimony (see the trial transcripts, the prosecutor's opening statement to the jury), there were no evidence of any kind relevant to finger prints, DNA or cooperation. The prosecutor sole piece of evidence relied on during this illegal trial to seek a illegal conviction was a cell phone conversation as documented in the AUDIO & VIDEO, while I was illegally detained, because legally I should have never been removed from my vehicle and placed in a patrol cruiser for any reason at all! Cuffed or hand cuffed, once you are placed in a police car, you are striped of your liberty. So the legalities are paramount.

What is more important about the AUDIO & VIDEO mentioned that the prosecutor felt were favorable to them, prior to the portion of AUDIO & VIDEO used as their particular choice of evidence, this AUDIO & VIDEO also highlighted the prosecutorial misconduct (for violating the ethical and moral standards of seeking a convictions because although the prosecutor may seek a conviction, they must do so knowingly without violating your constitutional and due process protections), deriving from clearly supported perjury committed by the documented troopers Christopher Beyers, Michael Trader and K-9 Argo, via falsified documents being the arrest reports committed by trooper Christopher Beyers, prompting committed by Michael Trader and K-9 Argo, Illegal Search and Seizure etc.! Collectively but not limited to, was the immediate reasoning the DEA refused the case informally right before me to the troopers June 14th, 2011 and formally as documented August/2011!

Collectively the area of the AUDIO & VIDEO mentioned, is where I have personally and consistently highlighted my immediate concerns with counsel (at that point in time Jack Bradley was my counsel)

Bombshell of an Active Story

• • •

dating back to 2011 informally, via documentation August 15th, 2012 and formally via a DEMAND FOR DISCOVERY/BRADY REQUEST submitted as documented July 3rd, 2013! This is where the partial response dated October 4th, 2013 derives from, and again referred to November 18th, 2013; see all the mentioned documentation which are a part of the mentioned file!

To all the Readers, Americans and abroad, this particular area of the audio & video are greater than any one individual regarding State and United States Constitutional and Due Process protections and are submerged in legalities and liabilities as well, that's why the comparison of what was documented compared to what was said alone, are clear lies. However the additional confirmation of perjury etc. via the operational status of the leads logs that are legally accessible (believed to be classified under CAD REPORTS), even confirmed via trooper Beyers own trial testimony February 11th, 2014 (stating the prosecutor's use the logs to convict people all the time, but when asked why this writer was denied access to these logs, his answer was he did not know etc. see transcripts), per the law. Awaiting Brady materials that cannot be denied, legally a trial date should not exist. Also to deny this Brady material denies this writers constitutional rights to adequately address his accuser.

The points mentioned, I cannot reiterate enough---are so important to our society, that the judicial system regardless their individual titles abroad, took ethical and moral oaths to uphold in which they are governed by strict rules per constitutional and due process protections. These protections are so important to our society, that the judicial system although they may yearn a conviction for whatever reason, they legally cannot do so if they are knowingly violating these strict rules in which they are governed by!

AS DOCUMENTED THE ENTIRE JUDICIAL PROCESS REGARDING THE CASE NUMBER DOCUMENTED ABOVE, HAD NO RESPECT FOR THE ETHICAL AND MORAL STANDARDS, OATHS AND STRICT RULES IN WHICH THEIR PROFESSIONAL CAREERS ARE GOVERNED BY!

After your thorough review of the file, no matter whether your eye is trained or untrained legally, the average citizen knows a lie when it is right before them, and the documented record will highlight police and judicial corruption, again not limited to falsifying arrest reports, additional legal documents, communications throughout the judicial communities, documented perjury committed by law enforcement, prosecutorial misconduct, prompting (ordering the k-9 to clearly scratch the vehicle via a clear tapping the vehicle command that the dog did not independently hit on as required per constitutional protections, therefore trooper trader willingly & knowingly to create an illegal platform of probable cause again as clearly documented) but not limited to (grave internal violations committed by the state of Ohio highway patrol directly refusing to this very day to give me my right of legal access to the leads logs as requested via a Brady/Discovery demand July 3, 2013—as well as proof of the time my license was ran June 14, 2011 to confirm the status of my license as documented and testified to by one of its trooper being trooper Christopher Beyers per the transcripts thereof), defense counsel (Jack Bradley and his law Firm, who was subsequently fired November 18, 2013 as documented for ineffective assistance of counsel again as documented) compromising and allowing the defendants due process and constitutional protections to be compromised and violated etc., as completely documented!

The audio & video is the documented fact and truth the of all, the same audio & video the prosecutors solely relied on for my present illegal conviction and as you will clearly see, law enforcement

SEPTEMBER 2014

• 7

Bombshell of an Active Story

• • •

testimonies are gravely inconsistent with the documented facts and their own documented authored reports, nothing is remotely consistent!

SIMPLY PUT IF THE ARREST REPORT IS TAINTED AND OR INCONSISTENT IN ANY WAY WITH THE DOCUMENTED FACTS BEING THE AUDIO & VIDEO IN WHICH THE ALLEGATIONS IS ALLEGED TO DERIVE FROM, THEN EVERYTHING DERIVING FROM THAT REPORT ARE FRUITS FROM A POISONOUS TREE (simplified is illegal search and seizure) AND OR PROCESS, SIMPLY PUT ILLEGAL!

