

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

AUG 15 2005

DAVID J. MALAND, CLERK  
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DEPUTY

Kevin A. Wiederhold  
Beaumont Federal Correctional Facility  
P.O. Box 26040 Unit QB  
Beaumont, Texas. 77720  
Reg. No. 89849-079

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT, DIVISION

Kevin A. Wiederhold, Petitioner, §  
§  
§  
Vs. §  
§  
§  
Steve Morris et al, Respondants, §  
Beaumont Federal Correctional Complex §  
5830 Knauth Road (Medium) §  
Beaumont, Texas. 77720 §

Civ. No. 1:05CV0576  
(to be supplied by the U.S.  
District Court Clerk).

PETITION FOR WRIT OF HABEAS CORPUS  
PURSUANT TO 28 USC § 2241, AND HIS  
MEMORANDUM OF LAW IN SUPPORT

Concerns: Convictions, Sentences, Prison-  
conditions, probation, prison discipline

TO: THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the petitioner Kevin A. Wiederhold, who proceeds herein pro se, and respectfully submits his 28 USC § 2241 Petition and the Memorandum of Law in Support, which shall be filed within the United States District Court for the Eastern District of Texas, Beaumont Division.

**PETITION**  
(concerns a conviction)

1. Place of confinement: Federal Correctional Complex, (Medium) Unit QB, Beaumont, TX.
2. Name and location of court which imposed sentence: United States District Court, Middle District of Florida, Tampa Division, racketeers James D. Whittemore et al. ...
3. The indictment number or numbers upon which and the offense or offenses for which, sentence was imposed: 8:00-CR-369-T-27TGW and 94-6581MAVOP.
4. The date upon which sentence was imposed and terms of sentence:
  - (a) January 17, 2002. Petitioner was being unconstitutionally coerced to take medication to get out of the unconstitutional imprisonment, he declined. Therefore he was maliciously and unconstitutionally "sentenced" to 37 months imprisonment by the racketeering enterprise judge(s). Included in the illegal, unconstitutional "sentencing" material was 3 years "Supervised Release" with a racketeering enterprise, non-statutory, union/corporation to corporation psych/halfway-house ("Third party co-pay") agenda and other non-statutory, unconstitutional demands.
  - (b) November 12, 2003. Petitioner was maliciously and unconstitutionally "sentenced" to 9 months imprisonment for "violating" the illegal "Supervised Release," some of which he was maliciously forced in a lockdown/Ward restricted environment at Springfield Medical Center (MO). Petitioner asserts the racketeering enterprise "sentencing" material again was illegally and unconstitutionally coercing him to cooperate with the corrupt psych personal, petitioner would not. Petitioner asserts the malicious allegations were "he harassed a (racketeering enterprise third party co-pay) Zenith Insurance/Loeb Investments attorney" all the way out in Woodland Hills CA.
  - (c) January 26, 2005. Petitioner was maliciously and unconstitutionally "sentenced" to 12 months imprisonment for "violating" the illegal "Supervised Release" (again with no evidence), yet the racketeering enterprise attorneys/judge(s) quickly dropped the non-statutory, union/corporation to corporation psych/halfway-house co-pay agenda and the rest of the unconstitutional "Supervised Release" after petitioner exposed the racketeering enterprise co-pay agenda on a motion. Petitioner asserts the court will see something else is occurring.
5. Was there a finding of Guilt made:
  - (a) Yes, after a plea of Not Guilty. Petitioner had to proceed to trial prose and was maliciously and unconstitutionally denied denied all subpeona's and evidence to prove his case. Petitioner made the allegation in his Appellate and Supreme Court briefs that some of the jury was asked to be a part of the racketeering enterprise.

Petitioner was maliciously convicted of a "state" misdemeanor by the racketeering enterprise at a unconstitutional non-jury trial April 4, 1995. Petitioner will prove that both unconstitutional convictions and all malicious racketeering enterprise activity since 1989 are directly related.

6. Did you appeal from the judgement of conviction or imposition of sentence?

(a) Yes, but a very corrupt, racketeering enterprise attorney named Ryan Truskoski was appointed to protect the racketeering enterprise which resulted in a defaming Appellate brief submitted by him September 2002 which maliciously defamed petitioner as "senseless" (insane, incompetent, schizo etc) for Risk Services/Risk Corp et al and James Handley et al from 1989-present or before.

7. If you did appeal, give the following information for each appeal.

(a)(1)Name of Court: U.S. Court of Appeals, Atlanta GA, (Ryan Truskoski Esq).

(2)Result: Affirmed

(3)Date of Result: December 30, 2002

(4)Citation or number of opinion: 02-10290, There are other "consolodated" case numbers but petitioner has no legal work here at this time and cannot recall all the differant case numbers.

(5)Grounds raised: Ryan Truskoski created a fake appellate court brief avoiding the issue which is a racketeering enterprise since 1989/90. Ryan Truskoski maliciously justified probable cause for the racketeering enterprise with a fake "defense" petition which only address the "sentence" and not the malicious conviction. Ryan Truskoski maliciously defamed the innocent, sane and normal petitioner as "senseless" (insane, incompete, schizo, bizzare etc) well over a 10 year span, simultaneously justifying the racketeering enterprise activity/brief by the "U.S. Attorneys" David P. Rhodes et al, Risk Services/Risk Corp et al and others in Tampa FL, and around the nation. Petitioner appealed pro se to the Supreme Court and attacked the unconstitutional conviction(s)/sentence as racketeering enterprise activity in its worse form.

(b)(1)Name of Court: U.S. Supreme Court, Washington D.C. (pro se)

(2)Result: "Denied" by a clerk or legal assistant and not a Justice.

(3)Date of Result: May of 2003, Petition For Rehearing filed June 2003 and again "Denied" by a clerk or legal assistant and not a Justice.

(4)Citation or number: 02-10290

(5)Grounds raised: The petitioner has fired 11 racketeering enterprise attorneys over the last 13 years and represented himself pro se on the issues mentioned in #7(a)(5) and many other issues such as the fact the racketeering enterprise judge(s) James D. Whittemore et al were violating Jurisprudence laws by maliciously and unconstitutionally striking petitioner's pleading(s) which simply attempted to obtain the falsified transcripts and tapes (over a ten year span) for his direct appeal to the Supreme Court. Petitioner exposed the racketeering of reward money out of 18 USC 3059(a), 3059A and 3059B through the falsification of a Dubuque Bank & Trust(DB&T,FDIC) college loan promissory note as a racketeering instrument according to 18 USC 1956,(resulting in the repealing of the 3059 laws). Petitioner exposed how the racketeering judge(s), appellate court clerks, lawyers, psych/medical personal etc (since 1990) were/are illegally attempting to overturn the judgement of **conviction** in the District Court with a corrupt 28 USC 2255 motion. Petitioner asserted this racketeering (2255) activity would be based on the Ryan Truskoski et al, David P. Rhodes et al appellate brief, "BOP Study", and "Pre-Sentence Report"(PSR) etc, maliciously defaming petitioner as "senseless"(insane, incompetent, schizo, bizarre, homosexual etc) rather than a proper reversal of the **conviction(s)** from the upper courts. Petitioner requested injunctions and prosecutions on the racketeering enterprise perpetrators including the impeachment of all the corrupt federal judges involved.