One of the questions are, are there double standards as far as law, our due process and constitutional protections when it comes to Urban America, "Inner Cities", African Americans and or Latinos, but not limited to?

IF ANY CITIZEN IS FOUND TO BE ANY PORTION OF UNTRUTHFUL OR INCONSISTENT DURING ANY INVESTIGATION PROCESS LESS ALONE UNDER OATH, BE IT TESTIMONY OR SIGNATURE, WE WILL BE HELD ACCOUNTABLE TO THE FURTHEST EXTENT OF THE LAW!

RESPECTFULLY I CHALLENGE YOU TO ASK YOURSELF WHY THE SAME DOESN'T APPLY FOR LAW ENFORCEMENT, WHEN THEY KNOWINGLY AND WILLFULLY ARE THE IMMEDIATE CAUSE OF ANY FORM OF ILLEGAL DETENTION OR INCARCERATION OF ANY KIND FOR ANY PERIOD OF TIME.

The story line that of **Clifton A. Jackson** is ongoing, who is presently illegally detained in the State of Ohio Department of Rehabilitation and Corrections pending appeal and the judicial process, stemming from the mentioned illegal trial, various completely documented constitutional violations, not limited to speedy trial violations, prosecutorial misconduct, perjury, prompting (as mentioned), judicial misconduct for allowing the defendant to stand trial for evidence that was legally suppressed (as documented above, the defendant suppression hearing was "granted").

The complete story and the entire documented record consisting of the complete time line of events, initial notes, arrest reports, motions, emails, hearing transcripts of written and oral arguments not limited to the original uncontested recorded **AUDIO & VIDEO** of the actual alleged traffic stop record(ing) (ed) directly from the initial pursuing & arresting patrol cruiser in its entirety. The entire documented record will be avail on the website for your thorough review, however until the site is up and running there is a secondary vehicle being used to provide you with the complete file at absolutely no cost or obligation to you. See pages 24 & 25.

Although the website remains under construction due to incarceration, financial and web preparation restraints, although physically detained, I remain mentally free, and with god's blessings the site will be up and running in the immediate future while presently incarcerated.

The month of August/2014 is extremely important and concerning as well because August 4th, 2014 my initial appellate brief was due, however submitted on or around July 29th, 2014. As of today's date September 5th, 2014 I lay dormant in limbo because of my hired appellate counsel Paul Mancino Jr.,

SEPTEMBER 2014

• 8

literally refuses to communicate with me and that deeply concerns me because I personally orchestrated and prepared all the documented paperwork to the point of trial, and after trial as well.

Not one of my documented attorneys prepared any paperwork and or motions of acceptance or meaning besides the initial Discovery Request 2011 & November 2012 initial Reconsideration Motion submitted (which this writer has always challenged the motives of submission and the legalities of a Reconsideration Motion under the Suppression Hearing Rules especially with a favorable ruling as documented, so to reconsider that—what sense does and did that make? The email of immediate instruction is also a part of the record, and it was sent before the initial submission of the reconsideration motion 2012), and those motions were shaky at best!

Collectively both those mentioned motions prepared by attorney Jack Bradley were extremely weak in nature and substance, that is why the supplemental brief of the reconsideration motion was prepared and submitted per my preparations and instructions late 2012, and as documented in the additional Discovery Request submitted July 3rd, 2013 in which this writer also prepared, ordered the submission and highlighted Jack Bradley ineffectiveness in the latter part of that motion as well!

My documented trial attorney Mark Aufdenkampe as of November 25th, 2013, never prepared paperwork and or motions of any kind either. He was basically threw into the fire (read the transcripts of November 18th & 25th, 2013 and mind you, the original Judge Zaleski retired December/2012 after his conflicting suppression hearing and reconsideration decisions, and the November dates mentioned above was actually the 1st & 2nd times, literally that I ever seen the trial Judge John Maraldi)!

So therefor, what could those attorneys be doing or saying in the Judge Chambers etc. for a little more or less than 32 months off the record without conversing with me or my direct presence in the Judge Chambers, being the sole author of my documented defense?

In addition, how can there be trial dates AWAITING BRADY and or DISCOVERY MATERIALS, although one of the same, from July 3rd, 2013 of CAD REPORTS and or LEADS LOGS but not limited to (see motion) which subsequently the request that could not be denied! However illegally that request have been denied to this very day, which ultimately denied my constitutional protections of factually addressing my accusers regardless of who they are, be it a trooper and or a prosecutor. More importantly, nor did either of my documented attorneys support or respect the demands of my July 3rd, 2013 Discovery Request that in this writers opinion would have further solidified the defendants position and defense as documented!

Relevant to Jack Bradley and his Law Firm, Clearly As Documented Ineffective Assistance Of Counsel Resides, because I would not play or embrace the role of a/his dam fool, he chose not to give any significant input and or appropriate (see the emails dated August 15th, 2012 & Decembers/2012 emails but not limited to), effort or affective legal representation. In fact on several occasions relevant as documented his ego had to be checked! So his best choice of representation was to simply ignore me as documented for extended long periods of time, subsequently compromising my due process and constitutional protections, and clearly allowing the same to be compromised!

Relevant to my appeal attorney Mr. Paul Mancino Jr. of Cleveland's own Mancino, Mancino & Mancino, Me being the author, I completely understand the magnitude of the right points being or

Bombshell of an Active Story

• • •

needing to be highlighted on the appeal, as they are and have been reserved for the appeal. I also completely understand the overall magnitude in addressing these points! My immediate intentions are to come full throttle on my appeal for the present and possible future federal review that is why the presentation and the communications are paramount because I am not trying to give the prosecutors any assistance of an easy vehicle out, in attempting to justify all the illegal actions and or activities highlighted in the enclosed!

Although I recently reviewed the "APPELLATE BRIEF" Mr. Mancino submitted to the courts on or around July 29th, 2014 (he did place a copy in my home email). Their still have been no direct contact, which is still alarming to me!

In an attempt to simplify for the readers, the most important dates of review once you obtain your complete copy of the documented record, of course the platforms are --1) **the arrest report— which is the DNA AND OR THE BIBLE of each individual case.**

The facts deriving from the arrest reports must be and remain consistent and cannot differ in any way what so ever (due to the fact my case is not complex at all, it is about as simple of a case you can get because you have the actual AUDIO & VIDEO which highlights the actual facts, the truth! The falsifying reports, perjury, prompting etc., and all the illegal judicial activities made this process appeared to be more complicated then it needed to be or what it really was, because the truth is right before you as a point of reference and comparison per every phase of the prepared reports, testimonies giving etc., and most importantly a review per due process and constitutional protections and in this case violations).

Besides the **AUDIO & VIDEO** mentioned, then the following motions that derived after the 2011 Discovery Request, the November 4th, 2011 Initial Suppression Hearing Motion submitted, June/2012 Suppression Hearing and the transcripts thereof, A motion submitted dated August 14th, 2012 and the Email dated August 15th, 2012 that immediately followed relevant that August 14th, 2012 motion submitted without my knowledge and or approval as clearly documented, the emails that followed leading up to the September 29th, 2012 Suppression Hearing Decision, the following Initial & Supplemental Briefs of the Reconsideration Motions submitted late 2012, the December 4th ,2012 Reconsideration Decision, the July 3rd, 2013 Brady/Discovery Demand, the October/2013 partial response to the Brady/Discovery Demand that has been illegally ignored to this very day, both court dates of November 18th & 25th, 2013, both transcripts attached, the internal complaint filed against Trooper Christopher Beyers February/2014, and lastly the motion filed along with the supporting exhibits being the entire documented time line consisting of the mentioned emails, motions, transcripts etc.! All will be avail in your copies.

Highlighting my documented position throughout every phase leading to and before trial February 11th, 2014 (the lawyers refused to accordingly represent me, so I had to the best I could for myself), and your immediate attentions in tolling the calculation of time and who it is charged to (to simplify it, this writer never waived his speedy trial rights period, although the time period from submitting the initial suppression motion until it's decision automatically waives the speedy trial clock until a decision is rendered, at which point the time automatically resumes against the peoples case, in which they had only

SEPTEMBER 2014

• 10

Bombshell of an Active Story

• • •

per strict constitutional speedy trial rules 270 days to try and convict me. It is clear the time exceeding their deadline by doubled and or tripled the legal time allowed, **ULTIMATELY A CLEAR VIOLATION OF SPEEDY TRIAL**), in calculating the speedy trial clock. Really it is that simple! If anything is contested it would be per the documented record, be it the audio & video, possible statements if any etc.! The same vehicle of points of evidence I am using against the prosecutor's case!

As of today's date, I have sent various correspondence via united states postage and emails requesting not only a thorough line of communication throughout my entire legal process as well as my desires to participate in the total preparations of the appeal brief in a whole (as I have briefly shared so far, but will more further in the post), but also that of legal copies of any and all legal documents since being hired not limited to my trial transcripts, drafts of my appellate brief for possible input including the submitted, and a copy of the prosecutor's response etc. as documented. There has been zero percent of cooperation with counsel thus far relevant! Make no mistakes about it, Mr. Mancino was hired because arguably he is one of the best in the State of Ohio on the appeal side, however based on the totality of the past documented lawyers and their refusal of communicating and representations relevant this case number etc., my concerns are justified!

Based on the mentioned justified communications concerns, here is a immediate scale to gauge my satisfactory levels of attorneys representations, including Mr. Mancino current representation and appellate brief submitted on or around July 29th, 2014, in which the prosecutor's requested for an extension of time to reply on or around August 18th, 2014.

The system is based on a 3 point system, every valid point made is worth 3 points.

DISSATISFIED-(3 TO 8 POINTS), AVERAGE-(9 TO 13 POINTS), OK-(14 TO 25 POINTS), GREAT JOB-(26 TO 37), HIGHLY SATISFIED-(38 POINTS OR HIGHER).

MR. MANCINO, RESPECTFULLY THE FIRST SIX (6) POINTS STATED BELOW ARE TO BE IMMEDIATELY MADE A PART OF THE RECORD PLEASE. POINTS 11-16 YOU CLEARLY ADDRESSED.