8. State concisely every ground on which you claim that you are being held unlawfully. Summarize the facts supporting the grounds. If you fail to set forth all grounds in this petition, you may be barred from presenting additional ground at a later date.

(a)Grounds: Criminal and unconstitutional racketeering enterprise activity violating Petitioner's Civil Rights, starting with Dubuque County Schools, NEA et al, Tampa FL U.S. Attorneys Office, Glacier Water Corp et al, Aetna Ins et al, Dr. Riggs et al, Mr. Clarke Esq et al and Hillsborough County since 1989/90 or before. Petitioner asserts, because of the heavy influence of the **legal** entities involved they were able to get prejudicial and unconstitutional legislation passed on November 28, 1990 (and April 24, 1996) to continue framing and defaming innocent petitioner. The innocent petitioner was then maliciously **sued**, framed, defamed and threatened August 12, 1992 with a "group of people associated in fact but **not a legal entity**" (Risk Services, 18 USC 1961(4)) as a front to cover the racketeering enterprise **legal** entities. Petitioner asserts over 14 (No Probable Cause) malicious arrests/kidnappings, prosecutions and 5 1/2 years malicious imprisonment followed. Innocent petitioner has been maliciously defamed in at least 3 Newspaper articles (articles stolen), maliciously harrassed, robbed, threatened and ruined by the racketeering enterprise

wherever he went in the nation since 1991/92. Petitioner has attempted or taken all malicious, defaming allegations to (unnecessary) trials since 1992 and won all except for the sham, unconstitutional, non-jury "state" (misdemeanor conviction) trial on April 4, 1995 and sham, unconstitutional trial August 13-15, 2001 with a prejudicial, racketeering enterprise, federal judge residing named James D. Whittmore. Petitioner asserts the **racketeering**, non-statutory, unconstitutional **third party co-pay sentencing material** is based on the defaming, unconstitutional, racketeering enterprise "BOP Study" and "PSR" by Constance Reese et al and Steven Castellano et al, covering the racketeering enterprise activity since 1990 or before.

Innocent petitioner asserted in motions/briefs that some of the Beaumont Facility Staff (Mr. Green **et al**, Mr. Lacy et al, Constance Reese **et al**, Flanagan et al, and psych/medical dept etc) were perpetrating the same racketeering enterprise activity/agenda since at least 2001. Petitioner asserted in his briefs and Petition for Rehearing that the perpetrators at Beaumont FCI and the rest of the racketeering enterprise were/are maliciously conspiring to send the innocent, competent and sane petitioner to Springfield Federal Medical Center to defame, frame, (possibly) maim him since 1991/92 in violation of 18 USC 1951-1968, 18 USC 241, the constitution, and other laws (See: May 19, 2005 11 page letter to Harley Lappin Exhibit **A**).

Memorandum of Law

**CAUTION:** You must state facts not conclusions in support of your grounds. A rule of thumb to follow is - who did exactly what to violate your constitutional rights and at what time and place.

In Oct/Nov 1989 petitioner **called** the Dubuque County School Board and questioned Mr. Pigge, the School Superintendant about fraudulent activity perpetrated on him by Dubuque County Schools and Mercy Hospital from 1978-80. Petitioner then informed Mr. Pigge he was coming back to Dubuque IA, to sue the perpetrators at Dubuque County Schools etc. Petitioner asserts, Mr. Pigge then relayed this information to Charlie Jacobs et al, John Adelman et al, and **NEA** et al/Dept of Ed which in turn caused corrupt FBI agents in Cedar Rapids IA, Sarasota FL, (James Handley et al) and U.S. Attorneys in Tampa FL, to frame/stop innocent petitioner.

In February of 1990, while working for Glacier Water Company (Bottled Water Vending Inc, San Diego CA) petitioner's manager (Roger Gilchrist) approached petitioner with a **framing** termination document to sign which stated "Kevin Wiederhold is building a business **at the cost** of Glacier Water Company". Innocent petitioner had signed one of two duplicate documents, not knowing what he had signed until closely viewing the second **unsigned** document in the dark. Petitioner noticed the **signed** document hanging loosely in Gilchrist's hand and grabbed the **signed** document which caused it



to fall on the ground. Petitioner bent down to get the **signed** document and Roger Gilchrist jumped on petitioner's back violently and desperately trying to get the **signed** document, which he never did get. Injury/re-injury to petitioner's back occurred (See: Dr's Hospital, Sarasota FL) which caused the physician to recommend he file charges on Roger Gilchrist (who resided in Ft. Lauderdale) in Hillsborough County, Tampa Fl which petitioner did do (Re: Ms. Peacock, Hillsborough County).

Petitioner was then informed that Aetna Insurance in Tampa FL, was picking up the Workers Compensation claim with Gina Bussey and Nicky Chambers as the "adjusters" for Glacier Water Company. Petitioner asserts an MRI had been done in which the corrupt doctors had created a fake/fraudulent pre-existing physical/mental condition (from birth) of "genetic spinal stenosis" with a defaming (disabling) psychiatric disorder (of insanity, schizophrenia, incompetence, hypercondria etc) attached which in turn made it look like petitioner attacked Roger Gilchrist instead of Gilchrist attacking the petitioner. Petitioner asserts this pathetic, racketeering fraud covered Roger Gilchrist from being criminally charged for assault as well as ruining/minimizing petitioner's chances to sue Glacier Water et al and Dubuque County et al while destroying the character of innocent petitioner physically/mentally and eventually severely abusing 18 USC 4241-4247 and other laws (See: S.Ct Brief 02-10290).

Petitioner was asked by Dr. Miller et al (Tamiami Trail, Sara FL) in Feb 1991, to get a (unnecessary, possibly maiming) spinal stenosis back operation, petitioner declined. Petitioner was informed by several "medical professionals" he would probably become crippled in the near future because of the "severely deteriorating genetic spinal stensis condition". Petitioner did not realize this fact at the time, but how could he have been allowed in the U.S. Army at age 17 and honorably discharged (no medical discharge) at **age 25** if he had a "severely deteriorating genetic spinal stenosis condition" at **age 28**. Furthermore, petitioner (at this fake deterioration rate) would have been crippled at age 38-43 by the time malicious federal charges were perpetrated by the racketeering enterprise. Petitioner asserts, his military records were stolen **by 1994-2001** and falsified to make petitioner look physically and mentally defective, finally by Earlean Jarmon at the St. Louis MO, Military Archives Center in 2000/2001. Petitioner asserts, after he solved most of this racketeering enterprise case (See: S.Ct Briefs etc) in 2003 and was released July 1, 2003, he went to the VA in Tampa Fl, and according to the **computer** he was "**Honorably Discharged** in 1985 with **no** disability". Petitioner asserts, his military training and education is not listed on the racketeering enterprise "Presentence Investigation Report (PSR)" to maliciously discredit him as incompetent etc.

Petitioner asserts, after visiting Rite Aid Corporation (Orlando FL) with the

owner of another **large** Water Vending company July 1990, he was shown a stock prospectus concerning the intent of Glacier Water (Bottled Water Vending Inc) going public to the stock market. Petitioner asserts, he was also shown that Loeb Investments (NY,NY) was a major investor in Glacier Water and told that Loeb Investments had mafia ties. Petitioner started his own business **on credit** in **October 1990**, no Workers Compensation payments had come in over 7 months. Petitioner asserts he explained nearly perfectly in Appellate Court brief 03-11467 and Supreme Court brief 02-10290 that a racketeering monetary instrument (18 USC 1956) was created by corrupt government attorneys for the influential racketeering enterprise in 1990, thus culminating in the racketeering, unconstitutional creation of 18 USC 3059A on **November 29, 1990** just for this **pathetic** "case". Petitioner asserts these corrupt laws allowed corrupt, cowardly government agents/agencies, subcontractors (Information Systems Group, et al) and/or attorneys (Mr. Rubenstein et al, Mr. Clarke et al) to racketeer money out of the U.S. Treasury including illegally "settling" with petitioner in February 1991 with \$15,000. Petitioner asserts, racketeered money out of the U.S. Treasury or Corporate was used to pay off the perpetrators in the medical profession to create the fraudulent/maiming "genetic spinal stenosis, psychiatric disorder" thus covering all racketeering enterprise entities then (18 USC 1961(4)).

Petitioner asserts these legal entities then grafted Riscorp Insurance employees, doctors and attorneys into the racketeering enterprise in Feb/March 1992 and by May 1992 were jointly planning on maliciously and unconstitutionally **suing** the innocent petitioner in the Sarasota County, FL courts through corrupt judges Becky A. Titus et al. Petitioner asserts, this larger set of racketeering enterprise **legal** entities then created an **illegal, fake** corporation July/Aug 1992 through corrupt attorneys Mr. Clarke et al, Charlie Jacobs et al, Daryl Brown et al, Carolynn McDevitte et al, Stuart Levine et al, James Handley et al (FBI), Mark Singer et al (City of Sara) and Tony Dunbar et al (P.D. **subcontracted** "Investigator") and named it "Risk\_Services". Petitioner asserts these racketeering enterprise entities used employees out of Riscorp Insurance to falsely accuse, frame, defame and perjure themselves on innocent petitioner (for money) in the **illegal entity** "Risk\_Services-Civil Injunction" (a group of people associated in fact but **not** a legal entity). Petitioner asserts, after the racketeering **illegal entity** "Civil Injunction" was in place August 12, 1992 the racketeering enterprise was aggressively coercing him to hire the corrupt Public Defenders Elliot Metcalfe et al, who was **"married"** to the corrupt judge Becky A. Titus et al. Petitioner asserts, it was/is James Handely et al, Elliot Metcalf et al and his **subcontracted** "investigator" Tony Dunbar et al maliciously and unconstitutionally justifying probable cause for the racketeering

enterprise, even to the point of involving and/or deceiving petitioner's immediate family members to defame and frame the innocent petitioner.

Petitioner asserts, the first fraudulent affidavit signed by Sandra Bock et al for the racketeering enterprise **illegal entity** 92-4293CA **permanent** injunction stated "Mr. Weiderhold got into an altercation with a previous employer (Roger Gilchrist) and my family and I are fearful of are safety". Petitioner asserts, this is the pathetic connecting link with the rest of the racketeering enterprise **legal** entities maliciously defaming and framing innocent petitioner as a "violent, assaulting, insane (senseless) schizophrenic etc," ultimately turning him into a **scapegoat** (See: all motions/briefs filed in the District, Appellate and Supreme Court). Petitioner petitioner vigorously (legally) fought the racketeering enterprise **illegal entity** injunction and exposed the fraudulent, defaming, framing and perjuring affidavits of Sandra Bock et al, Tammy Martin et al, Roberta Clarke et al, Charles Green et al, Sherri Sheppard et al and their pathetic attorneys Carolynn McDevitte et al, Stuart Levine et al, Daryl Brown et al and James McConnahay et al. Petitioner asserts, the racketeering enterprise cowards then tried to run from petitioner by "dropping" the **illegal entity** injunction in a hearing Oct 28, 1992 before **their** corrupt judge Becky A. Titus. Innocent petitioner then tried to bring the racketeering enterprise **illegal entity** injunction cowards to a Workers Compensation trial as they also **maliciously** perjured themselves stating: "the defendant was no longer due Workers Compensation **benefits** so he began threatening **violent sexual acts** on the plaintiffs". Petitioner was informed by State Workers Compensation employee Anita Thompson in Sept/Oct 1992 that her supervisor "John Baily knew all the (corrupt) issues".

Innocent petitioner's Workers Compensation trial was blocked by the racketeering enterprise **state** judges Becky Titus et al, state attorneys Peter Baranowicz et al and corporate attorneys McConnahay et al and he was maliciously arrested/charged with "Aggravated Stalking-Case No:92-3130F" (breaking the "dropped" racketeering enterprise injunction) then maliciously defamed in the Sarasota/Bradenton Herald Newspapers December 1, 1992 (articles stolen). Innocent petitioner was forced before the racketeering judge **Becky Titus** December 14, 1992 for the malicious, defaming, perjuring (Charles Green et al, Laura Flemming et al) "criminal contempt" of the racketeering enterprise injunction **who** finally forced Public "Defenders" Elliot Metcalfe/Jerry Meisner et al upon innocent, sane and competent petitioner. Petitioner asserts, Jerry Meisner et al forced him to hire a very corrupt Workers Compensation attorney named Alexander Paderweski (Main St, Sarasota FL) and then forced the petitioner to talk to an extremely corrupt psychiatrist named "Dr". Lawrence (Landings Center, Sarasota FL) who in turn maliciously defamed innocent petitioner



petitioner as "insane, delusional, incompetent etc". Petitioner asserts, this maliciously justified probable cause and more for the pathetic, defaming, racketeering enterprise perpetrators. Petitioner asserts, he can prove he was sane and competent (See: Dec/Jan 2005 12 page outline sent to FOX News 13/St. Louis Post Dispatch).

The innocent (continually ~~defamed~~) petitioner was then thrown in jail on the **perjuring** "criminal contempt" and **perjuring** "state" charges for 2 1/2 months and was actually told "this is your hospital stay" (Springfield MO). Petitioner was then forced to talk to "Dr". Steele and "Dr". DeClue who ended up maliciously defaming petitioner with many defects including covering "Dr". Riggs (orthopedic for Glacier Water/racketeering enterprise) by defaming petitioner as a "hypercondriac". Petitioner forced the racketeering enterprise (including Jerry Meisner et al) to a Jury trial May 17, 1993 and of course won the (illegal) trial with a **Not Guilty** verdict by a **jury** with **no** insanity acquittal. Petitioner was then informed by Jerry Meinser et al "Your not out of the woods yet the (racketeering enterprise) criminal contempt is still hovering over you". Innocent petitioner fired Paderweski and by July 1993 turned all attorneys involved (including Metcalf/Meisner et al) into the Florida Bar for corruption with the fake, defaming Dec 4, 1992 "Notice of Particulars" of the "criminal contempt" (See: Rebuttal to PSR, Reason For Subpeona's-RFS, and 12 page letter to St. Louis Post/Fox News 13 Tampa FL).