- 1. ALTHOUGH THE LAST PARAGRAPH ON PAGE 5 OF THE PRESENTED APPEAL IN BOLD PRINT TOUCHED THE SURFACE, ALTHOUGH I DO UNDERSTAND THE INTENTIONS OF THE POINT MADE, HOWEVER IT SHOULD ALSO BE MENTIONED THAT THE "BOLD PRINT STATEMENT" WERE FOUNDED ON PERJURY BECAUSE PER THE TRUTH, THE AUDIO & VIDEO—TROOPER BEYERS AS CLEARLY ESTABLISHED NEVER ATTEMPTED TO INVESTIGATE ANY RENTAL AGREEMENT, LICENSE OR ANY OTHER PAPERWORK FOR THAT MATTER WHAT SO EVER! TROOPER BEYERS ALLEGED IN HIS DOCUMENTED ARREST REPORT RELEVANT TO THE TIME LINE, LEADS OPERATIONAL STATUS ETC. THINGS THAT SIMPLY NEVER HAPPENED.**
- 2. PAGE 6 OF THE PRESENTED APPEAL IN BOLD PRINT, AGAIN CONFIRMS THE VEHICLE WAS LOCKED, DUE TO THE NATURE OF THIS MAJOR CONSTITUTIONAL**

SEPTEMBER 2014

• 11

VIOLATION, THERE NEEDS TO BE AN IMMEDIATE MENTION OF THE JULY 3RD, 2013 DISCOVERY/BRADY MATERIAL REQUEST IN A WHOLE, MORE IMPORTANTLY THE PARTIAL RESPONSE FROM THE PROSECUTOR'S OFFICE DATED OCTOBER 4TH, 2013 DERIVING FROM THAT REQUEST "STATING THEIR WERE NO WARRANT REQUEST(ED) OR OBTAINED TO LEGALLY GAIN ENTRY TO THAT LOCKED VEHICLE", AND THIS POINT WERE FURTHER ELABORATED UPON NOVEMBER 18TH, 2013 PER THE TRANSCRIPTS! COLLECTIVELY THE MENTIONED HIGHLIGHTS NOTHING WAS REMOTELY CONSISTENT WITH THE DOCUMENTED TIME LINE PER THE ARREST REPORT COMPARED TO THE TRUTH, THE **AUDIO & VIDEO**. IN ADDITION IT WILL ALSO HIGHLIGHT THE PERJURED DISPOSITION OF TROOPER CHRISTOPHER BEYERS PER PAGE 9 OF THE PRESENTED APPEAL BRIEF ABOUT THE OPERATIONAL STATUS OF THE AUDIO OF HIS ON-BOARD CAMERA, WHICH WORKED FINE WHILE HE ATTEMPTED TO NARRATE HIS ILLEGAL STOP!

3. REITERATE THE RENTAL AGREEMENT ARGUMENT ATTEMPTED BY TROOPER CHRISTOPHER BEYERS, WHICH LEGALLY WAS A MOOT ARGUMENT BECAUSE THE RENTAL AGREEMENT WAS NOT RESERVED OR PRESERVED FOR THE INITIAL RECORD. I DO ACKNOWLEDGE YOU'VE TOUCHED BASE RELEVANT, IF COULD STRENGTHEN SOME WHAT, THAT WOULD GREATLY BE APPRECIATED.
4. ADDRESSING TROOPER MIKE TRADER AND K-9 ARGO—THE PROMPTING WAS NOT HIGHLIGHTED AT ALL, WHICH IN IT SELF IS ALARMING. THE PROMPTING NEED TO BE IMMEDIATELY ADDRESSED ALONG WITH THE MENTIONED OF THE PROFESSIONAL DOG REPORT WHICH HIGHLIGHTS THE PREMEDITATED CONSISTENT NATURE OF ILLEGALLY PROMPTING THE K-9 TO GAIN AN ILLEGAL PLATFORM OF PROBABLE CAUSE AS CLEARLY HIGHLIGHTED IN **THE AUDIO & VIDEO!**
5. COLLECTIVELY THE INTERNAL COMPLAINT FILED AGAINST TROOPER CHRISTOPHER BEYERS CONSISTING OF PERJURY, FALSIFYING THE ARREST REPORTS ETC. COMPARED TO THE TRUTH, THE **AUDIO & VIDEO**. MORE IMPORTANTLY THE PREMEDITATED DISPOSITION AND THE NEWLY DISCOVERED EVIDENCE AND OR SUPPORTING CASE LAW BEING THE PROFESSIONAL AND SPECIFICS OF K-9 ARGO AND MIKE TRADER COMBINATION.
6. ALTHOUGH YOU ADDRESSED THE VALID INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM AGAINST MY TRIAL ATTORNEY MARK AUFDENKAMPE, MORE IMPORTANTLY THEIR SHOULD BE AN IMMEDIATE INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM AGAINST MY FIRED ATTORNEY JACK BRADLEY, WHO SIMPLY PUT COMPROMISED ALL MY CONSTITUTIONAL PROTECTIONS AND ALLOWED THE SAME TO BE COMPROMISED AS THE RECORD PRIOR TO TRIAL CLEARLY REFLECTS THE IMMEDIATE GRAVE VIOLATIONS APPEARED STARTING FROM JUNE/2012 PRIOR TO THE DOCUMENTED SUPPRESSION HEARING DATE. THE BIRTH OF THAT SUPPRESSION HEARING STARTED WITHOUT MY KNOWLEDGE OR PRESENCE EARLIER JUNE/2012 BUT THERE ARE NO RECORDS OR TRANSCRIPTS OF THIS HEARING OR ANY OTHER ALLEGED BEHIND THE SCENE ACTIVITIES, WHICH WAS CONFIRMED VIA AN EMAIL RESPONSE (**RESPONDING FROM AN EMAIL THIS WRITER SENT AROUND SEPTEMBER/2013 WHICH IS ALSO A PART OF THE RECORD**) FROM THE COURT REPORTER AGAIN AROUND