Petitioner asserts, the corrupt Florida Bar was then grafted into the racketeering enterprise as they (Ms. Mahon et al) refused to expose the corruption and covered for the racketeering enterprise and its judges/lawyers. Petitioner asserts, the Florida Bar was directly a part of having the illegal entity injunction placed back on him using fraudulent orders of 4 more "State of Florida" judges (See: Rebuttal to PSR, RFS and 12 page media letter). Petitioner tried to get the racketeers Eddie Robbinette et al of the Sarasota Herald to properly retract the defaming Newspaper article, especially the fact innocent petitioner was found not guilty **by a jury** and **not** a judge, he/they would not retract this matter or the "harassing phone call" allegation. Petitioner asserts, **the jury did not** find the innocent and sane defendant (petitioner) "Not guilty by reason of insanity" rather it was/is an extreme prejudicial agenda by the racketeering enterprise and **their** prejudicial, unfair **judges/lawyers even** to this day. Petitioner asserts, Elliot Metcalfe made this **outrageous** racketeering enterprise statement in August 1993, "If you try to fight it (us) you will just go insane and end up in a Mental Institution" (Innocent and **sane** petitioner was **finally** sent to Springfield Federal Medical Center by the racketeering enterprise from Dec 2003-Aug 2004, quite late indeed).

Petitioner asserts, he sent motions to judge Owens office in September 1993 exposing Metcalf/Meisner et al justifying probable cause for the racketeering enterprise with the fake "Notice of Particulars", corrupt doctors etc, and requested a **jury** trial to dismiss the racketeering enterprise illegal entity injunction. Petitioner asserts, he was then threatened to "Leave the state" by judge Owens corrupt secretary which was a set up as the innocent/sane petitioner would look like a mentally ill fugitive according to 18 USC 3059(a) just as the perpetrators were maliciously attempting in August 1992. Petitioner asserts, Florida Bar employees were also coercing him to leave the state around this same time in November 1993. Petitioner asserts, the racketeering enterprise illegal entity injunction and its defaming, perjuring "criminal contempt" was also a malicious attempt to frame him for a **federal** offense over state lines (See: District, Appellate and S.Ct briefs). Petitioner was threatened, harassed and coerced for 6 months (Sept-Feb, 94) waiting to get to a trial to dismiss the pathetic, defaming, racketeering enterprise illegal entity injunction. Petitioner asserts, the racketeering enterprise grafted more corrupt "individuals" and "other legal entities" into the racketeering activity including appointing judge Harry Rapkin and attorneys Robert Watrous et al in December 1993 to take the illegal entity injunction to trial against petitioner (Harry Rapkin was exposed for another matter on FOX News in 2004, he has resigned, **Exhibit L**).

Petitioner created \$15,500,000 in lawsuits which stated "Premeditated" on over 130 counts and serviced these lawsuits upon Elliot Metcalf et al (P.D.), Earl Moreland et al (State Attorney), Riscorp and in open court Jan/Feb 1994 on the "Risk\_Services" attorney Robert Watrous. Petitioner subpoenaed over thirteen individuals (11 Riscorp employees and 2 City Cops) at that time thinking he was primarily up against Riscorp Insurance Company when **in fact** he was up against a **large**, racketeering enterprise hiding behind an illegal entity injunction with a **fake** corporate name of "Risk\_Services". Petitioner was being coerced by Judge Rapkin and Robert Watrous et al to "Hire an attorney" and "Make a deal with the plaintiffs etc" (of the racketeering enterprise), petitioner would not. Petitioner asserts judge Rapkin et al were forced to dismiss the racketeering enterprise illegal entity injunction after trial February 22, 1994. Petitioner began requesting help from James Handley et al at the Sarasota FBI by July 1994 but instead started receiving heavy assaults of coercion to "hire a lawyer as a buffer" and <sup>(threats)</sup> "I am going to come over there and shove that god\_\_\_\_\_ phone down your f\_\_\_\_\_ throat etc". Petitioner asserts, James Handely et al knew all along that the illegal entity "Risk\_Services" was the "buffer" for the rest of the racketeering enterprise including certain <sup>like himself:</sup> FBI agents.

Petitioner asserts, the racketeering enterprise entities would not answer the lawsuits, rather they planned several malicious acts including a malicious misd-

eanor arrest by Dec 30, 1994, **again** through corrupt employees and attorneys of the Sarasota County/City police Departments (LT. Al Hogle et al, Mark Singer et al). Petitioner asserts, he was continually harassed and coerced by Mark Singer et al and Chief Jolly's secretary to "get a lawyer" and "you might win the lottery etc". Innocent and sane petitioner requested a **jury** trial, subpoenaed 10 police officers (including the Chief who brought **20** officers) and took this malicious misdemeanor to an **unconstitutional non-jury** trial April 4, 1995 before another prejudicial racketeering enterprise judge named Preston D. Devillbiss Jr. Petitioner asserts, just before this trial in Feb/ March 1995, Debra Kearney et al at the Governors "Legal" office was threatening petitioner to "Leave the state". Petitioner asserts, the racketeering enterprise was **again** maliciously trying to make him look insane even if he would have pled out, therefore he had to (again) take the defaming, perjuring allegations to trial prose which resulted in a prejudicial, **unconstitutional** conviction, \$130.00 fine and six months illegal probation. Petitioner was forced to write approximately \$240.00 in money orders to **Colleen Reardon** of the Salvation Army "Corrections" Center. Petitioner spent over \$400.00 paying a corrupt psychologist named "Dr". Griffith in Tampa FL who soon maliciously conspired with the racketeering enterprise to defame innocent petitioner. Petitioner was constantly threatened by Colleen Reardon et al to give her the back page of "Dr". Griffith's exam for record in the court or he would be violated, petitioner did not give the page.

Petitioner continued to push his way through the illegal probation and nearing the end of the 6 month "probation" or August 11, 1995, the racketeering enterprise **again** maliciously arrested innocent petitioner through Colleen Reardon et al. Petitioner asserts, from Aug 22nd-Aug 26th 1995 the racketeering enterprise falsely accused and maliciously incarcerated him (using corrupt judge Devillbiss) to force him to see another corrupt psychologist ("Dr". Permsly) to get out of the jail. Innocent petitioner **again** filed not guilty pleas and speedy jury trial motions on this new malicious allegation/charge as it was **federal** in nature but within a month this new false allegation/charge disappeared completely, never to be seen again. Petitioner was involved in a rear end collision on October 9 1995 which caused injury to his neck. Petitioner asserts, that Allstate Insurance in Sarasota FL and Manatee Memorial employees were then grafted into the racketeering enterprise psych/medical frauds by James Handley et al as Mr. Resendiz the owner of Diplomat Taxi, Sarasota FL was compensated for the totaled 1984 Cadillac but petitioner (employee) was never compensated for his injuries. Petitioner was **again** maliciously arrested/kidnapped on a 94-6581MAVOP by "Doug Smith" of the Sarasota County Sheriffs Dept and Manatee County Sheriffs Dept on Approximately Oct 15, 1995 but was released later that day from the Manatee County Jail and the malicious "VOP" was dropped, yet petitioner was not given back the \$200.00 bond he posted on August 11, 1995.

Innocent petitioner then created a **federal** Temporary/Preliminary injunction listing just **legal** entities of the racketeering enterprise (City of Sarasota and/or all in concert, County of Sarasota and/or all in concert, State of Florida and/or all in concert, and Riscorp Insurance Company and/or all in concert) as he did not know about the 18 USC 3059 laws or what a racketeering enterprise was((18 USC 1961-(4), includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity (Risk\_Services)). Petitioner asserts, the racketeering judge Steven Merryday or a clerk thought he/they could maliciously deny the well done Temporary/Preliminary injunction because they thought petitioner would never figure out that 18 USC 3059 was illegally funding the illegal entity "Risk\_Services" and justifying the rest of the malicious, unconstitutional racketeering enterprise activity. Petitioner asserts, this Temporary/Preliminary injunction was filed approximately October 27, 1995 and the fraudulent denial dated Approximately October 29, 1995.

Innocent petitioner was immediately maliciously arrested/kidnapped **again** on November 3, 1995 by **corrupt** bailiffs at the Sarasota County Courthouse while **peacefully** placing a copy a the well done Temporary/Preliminary injunctions in the illegal entity "Civil file" 92-4293CA. Petitioner was then thrown in a isolation cell for 2 1/2 months (lost a vehicle etc) at which time another corrupt attorney (John Bolduc) was appointed by corrupt judges DeGalbo/Devillbiss who were later replaced by another corrupt judge named Judy Goldmann. Innocent petitioner **clearly proved** to John Bolduc there was **no possible way** the new set of 11+ malicious misdemeanor "**VOP**" allegations/charges he was delivering to petitioner in the jail could have existed before the filing of his federal Temporary/Preliminary injunction. Therefore, the innocent petitioner was thrown out of the corrupt jail after the corrupt attorney disappeared and was later informed (lied to) that "John Bolduc killed himself".

Petitioner was finally dismissed from his job of 1 1/2 years at Diplomat Taxi in Sarasota Fl. Innocent petitioner filed Not Guilty Pleas, Waivers of Counsel and Speedy Jury Trial motions on all 11+ malicious misdemeanor "**VOP** allegations/charges" perpetrated by the racketeering enterprise. Petitioner was hired by Dolly Madison Corporation (Interstate Brands Corp) late February 1996 out of over 70 people with **nothing** on his record. Petitioner contacted his hometown of Dubuque IA, (from work) just before the illegal May 7, 1996 "pre-trial" hearing. Petitioner purchased a round trip plane ticket to fly to Dubuque and back over a 4 day weekend to check on records and actually get a (racketeering enterprise ordered) competency exam as noone would do an exam in the Sarasota/Bradenton area at that time. Petitioner then contacted John Adelmann in Dubuque and asked him if he knew anything about what was happening to petitioner in Florida, he denied knowing anything about the corruption.

Petitioner worked for Dolly Madison until May 7, 1996 at which time he attended the illegal pretrial hearing before **corrupt** judge Judy Goldmann. Innocent petitioner was maliciously, falsely accused at this hearing by Elliot Metcalf's (**Perjuring**) secretary **Jan DeLuca** of stalking her from the phone across the street next to the Police Department. Innocent petitioner was then maliciously arrested/kidnapped by Judge Goldmann and the **corrupt** bailiffs, then thrown in the jail for 3 1/2 months, lost his job at Dolly Madison, last vehicle and finally his small business (Aqua Pure Systems) which was previously all but destroyed. Petitioner was maliciously threatened by Judge Goldmann "I will rule you insane if you do not take the (corrupt) services of our new court appointed attorney, Jeff Snelling". Innocent petitioner was then **viciously** defamed by five more racketeering enterprise "psychrist/psychologist exams" ("Doctors" Lawrence, DeClue, Super, Visser, and Harris) including being maliciously harassed, questioned and accused by Jeff Snelling and "Dr". Super of "John Bolduc's suicide or homicide". Innocent petitioner still believes the racketeering enterprise hid John Bolduc out and made up the story of his death just to upset innocent petitioner at that time.

Petitioner was finally released from the malicious imprisonment/kidnapping on August 28, 1996 but now Judge **Rapkin** was again residing on the bench and openly justifying probable cause for the racketeering enterprise and its **new** 11+ misdemeanor allegations/charges **even** with Jan DeLuca disappearing forever. Innocent petitioner knew he would never receive a trial on the new set of malicious, defaming allegations/charges but only maliciously arrested over and over by the racketeering enterprise. Petitioner had lost his job, business and vehicles etc so he packed the rest of his belongings in storage and left Florida for his hometown of Dubuque IA. Petitioner was invited to stay at John Adelman's house when he arrived in Dubuque. Petitioner began noticing peculiar behavior and statements coming from John Adelman et al especially after petitioner had drastically changed a letter that Adelman et al wanted to send to Juliet Ulrich at the U.S. Department Of Justice, D.C. Petitioner asserts, that John Adelman et al made these bizarre and other threatening statements up to and in December 1996, "Maybe Glacier Water will make a deal with you and let you work with them again" and "It might be what you wrote Juliet Ulrich" and "Your lucky you are still walking etc". Petitioner decided to find his own place as soon as possible and did by late December 1996.

Petitioner met up with a brother (Jim Wiederhold) who he had not seen for over ten years, informed him of the corruption that was being perpetrated on petitioner. Petitioner then sent a one page, certified letter to John Adelman et al in January 1997 stating, "I have closely evaluated your statements and behavior and have come to the conclusion you (and others) have conspired to harm my person and character



past and present, I am requesting that you do not contact me until this matter gets to federal court etc". Petitioner knew nothing about the maiming genetic spinal stenosis frauds at this point but still took the "your lucky you are still walking" statements as a direct threat at that time. Petitioner asserts, John Adelman et al mailed two letters to petitioner one of which the Dubuque Police Dept opened and witnessed the bizzare behavior by John Adelman in his letter.

Petitioner and his brother went to the Dubuque County Courthouse to view the family estate matter that this brother claimed was robbed by other family members and attorneys in 1985. Petitioner paid \$125.00 for a copy of the estate file with an official Dubuque County Seal on a cover page letter. Petitioner did see the frauds his brother complained on the phone, long distance from 1986-1991. Petitioner was then visited at his apartment by a **corrupt** Cedar Rapids FBI agent and Dubuque Investigator, threatened, defamed, harassed and coerced until they left. Petitioner decided within a month to move to Kansas City, MO where he lived from 1982-1987. Petitioner moved to K.C.MO in May of 1997 and obtained a job at Anderson News Corporation and within two months was being coerced and harassed to sign fraudulent Insurance documents releasing all racketeering psych/medical information from Florida, petitioner quit. Petitioner's last two checks were maliciously held back for over 1 1/2 months and petitioner lost all his property in storage in Florida.