SEPTEMBER 2014

• 12

SEPTEMBER/2013, SUBSEQUENTLY THE ILL EFFECTS DERIVING FROM THE MENTIONED WERE UNAUTHORIZED MOTION SUBMITTED BY JACK BRADLEY DATED AUGUST 14TH, 2012 IN WHICH A EMAIL WAS SENT TO HIM RELEVANT DATED AUGUST 15TH, 2012, WHICH THE MENTIONED EMAILS WERE ALSO MADE A PART OF THE RECORD AS AN EXHIBIT IN THE MOTION SUBMITTED FEBRUARY/2014, AND EVERY EMAIL AFTER THE MENTIONED AUGUST EMAILS THROUGHOUT HIS DISMISSAL NOVEMBER 18TH, 2013 HIGHLIGHTED INEFFECTIVE ASSISTANCE OF COUNSEL TO A GRAVE DEGREE, AND THE ETHICAL AN MORAL STANDARDS VIOLATIONS CONTINUES TO HAVE A ADVERSE EFFECT TO DATE!

7. DEFENDANT WAS DENIED DUE PROCESS OF LAW WHEN THE COURT OVERRULED HIS MOTION TO SUPPRESS.
8. DEFENDANT WAS DENIED DUE PROCESS OF THE LAW WHEN THE PROSECUTOR OFFERED EVIDENCE OF DEFENDANT'S EXERCISE OF HIS CONSTITUTIONAL RIGHTS.
9. DEFENDANT WAS DENIED DUE PROCESS OF LAW WHEN THE COURT OVERRULED HIS MOTION TO DISMISS BASED ON THE VIOLATION OF THE SPEEDY TRIAL STATUTE.
10. DEFENDANT WAS DENIED EFFECTIVE ASSISTANCE OF COUNSEL.
11. DEFENDANT WAS DENIED HIS SIXTH AMENDMENT RIGHT TO PRESENT A DEFENSE WHEN THE COURT WOULD NOT EITHER RE-OPEN THE EVIDENCE TO ALLOW RECALL OF WITNESSES OR HAVE WITNESSES RECALLED WHO TESTIFIED DURING DEFENDANT'S ABSENCE/
12. DEFENDANT WAS DENIED HIS CONSTITUTIONAL RIGHT TO BE PRESENT WHEN THE COURT COMMENCED TRIAL WHEN DEFENDANT BELATEDLY APPEARED ON THE SECOND DAY OF TRIAL.
13. DEFENDANT WAS DENIED A FAIR TRIAL WHEN THE JURORS WERE INFORMED THAT DEFENDANT WAS UNDER RESTRAINT.
14. DEFENDANT WAS DENIED DUE PROCESS OF LAW WHEN HE WAS SENTENCED FOR A FELONY VERSION OF POSSESSION OF CRIMINAL TOOLS AND THE VERDICT DID NOT SUPPORT A FELONY VERSION.
15. THE COURT ERRED IN ORDERING DEFENDANT TO RE ATTORNEY FEES.
16. DEFENDANT WAS DENIED DUE PROCESS OF LAW WHEN THE COURT OVERRULED HIS MOTION FOR JUDGMENT OF ACQUITTAL.

POINTS 11-16 WERE ADDRESSED BY MR. MANCINO AND HIS STAFF. PER THE CHART ASSESSMENT WHICH PLACED MR. MANCINO IN THE "GREAT JOB" RANGE, HOWEVER.

THE SATISFACTORY CHART IS VERY SIMPLE, RESPECTFULLY THIS MUST BE STATED BECAUSE OF THE LACK OF COMMUNICATION CONCERNS, ALTHOUGH THE RESPECT FACTORS ARE EXTREMELY HIGH RELEVANT MR. MANCINO AND THE HISTORY OF THE MANCINO, MANCINO & MANCINO LAW FIRM,, RESPECTFULLY CONSIDERING YOUR PLACEMENT EVEN IF "HIGHLY SATISFIED", SINCERELY MY DESIRED RESULTS ARE

TO HIGHLIGHT ALL 16 POINTS STATED ABOVE FOR APPELLATE AND POSSIBLE FEDERAL COURT REVIEW. THE FIRST SIX POINTS MENTIONED ABOVE ARE EXTREMELY IMPORTANT BECAUSE I HAVE PERSONALLY PRESERVED THE DOCUMENTED ISSUES AND OR POINTS DATING BACK TO 2011 VIA THE DOCUMENTED MOTIONS, EMAILS ETC. WITH SPECIFICS AND DIRECTIONS SUPPORTED WITH AN ARRAY OF EVIDENCE THAT IS AND HAS BEEN A PART OF THE DOCUMENTED RECORD (THE ONLY NEW CASE LAW AND OR NEWLY DISCOVERED EVIDENCE IS THE SPECIFIC PROFESSIONAL K-9 REPORT OF TROOPERS K-9 ARGO AND MICHEAL TRADER), HOWEVER THE ABUNDANCE OF CONSTITUTIONAL CASE LAW EXPOSING THE POLICE AND JUDICIAL CORRUPTION AVAIL HAVE ELUDED THE RECORD FOR FAR TO LONG!

SIMPLY PUT, THE FIRST SIX POINTS MENTIONED ABOVE ARE TO BE IMMEDIATELY AND FORMALLY READ OR INTRODUCED INTO THE RECORD VIA A SUPPLEMENTAL BRIEF AND OR ANY OTHER LEGAL VEHICLE AVAIL FOR APPELLANT AND OR FEDERAL COURT REVIEW!

MR. MANCINO A COPY OF THE BOMB SHELL OF AN ACTIVE STORY HAS BEEN PLACED IN YOUR EMAIL AS IT HAS BEEN PLACED IN THE OFFICES OF THE UNITED STATES ATTORNEY GENERAL MR. ERIC HOLDER ETC., AS MENTIONED AVAIL TO THE REST OF THE WORLD. THERE IS NO ENTITY OR INDIVIDUAL TO SMALL OR TO BIG FOR PUBLIC OPINION AND PERCEPTION.

www.openvoureyes.com

Due to the magnitude of this overall situation my daily thoughts ponder and constant questions arise be it good, bad or indifferent, not only of myself, but that of global and or local role models, the community, the church, our schooling formulas, the double standards of our judicial process, and society as a whole as well.

Have we as individuals, parents, mentors, a community, a society, as local and global representatives and or leaders etc., have we collectively failed?

Are self-worth and wealth goals, sororities, fraternities and or inner circles and social and or financial commitments more gratifying then the overall perception of global and local community quality of life? Have we as individuals and a society lost all worth of humility and become that self-centered and selfish?

Although in many cases shame and humiliation resides because of family, relations and or reputation in the travels of our individual legal or life experiences, however the education avail for the mass's relevant Urban America "Inner Cities" remains segregated, although we may have graduated by race but we have not by quality or authenticity, for our community and youth and although even many of us relevant the recidivism numbers may have even grown into our adulthood, we remain stagnated and lack growth from possibly childhood scars. In many ways we understand our strengths but we do not understand the concepts of addressing our weakness to solidify or reinforce our strengths! Today it is not

about blame, it is about education because we are in the process of losing generations regardless of race, and therefore simply put the questions exist!

The vehicles of communication are paramount because the alleged problems of urban America are the DNA to change, which abroad are the focus of blame and corrections, however the mentioned and much needed corrections and hopefully solutions when all else has failed or are failing is extremely important to me to remain open and to keep a line of communication avail from within (ITL) the confines of the prison walls, no matter whether you are incarcerated or incarcerated in society.

This website will be a vehicle of untainted and undisturbed expression, because of ignorance it appears clear, where you place the blame, also is the residence of education, your teachers, generations of leaders, because you cannot factually educate the things you do not understand or simply do not know. It is truly sad that America is a melting pot of life's cultures, but we are light years away from understanding the cultures of our own born and bred American's. We have truly reached a point of needing to pay more attentions to our local gardens, then that of (deployment) global gardens to enhance our international efforts and or intentions.

America is the immediate definition of freedom, and it is also a highlighter of power and greed. We've seen it from birth, through the eyes of urban America, birth in the introduction of our homes, production, community which matured in our school years and throughout frequent of society. No one ever wanted or wants to be politically incorrect, be it a politician, your pastor or even your school principals in the education that has been presented. Either you graduate to a commodity or your nothing, until you become self-made. That mentality can only be caged but for so long, that's the American way, but the problems and questions exist from the same platforms, when your un caged, do you belong to the sororities, fraternities or appropriate inner circles? Who really defines appropriate, and why? Do you think hunger, homelessness, poverty, acceptance, power or greed cares to answer or about the answers?

Although it may appear this writer maybe blame y, bitter, a radical or distraught, however that is truly not the case at all. Many times the truth hurts, and we are maybe perceived in a disrespectful space if we ruffle the wrong water's, however the inner cities abroad but not limited to are tired of the do as I say not as I do mentalities and or societies!

When will wealth, our leaders be it our home, local or global going to learn to discontinue there presentations as no one has a bit of sense but themselves (the mentioned is a requirement for the desired global and or local change)!

Although it appropriate sincere desired change), the problem(s) will not only remain but escalate as well as graduate and ultimately have a unwanted extremely profound effect on our youth, as the troubles are effecting the youth and those affected are getting younger and younger!

So it appears the question question(s) would be, WHO REALLY WANTS CHANGE? Incarceration is a big money predominately privately ran business. This business thrives when all else about the American economy fails. I challenge all to ask themselves why? Why is America the home of the most incarcerated by astronomical numbers in the world?

The MAGAZINES, MOVIES, and MUSIC INDUSTRIES, TALK SHOW CIRCUITS, THE PROFESSIONAL SPORTS ARENAS etc. and now THE BOOM OF SOCIAL MEDIA but not limited to the accolades and desires of corporate and local America who thrives off the swag(s), strengths and sometimes ignorance of Urban America and Hip Hop.

It is a scientific fact that the opposites attract, and life's formulas can be simplified if only we learn the concepts of getting out of our own way (none more importantly than myself, keeping it on the I—but I urge you to look in the mirror) regardless of strengths and or weakness's, because what makes anyone motives of greed better or worst than the next? It sure isn't sophistication, access or serenity, because along the lines of a biblical verse—you talk about the speck in my eye, when there is a plank in yours!