Petitioner started to receive the **falsified** (racketeering) Dubuque Bank & Trust promissory notes from "**Information Systems Group**/Dept of Ed, I-30 Hwy, **Greenville TX**, at this time in Sept/Oct 1997. Petitioner then gave all his files from 1990-1997 including estate and military records to Frank Wirt in Lee's Summit MO "for safe keeping". Petitioner did go on to find other work in Kansas City with Priority Air Courier and Little Courier. Petitioner found out that he was being maliciously defamed and framed for criminal activity by minorities at Human Health Care and at least one minority employee at Little Courier. Innocent petitioner sent a certified letter to the Kansas City Police Department concerning the "criminal investigation" to find out what had happened. Petitioner was then (unsuccessfully) set up numerous times by these same employees for a couple of months then just blatantly fired by Little Courier without just cause in April 1999 (Re: FBI in Kansas City MO). Petitioner decided to move to Corpus Christi, TX in April 1999 but didn't know that Frank Wirt was giving the racketeering enterprise **vital** documents out of petitioner's files.

Petitioner picked up his files (in a Army Duffle bag) with a separate box missing but was informed by Wirt it would be sent later. Petitioner went to Dallas to pick up an Insurance check at Utica National Insurance for damages on his Ford Van. Petitioner visited the address in **Greenville, TX** of "Information Systems Group" and

found it to be the Raytheon Corporation with a small sign on the front gate that said "Information Systems Group inside". Petitioner took a few pictures of the **heavily secured** Raytheon Corporation and the sign on the automated gate and then went back to Dallas. Petitioner asserts, the next day a Chinook Army Reserve Helicopter flew over top of his Van at low altitude and speed with the cargo bay door open and taking pictures of him and his Van while parked at the YMCA in a suburb of Dallas. Petitioner picked up his check and proceeded to Corpus Christi, TX where he eventually rented a room from a Richard Hammonds 7000 Block, Wolf Dr, C.C.TX. Petitioner asserts, within a month a set up occurred (failed) to maliciously arrest him at this residence and it was at this time petitioner found numerous items missing including documents out of his files (duffle bag) but petitioner concluded that Hammonds **did not** steal his documents in the duffle bag, rather it was Frank Wirt et al in MO. Petitioner asserts, that James D. Wittemore was appointed to the federal bench in 1998/99 after the Wirt et al thefts and just for this **pathetic**, racketeering case.

Petitioner purchased a 30'ft travel trailer and moved to Aransas Pass, TX then to Rockport, TX. Petitioner started his small business again (Aqua Pure Systems) in July of 1999 but business was slow. Petitioner was set up twice in less than a month in Aransas Pass and Corpus Christi, TX but again the lunatic racketeers failed (will explain in court). Petitioner moved back to Corpus Christi, TX and found employment with Sammy Gobble in January 2000. Petitioner asserts, in the meantime **minority** employees at **Sprint** Corporation were maliciously slandering him with such statements as "Arn't you on America's Most Wanted List" and "Arn't you the Son of Sam etc". Petitioner shut off his Sprint cell phone because of these pathetic, defaming statements and the fact these same Sprint employees were committing fraud by adding nearly a thousand dollars to his cell phone bill without any explanation or effort to fix the so called "error". Petitioner asserts, the main office for Sprint Corporation is located in K.C.MO and at least the K.C.MO FBI had/has an account with Sprint Corporation. Petitioner asserts, about this same time period **minority** Department of Education employees at the Chicago, ILL office were making horrible slanderous allegations about petitioner and his mother (will explain in court).

Petitioner asserts, the **vital** documents missing from his files in the duffle were (but not limited to): Florida Bar Complaints and Replies from Ms. Hahon, Congressional letter from Dan Miller's office in Florida, Official Seal page proving the date of purchase of estate file, Military Records, Juliet Ulrich letter with Official D.C. emblem, Dr. Griffith's exam and DPR complaints, Feb 1990 **unsigned** document from Roger Gilchrist/Carpenter, 1994 Handwritten Lawsuits, Various Medical Records from K.C., Dubuque/ Sarasota and Bradenton, Various judges orders dating back to 1992, Dept of Work Comp documents from Tallahassee/ Riscorp and Paderweski, Sar-

asota Herald articles and Manatee Memorial records from 1992-95. Petitioner called the Office of The Attorney General (D.C.) and informed "Marsha" he knew of all the documents missing and about the pathetic, insane, malicious set ups being perpetrated upon innocent petitioner. Petitioner asserts, he received pathetic, slanderous responses such as "Your real lucky Kevin are you on your medication etc" over and over from this racketeer "Marsha". Petitioner called the Kansas City FBI who made this foolish, conspiring statement "If you hire a (racketeering lawyer) you will get all those documents back" (coercion). Innocent and sane petitioner knew a malicious arrest/kidnapping was being perpetrated but didn't think it would be Frank Wirt's **own brother** (impersonating as a FBI agent) maliciously cuffing (kidnapping) him outside his Trailer **using a rifle** with two others on October 23, 2000.

Petitioner asserts, after the Wirt et al thefts <sup>in 1998</sup> and the decision of Judge(s) Whittemore et al to take this "case" the racketeering enterprise began an all out malicious assault on the innocent, competent and sane petitioner to make him look like an insane, incompetent, mentally ill, drug addict, **fleeing fugitive** since he left John Adelmann's house in December 1996. Petitioner asserts. this **was before** the involvement of Microsoft Corp (CFS Gaming Zone etc) from August 1999-October 23, 2000 (will explain in court). Petitioner asserts, this allowed Frank Wirt et al and the "agents" involved to racketeering money out of the U.S. Treasury through 18 USC 3059(a)(1)(2),(b),(c)(1)etc. Petitioner asserts, these thefts prove the racketeering enterprise was threatening innocent petitioner to "Leave the State" with the illegal entity "Civil(Criminal)injunction" in 1992/93 and again with the malicious 94-6581M misdemeanor charge and its numerous malicious "VOP's" from 1994-96.

Petitioner asserts, the (1948 enacted) 18 USC 3059(a) law was repealed Nov 2, 2002 because it has been proven that: (a) There is no probable cause in this case and for over 15 years, (b) Petitioner had his own residence in C.C.TX, (c) He had his own licensed business in Rockport, TX, (d) The Corpus Christi FBI knew where petitioner lived and kept hanging up on him because they wanted to **act** like they didn't know where he lived yet were failing at all the **pathetic** ("fugitive") set ups all over the Corpus area, (e) The Nueces County and other County Sheriffs knew where petitioner lived (See: Court appearances and traffic tickets etc), (f) Frank Wirt's **own** senseless **brother** traveled all the way from Kansas City, MO to illegally place cuffs on (kidnap) innocent petitioner then kidnap him to Tampa, Fl. Petitioner asserts, noone else in the nation would try such an idiotic, cowardly, racketeering kidnapping except Frank Wirt et al who robbed petitioner's court files thus defaming him to look like a "mentally ill, bizzare fugitive", (g) The racketeering enterprise was/is proven **severally** abusing and racketeering reward money out

of the 18 USC 3059 laws. Furthermore, it is proven in petitioner's District Court motions, Appellate and S.Ct briefs filed in 2002/2003 that this whole matter was reversed around **correctly** and the reward money **was due him** and **not** the racketeering enterprise, hence the repealing of 18 USC 3059(a), 3059A & 3059B, Nov 2, 2002.