The inner city mind set across urban America it appears, if this is societies presentation, keeping in mind how easily it is to judge, the double standards of availability, access, education, love and law and the judicial process, before long our futures are in jeopardy because the presentation equals genocide and the formulas are the founder(s) of our destination we alleged are undesired!

Please excuse the emotions in my writing, as this situation is personal to me and my family! Also, as I briefly break down my personal situation, please pay close attentions as the clear cut documented record can be right before you, as you will see everything written is factual and specific, all per the uncontested and un compromised documented events. There are no unsupported theatrical theories!

Respectfully, feel what you may about this writer, but it does not change the facts the documented record does not lie, in fact the documented record highlights the immediate need of a federal investigation into the documented corrupted judicial community!

Although presented, collectively the mentioned enclosed is far greater than any one individual, as well collectively the arena of legalities supersedes the thoughts of individual innocence or guilt.

Per the appropriate vehicle and application of the law compared to the illegal judicial process enclosed, there are extreme inconsistencies with these activities (which are also a ingredient to Urban American's crime rates), starting with our leader of the judicial community "United States Attorney General Mr. Eric Holder" (whom office has a copy of this file as well), overall desired perception of our constitutional and due process protections compared to the enclosed are contradicting, concerning in nature and evident, more importantly the enclose features grave violations of their ethical and moral oaths abroad, whom violations crashed the basement floors of codes of conduct, professional standards, judicial integrity, the State and United States Constitutional and Due Process Protections!

The falsifying of documents, perjury etc., was brought before the attentions of the Internal Affairs, the prosecuting office, my defense counsel and the State of Ohio Highway Patrol prior to trial via a internal complaint filed against trooper Beyers, solely supported by the documented record, being copies of Christopher Beyers authored arrest report and excerpts of his own conflicting testimonies compared to the mentioned uncontested and un compromised truth referred to "THE AUDIO & VIDEO". Compared highlights show well beyond grave inconsistencies. I have yet to receive a response from the Internal Affairs relevant, however per the Professional Dog Report (that is a part of the file as newly discovered evidence, as well as supporting case law) per K-9 Argo specific service record, not only is K-9 Argo illegally patrolling the highways with trooper Trader,

Bombshell of an Active Story

• • •

alarming trooper Beyers himself is now a active K-9 handler on the Ohio Turnpike etc., which defies the laws and alleged protections of the State of Ohio and the United States Constitutional and Due Process.

Sadly the documented activities actually are of the norm across Urban America. Too many judicial communities have become accustomed and reliant of the miss-use of informants, the abuse of authority, the plea process and intracorporate relations. The infiltration process actually starts with our alleged defense counsel appointed or retained. Simply put, if he or she compromises our protections, then those same protections are easily compromised!

An accused is alleged guaranteed the right of effective assistance of counsel pursuant to the Fifth, Sixth and Fourteenth Amendments of the United States Constitution and section 10 and 16 of Article 1 of the Ohio Constitution. In addition,

The Ohio Supreme Court stated that an evaluation of a claim of ineffectiveness assistance of counsel requires a two-step analysis----"First, there must be a determination as to whether there has been a substantial violation of any of defense counsels essential duties to his client, Next, and analytically separate from the question of whether the defendant's Sixth Amendment rights were violated, there must be a determination as to whether the defense was prejudiced by counsel's ineffectiveness."

Urban America abroad, the local statistics relevant convictions rates are heavily manipulated via over charging on the original arrest reports and over indicting via grand jury process directly and or indirectly to hide many illegal activities under plea deals, where one of the immediate requirements are to waive the meat of your rights to appeal, and whom better to serve you on a silver platter and shield any and all illegal intracorporate activities, none other than your own alleged defense counsel whom is supposed to be your umbrella of protection!

Under these circumstances, the facts of actual innocence or guilt becomes a moot point because legally guilt cannot reside on or from a illegal platform per the legally standing ethical and moral oaths, codes of conduct, professional standards governed and protected by State and United States Constitutional and Due Process protections, no matter if you are a alleged loser, a alleged drug dealer etc., regardless the judgmental state of society, respectfully that does not change the facts of the legal procedures, protocols and applications of laws, their intentions and our constitutional and due process protections!

Therefore, you enter a realm of liabilities, in the official immunity context, willful and malicious are synonymous, and means "intentionally committing an act that the official has reason to believe is illegally prohibited". This definition differs from the common law understanding of malice and intent.

The [malice] exception does not impose liability merely because an official intentionally commits an act that a court or a jury subsequently determines is a wrong. Instead, the exception anticipates liability only when an official intentionally commits an act that he or she then has reason to believe is [legally] prohibited (which is clearly the enclosed documented case)!

The intent of official immunity is to protect honest law enforcement efforts but not "to shield police brutality." therefore, the officers are entitled to official immunity unless the facts, in a light most favorable, demonstrates malice.

SEPTEMBER 2014

• 17

Appx. P. 465

“The right to be free from excessive (excessive force does not necessarily have to be physical) force is a clearly established right under the Fourth Amendment's prohibition against unreasonable seizures of the person. ([A]ll claims that law enforcement officers have used excessive force in the course of an arrest or other “seizure” of a free citizen should be analyzed under the Fourth Amendment and it's “reasonableness” standard, rather than under a “substantive due process” approach.”). However, individuals acting in an official capacity are entitled to qualified immunity unless their actions indicate immunity has been forfeited. Therefore,

There is not one documented factor legally that can contest this writers position, as supported by the states own documented record, which the only portion that could be presented as evidence against this writer at the illegal trial February 11th & 12th, 2014, in which that sole piece of evidence used was the mentioned **AUDIO & VIDEO**.

Due to the fact, I had to represent myself as best I could, it is this simple. I NEVER MADE ANY STATEMENTS, THERE WERE NEVER ANY DEBRIEFINGS ETC., what so ever! Even in America “Inner Cities Homes“, we were taught if you have anything bad to say—do not say anything at all. Also we were taught, if you lie, only a lie can cover a lie.

Throughout this documented intracorporate conspiracy, the birth of it starting in the State of Ohio on the Ohio Turnpike June 14th, 2011 when I was initially illegally pulled over for a alleged traffic infraction as documented never committed.

Therefore, my best defense was and is complete silence. After the troopers chose to lie after the DEA refused to take over their illegal case, after their acts of lying, the lies mounted and mounted. They needed my alleged defense counsel to not only have a reign of control on or over me, but they also needed him to be informative via any possible information's obtained via communications that is alleged to be protected per client/attorney confidentiality clauses that can be shared by your attorney with the judicial community on or off the record!

Simply put my attorneys never had anything to share, and the troopers lies started to mount and mount, and their team players started to show face, and show face. I consistently took notes, obtained copies of all my transcripts within my legal rights, and presented the record to the record as I am presenting the record to openyoureyes.com!

All I did was highlight the truths and inconsistencies per the documented record as they came to light (many defendants or their families may see or know, or have learned things against the prosecutor's case and you bring it to your attorney attentions, and he may write a note to himself or whatever, to subsequently down play whatever evidence because he portrays like he/she does not want to piss the Judge or the prosecutor off etc. at that point in time, chances are great those are the information's you need to get on the record at all cost, because more times than none that's where your freedom resides, it is not about arrogance or any of the above, or pissing someone off, it is about getting the truths or illegal activities on the record! To accomplish this, if you are not pissing someone off as mentioned, then you are not doing your job), and that makes attorneys, the prosecutors and Judges for that matter uncomfortable because your defense counsel have no control over you, you can be detrimental to yourself as well if you incriminate yourself (which that part the prosecutors and police loves and highly depend on, but hates if you are not incriminating yourself, that is why it is clearly

Bombshell of an Active Story

• • •

stated **"IF YOU MAKE ANY STATEMENTS, THEY CAN AND WILL BE USED AGAINST YOU IN THE COURT OF LAW"**, that is why regardless of what, complete silence is always your best defense)!

However, the prosecutor purposely attempted to conveniently over-look a array of grave constitutional violations, none more important than the arrest report (prior to trial this writer filed a internal complaint that was submitted to the state of Ohio highway patrol and the internal affairs, the prosecutor's office etc.!. The internal complaint was filed against Trooper Beyers for falsifying the arrest reports which was (there is also plans to file a internal complaint against Trooper Michael Trader and K-9 for perjury and prompting etc., as documented as well, once I receive the copy of my trial transcripts there are also immediate plans to file a internal complaint against Jack Bradley and his Law Firm for violating his ethical and moral responsibilities in representing his client per the bar ethical and moral standards as documented) prior to trial and the allegations solely supported by the documented record were perjury, the proof was the reference of the **AUDIO & VIDEO** recorded from Trooper Beyers own Patrol Cruiser, the arrest report itself and at that time the Suppression Hearing Transcripts, now what also can be added is the trial transcripts) authored by Trooper Beyers himself June 14th, 2011, where the arrest report highlights documented detailed times of events that never happened per the actual proof, that being the **AUDIO & VIDEO** recorded from again Trooper Beyers own patrol cruiser, but not limited to all the ingredients of illegal search & seizure, being illegally removed from the vehicle and illegally detained etc.!

Trooper Beyers subsequently testified to the same arrest report at my documented Suppression Hearing late June/2012 (which the decision of this hearing as documented was **"GRANTED"**, meaning the drugs were suppressed, unable to be used during the course of a future trial or allegations thereof), however his testimony relevant was not only nothing remotely consistent with the **AUDIO & VIDEO**, but it was also completely inconsistent with his authored arrest report and the audio and video collectively as well!

Not only did the Trooper present a moot argument that was never preserved or reserved for the record as mandated per constitutional protections, the trooper also committed grave perjuries per the documented record, by stating at the June/2012 Suppression Hearing when questioned about the wait for the K-9 arrival, he gave a detailed explanation of how he was investigating the fine prints of a rental agreement etc., and the alleged time it took in doing so, when per the actual proof being the **AUDIO & VIDEO** itself, which actually shows the trooper never spent one second investigating ANY paperwork, rental agreement and or license etc., in addition he also gave a detailed explanation relevant the **LEADS LOGS** program about detailed specific statements made relevant via a time line before and after drugs were found etc., but also compared to the documented proof of the **AUDIO & VIDEO**, that was also a total lie!

AGAIN PER YOUR IMMEDIATE REVIEW OF THE ACTUAL AUDIO & VIDEO, you will see not only is the trooper lying, NONE OF HIS TESTIMONY HAPPENED PERIOD!

SEPTEMBER 2014

• 19