Petitioner asserts, after the Wirt et al thefts in 1998/99 **certain** Sarasota Clerks and Judges Judy Goldmann et al of the racketeering enterprise falsely dated the 94-6581MAVOP file with a warrant dated approximately December 1996 making the innocent petitioner look like an insane, schizophrenic, incompetent, mentally ill **fugitive** according to 18 USC 3059(a)(1)(2),(b),(c)(1) etc. Petitioner asserts, this proves the involvement of several state and federal judges in the racketeering enterprise and the racketeering out of 18 USC 3059(a) and prejudicial, unconstitutional laws 18 USC 3059A and 3059B (now repealed). Petitioner asserts, this proves the extreme, prejudicial, racketeering activity of protecting the **illegal entity** "Risk\_Services" as well as the **legal** entities which include wealthy **influencial** corporations, associations, unions, partnerships, individuals and lawfirms etc. Petitioner asserts, these include (but nor limited to) NEA et al, Glacier Water (Loeb Investments et al), Aetna Ins et al, DB&T et al, Scott Paint et al, Bill Griffin et al- (sold Riscorp Ins), Florida Bar et al, Elliot Metcalfe/Tony Dunbar et al, A.C.L.U. et al, Allstate Ins et al, Anderson News et al, Travelers Ins et al (acquired the Aetna claim in 97), Zenith Ins et al (purchased Riscorp Ins using Loeb Invest attorneys), Humana Health Care et al, FMA et al, ABA et al, Sprint Corp et al, and Microsoft Corp et al (will explain in courts, **internet**), Verizon et al.

Petitioner asserts, he made statements in the year 2000 such as "You people are worse than the MOB etc". Petitioner asserts, these **are not** "harassing phone calls" but **the truth** and **Freedom of Speech** under the 1st Amendment of the Constitution. Petitioner asserts, in all actuality the racketeering enterprise **legal** entities ("includes any individual, partnership, corporation, association, or other **legal** entity and any union") hid behind a small **group** of corrupt people (Sandra Bock et al) and **organized** them as a **fake** corporation ("Risk\_Services-a **group** of people associated in fact **but not** a legal entity"(GANG)) then maliciously defamed, framed and sued innocent petitioner on **official court documents** and secretly justifying this racketeering activity by abusing and/or using **unconstitutional** legislation (18 USC 3059). Petitioner asserts, this proves why the racketeering enterprise will not admit a **preliminary** injunction was filed with the temporary injunction Oct 1995 (See: corrupt PSR Dec 2001). Petitioner asserts, these **facts** along with many others listed in his previous motions and briefs proves the Middle District of Florida/Tampa Division and possibly the whole Eleventh Circuit as severely prejudicial towards the innocent, sane, competent, heterosexual and normal petitioner thus this "case"

must be moved to a different Venue other than the **severely** prejudicial Eleventh Circuit (See: past motions, briefs & SR's, 11 page letter to Harley Lappin, Director of BOP exhibit A, and Memorandum of Law pg 37-56).

Innocent and sane petitioner was made to look like an insane, schizophrenic, incompetent, abnormal, mentally ill, drug addict **fugitive** according to and abusing 18 USC 3059(a) etc. Innocent petitioner was finally maliciously arrested/kidnapped **again** (18 USC 1201, 18 USC 1959) at his residence (trailer) rented on Tom Taylor's Buena Vista Trailer Park 5115 Up River Rd, Lot 47, C.C.TX at approximately 11:30AM October 23, 2000. Petitioner asserts, the **brother** of Frank Wirt (posing as a FBI agent) maliciously cuffed/kidnapped innocent petitioner with two racketeering enterprise "federal agents" **even** using a rifle. Petitioner was then taken before the prejudicial racketeering enterprise Magistrate Judge Jane Cooper Hill, C.C.TX, who illegally justified probable cause for the racketeering enterprise with a very defaming "Pretrial Services Report" which also mentioned the defaming, racketeering "genetic, spinal stenosis, psychiatric disorder etc" since at least 1990, severely abusing 18 USC 4241-4247, 18 USC 3059 etc. Petitioner asserts, a very defaming "Detainment Order" dated Nov 2, 2000 was signed by the corrupt Magistrate Judge Hill which illegally justified probable cause for the racketeering enterprise by maliciously defaming innocent, sane and stable petitioner to look "unstable"(homeless, incompetent, insane, mentally ill etc), "disputing"(harassing, violent, threatening, schizo etc) **even** for nearly his whole life. Petitioner asserts, these pathetic, outrageous lies justify the "genetic, spinal stenosis psychiatric disorder" and much more racketeering enterprise activity for over 15 years.

Petitioner asserts, he was then kidnapped to Tampa, FL via Oklahoma City in November 2000. Petitioner was threatened to sign medical release documents at the Hillsborough County, Morgan Street Jail, he would not sign. Petitioner was taken before a racketeering enterprise Magistrate named Thomas G. Wilson on Dec 7, 2000 who in turn ridiculed innocent petitioner for stating "Dr". DeClue et al were extremely corrupt and then he appointed a racketeering lawyer named Ellis Curry against petitioner's wishes and constitutional right to represent himself. Petitioner was again threatened to sign the medical release documents by a defaming psychiatrist but he would not sign. Innocent petitioner informed the "defense" attorney to place a motion for speedy jury trial but petitioner asserts, if the "defense" attorney would have been doing his job he would have placed a "Petition for Writ of Habeas Corpus under 2241" just as petitioner is doing right now. Petitioner asserts, the "Speedy Jury Trial and Release From Detention Motion" was a defaming joke by Curry et al which not only justified probable cause, it did so by requesting "without prejudice against the plaintiff's" (racketeering enterprise).



Petitioner asserts, a unnecessary defaming "status/competency hearing" took place on February 2, 2001 before a **sick**, defaming, racketeer enterprise Judge by the name of **James D. Whittemore**. Petitioner asserts, this sick, prejudicial, lying, racketeering judge **did** maliciously, ~~illegally~~ and unconstitutionally defame petitioner as "insane, incompetent, corrupt, bizarre etc" and threatened "I am going to send you to Rochester, MN to do a study and you will cooperate with our "Dr". Taylor etc". Innocent and sane petitioner immediately began contacting churches in the Tampa, FL area to find a honest psychologist and did in Dr. William E. Bonney Ph.D. Petitioner asserts, the very next day (Feb 3, 2001) he was forced to Morgan Street Jail "Clinic" by Officer Cooper and the "nurse" made these racketeering statements, "You had an MRI done in 1990, you have spinal stenosis, you really do need to get that **back surgery** etc". Petitioner immediately wrote Dr. Bonney and informed him that the medical/psychiatric frauds have just been solved **after ten** long years. Petitioner sent the "defense" attorney six letters over two weeks trying to get him to contact Dr. William E. Bonney Ph.D. Petitioner spoke to Dr. Bonney for the first time on the phone Feb 8, 2001 and was informed that the "defense" attorney made no effort to contact Dr. Bonney even after several messages on his recorder. Petitioner asserts, on Feb 20, 2001 the racketeering enterprise attorney (Curry) came into the Morgan Street Jail, stated he received no letters from petitioner and asked "If I get the approval for Dr. Bonney to conduct an exam will you see (**our**) Dr. Taylor". Petitioner stated, "I will only see Dr. Bonney first".

Petitioner asserts, the very next day "Dr". Taylor came into the Morgan Street Jail and was harassing and threatening innocent petitioner with a contempt of court if petitioner did not talk to him. Petitioner informed "Dr!" Taylor that Dr. Bonney would be seen first and for him to leave the jail. Petitioner was being maliciously defamed and threatened by the "U.S. Marshals" and Hillsborough "Officers" with an **insane asylum** for not speaking to "Dr!" Taylor. Petitioner called Dr. Bonney and informed him that a contempt of court would be taken just to see him first. Petitioner asserts, a malicious contempt of court did come from the racketeering enterprise judge(s) James D. Whittemore et al. Petitioner waited for Dr. Bonney to arrive in the jail and he finally did March 9, 2001. Innocent petitioner was found **sane** and competent **without** medication (**no** probable cause) and the exam was mailed to petitioner with a **falsified** set of transcripts from Ellis Curry et al on March 14, 2001 (mail fraud 18 USC 1341). Petitioner was immediately taken to the corrupt courtroom of James D. Whittemore on March 15, 2001, harassed for finding Dr. Bonney and threatened to see "Dr!" Taylor, then ridiculed for stating "the defense attorney was going to be sued" (See: Judicial complaints filed Nov 2001, Feb 2001, Appellate brief 03-11467 & S.Ct brief 02-10290).

Petitioner asserts, the racketeering enterprise judge continued to make slanderous and coercive statements towards petitioner including maliciously and **unconstitutionally** denying **all** subpoena's and evidence submitted by petitioner up to the **unconstitutional** trial August 13-15, 2001 and thereafter. Petitioner proceeded to and done the trial **pro se** with the racketeering enterprise "co-counsel" Dan Daly defaming and stealing from the innocent petitioner with the "prosecutor" and racketeering judge. Petitioner asserts, Tom Taylor et al(C.C.TX) were directly involved in this malicious, **unconstitutional** racketeering enterprise activity, as well all belongings were stolen from petitioner thus making him homeless. Petitioner was **unconstitutionally** denied the right to subpoena Tom Taylor et al, yet the racketeering "U.S. Attorneys" (Porcelli et al) were able to subpoena Tom Taylor, who maliciously slandered innocent petitioner at trial Aug 14, 2001. Petitioner asserts, not only did Tom Taylor **aid** in the **unconstitutional** conviction by slandering the innocent petitioner as "very aggressive etc" he also **attempted** to use defaming, corrupt documents from Elliot Metcalf et al (P.D.) thus justifying the corrupt BOP study, PSR, and the malicious, **unconstitutional** sentence by the racketeering enterprise. (See: Judicial Complaints, DATRA. Memorandum of Law 45-48,50-56, 03-11467,02-10290).

Petitioner asserts, he was maliciously denied a fair trial and **unconstitutionally** convicted of "Harassing phone calls" (on the racketeering enterprise) and "a threat on Tony Dunbar" (of the racketeering enterprise). Petitioner was then maliciously threatened by the racketeering enterprise judge James D. Whittemore "I am sending you to Rochester MN, for a study Mr. Wiederhold". Petitioner was then maliciously threatened by corrupt, coward "U.S. Marshals" in Tampa FL, "If you try to appeal your case pro se you will get 10 years Wiederhold so just take your 6 months (harassing phone call(s)) and just fade away etc" Petitioner asserts, this conspiring, cowardly, racketeering enterprise threat was/is a **pathetic** attempt to justify probable cause for all malicious perjurers and law enforcement **even** all the way back to the racketeering enterprise illegal entity injunction 92-4293CA. (See: 1994 lawsuits, 1995 preliminary injunction, all pro se motions/briefs since 1992, Memorandum of law and all letters sent to St.Louis Post and FOX news 13, Tampa, FL).

Innocent and sane petitioner placed 3 motions for Dr. Bonney to do the (unnecessary) "Presentence study under 18 3552(b)" in the local community and **all** were prejudicially denied. Petitioner was then kidnapped to Rochester Medical Center where numerous "psych" personal and Constance Reese et al were **anxiously** waiting since at least Oct 2000 to destroy the innocent, sane, competent and heterosexual petitioner. Petitioner asserts, he was horribly defamed with the "BOP study" severely abusing 18 USC 3552(b), 18 USC 4241-4247, 18 USC 875, 47 USC 223 etc to justify

probable cause, the **unconstitutional** convictions/sentence and racketeering enterprise activity since 1990 or before. Petitioner did file a Interlocutory Appeal brief on the racketeering enterprise "Order directing presentence study" using the March 9th, 2001 exam by Dr. Bonney but it was criminally denied/supressed by appellate court clerks. Petitioner was then kidnapped back to Tampa Bay, FL November 30, 2001 where he received the "Presentence Investigation Report(PSR)" and "BOP Study" concocted by the racketeering enterprise perpetrators Edwards et al, Chris Castellano et al, Kelly Ball et al, Christine Scronce et al, Constance Reese et al, Lynn Billings et al and Porcelli et al. Petitioner submitted a legal and **truthful** 17 page rebuttal to the "PSR" by Dec 21, 2001. Petitioner started receiving racketeering striking orders on his **legally correct** "Defendant's Affidavit To Rebut Allegations"(DATRA), Rebuttal to the PSR, and Motion to Dismiss PSR. Petitioner placed notice of appeals on every pathetic, prejudicial, racketeering striking order.

Petitioner was taken before the racketeering enterprise judge James D. Whittemore for "sentencing" on Jan 17, 2002 at which time several corrupt, coercive, defaming statements were made including "If you take medication, I will let you out of jail etc!" Petitioner declined and told the racketeering, lunatic James D. Whittemore **to recuse himself** from the bench immediately. Petitioner was then maliciously, illegally and **unconstitutionally** "sentenced" to 37 months in prison by the racketeering judge(s) James D. Whittemore et al for the rest of the racketeering enterprise. Petitioner did file a Notice of Appeal Jan 22, 2002 and another Judicial Complaint on James D. Whittemore et al on Feb 2, 2002. Petitioner received the corrupt "sentencing" material on Jan 22, 2002 which was signed by the racketeering judge James D. Whittemore on Jan 17, 2002. Petitioner was horribly defamed in a corrupt Tampa Tribune article which maliciously justified over 11 years of racketeering enterprise activity (article stolen). Petitioner never received a response (by law) from the Appellate court on either Judicial Complaints filed.

Petitioner was then kidnapped to Beaumont **Medium** FCI by the racketeering enterprise "U.S. Marshals". Petitioner asserts, these defaming, malicious, non-statutory, **unconstitutional** imprisonments were/are being funded through the racketeering enterprise (See: "Sentencing" material dated Jan 17, 2002, page 4, para 1, line 3, "**third parties**") especially after the repealing of 18 USC 3059(a), 3059A and 3059B Nov 2, 2002. Petitioner asserts, within 1 1/2 months after the repealing of the 18- USC 3059 laws Constance Reese transfered from Rochester, MN to become the Warden of the Beaumont Facility just for this illegal and **unconstitutional** "case" and to continue maliciously imprison the innocent petitioner. Petitioner endured, persevered and suffered through all the **pathetic**, senseless, malicious, defaming, cowardly, racketeering acts by BOP personal Mr. Green et al, Mr. Ordonez et al, Mr. Lacy et