SYSTEMIC OPPRESSION OF A BLACK MAN WITHIN THE CRIMINAL JUSTICE SYSTEM

THE WRONGFUL PROSECUTION AND FALSE IMPRISONMENT OF RAHEEM J. BRENNERMAN

I. ISSUES WITH CRIMINAL CONTEMPT OF COURT CONVICTION

In 2006, the Second Circuit U.S. Court of Appeals vacated civil contempt order adjudicated by Judge Kaplan against a party who was not part of the civil case. In vacating the contempt order the Court of Appeals stated directly to Judge Kaplan that the Court abused its discretion by holding a non-party in civil contempt propounded against him solely for the purpose of discovery without providing any legal authority or clear explanation for doing so. In 2016, Judge Kaplan ignored that law and held Brennerman, a non-party who was not involved in the underlying civil case between ICBC (London) PLC and The Blacksands Pacific Group, Inc., without providing any legal authority or clear explanation. This time, Judge Kaplan went a step further and referred Brennerman to the Manhattan prosecutors for criminal contempt of court prosecution. The prosecution undertook no diligence prior to initiating contempt charges against Brennerman.

During trial of the criminal contempt of court case, Judge Kaplan permitted the Government to present to the jury the civil contempt order erroneously adjudged against Brennerman in tension with the law. Such presentment significantly prejudiced Brennerman, because the judge allowed the presentment of an erroneously adjudged civil contempt order as evidence to the jury (that concluded that Brennerman must be guilty of criminal contempt) without allowing Brennerman to present the background to the adjudication of the civil contempt order. The Court (Judge Kaplan) then went a step further and presented an erroneous jury instruction that "any attempt by the parties to negotiate settlement does not excuse contempt absent an order from the Court suspending the order etc.". The defense argued that contempt looks to the willful disobedience of the court order so since the second court order called for the parties to settle, it was appropriate for the jury to hear that the parties were engaged in settlement and thought they were complying with the court order. However, the Court (Judge Kaplan) overruled defense objection and proceeded to instruct the jury incorrectly while also excluding the defendant`s theory of his defense from the jury instruction.

First, it is a fundamental error to present an erroneously adjudged evidence of civil contempt to the jury in a criminal contempt trial. Additionally, it is error to exclude the defendants theory of the defense from jury consideration as the trial is worthless if the jury cannot consider the defendant`s defense theory. Finally, it is an error to erroneously instruct the jury not to consider the issue of settlement which goes to the willfulness or the defendant`s intent to comply with the court order which was not directed at him personally but at The Blacksands Pacific Group, Inc.

II. ISSUES WITH BANK FRAUD AND BANK FRAUD CONSPIRACY CONVICTION

The law and statute for bank fraud and bank fraud conspiracy criminalizes an artifice or scheme to defraud a federally insured institution (FDIC insured). Brennerman was charged with violating the federal statute alleging bank fraud and bank fraud conspiracy for in relevant parts "obtaining or attempting to obtain financing through fraud for alleged business ventures." However at trial, the Government argued to the jury that Brennerman became entitled to perks which he would not have been entitled to, such as fancy credit card, preferential rates, sky miles etc. Indeed such was repeated by the Court on November 19, 2028 during its denial of Brennermam`s motion for judgment of acquittal and other proceedings. It was also repeated by the Government in their appeal brief. However recently the Court stated that Brennerman`s conviction for bank fraud and bank fraud conspiracy was based on his discussion with Kevin Bonebrake, who worked at the Institutional Securities Division subsidiary of Morgan Stanley.

The issue with the conviction is that...(a.) although the indictment charged Brennerman with "obtaining and attempting to obtain financing through fraud for business ventures" the argument presented to the jury at trial was that he became entitled to perks such as fancy credit card, preferential rates and sky miles, an offense which he was not charged; (b.) the perks which Brennerman became entitled to were from Morgan Stanley Smith Barney, LLC where he opened his wealth management account and deposited $200,000 and where Scott Stout worked (Brennerman's relationship contact at Morgan Stanley Smith Barney, LLC). Brennerman did not request for any financing nor did he receive any money from Morgan Stanley Smith Barney, LLC. The credit card that he became entitled to was never used and was closed with zero balance. Additionally Kevin Bonebrake who worked at the Institutional Securities Division subsidiary of Morgan Stanley testified that his conversation with Brennerman was "very preliminary discussion" and that Morgan Stanley would not have been providing any financing but rather raising financing from third party investors and that even at the time of trial he was still confused as to Blacksands requirement because the interaction was at "very preliminary discussion."; (c.) Neither "Morgan Stanley Smith Barney, LLC" subsidiary or the "Investment Securities division" subsidiary are federally insured thus Brennerman`s interaction with those institutions could not have violated any bank fraud and bank fraud conspiracy statute.

In summary, Brennerman was convicted for becoming entitled to perks and having very preliminary discussion with individuals who worked for subsidiaries of Morgan Stanley which are not federally insured.

III. ISSUE WITH WIRE FRAUD AND WIRE FRAUD CONSPIRACY CONVICTION

The Sixth Amendment of the United States Constitution entitles all criminal defendants certain rights. The right to present a complete defense and the right to confront one's accuser. These rights are enshrined in numerous laws from the United States Supreme Court and the Second Circuit U.S. Court of Appeals.

Brennerman was charged with violating the federal statute which covers wire fraud and wire fraud conspiracy based on the transaction between ICBC (London) PLC and The Blacksands Pacific Group, Inc. During trial following Government sole witness from ICBC (London) plc, Julian Madgett testifying to the existence of the underwriting file (the underwriting file details the basis for approving the loan and thus will contain the representations that were material to the bank in approving the loan) which the Government never obtained, Brennerman made motion to the Court to compel for the underwriting file arguing that he required those files to present a complete defense and to confront Government sole witness from ICBC (London) plc, Julian Madgett and challenge his testimony as to substance and credibility on the issues. However, the Court (Judge Sullivan) which had an obligation to protect the constitutional rights of Brennerman, acknowledged that Julian Madgett had testified to the existence of the underwriting file in the bank`s file in London, United Kingdom however Julian Madgett stated he "had not reviewed the underwriting file in the preparation of his testimony", then the Court (Judge Sullivan) went on to deny Brennerman`s request for the underwriting file while permitting Julian Madgett to continue to testify to the jury as to "materiality" of the contents of the underwriting file based on his memory from four years earlier as co-author of the underwriting file.

Because the Court (Judge Sullivan), which had an obligation to protect Brennerman`s constitutional rights, denied his [Brennerman] request for evidence - the ICBC underwriting file, which Brennerman required to present a complete defense and then permitted Government sole witness from ICBC (London) plc, Julian Madgett to testify as to materiality of the contents of the ICBC underwriting file without Brennerman having the ability to challenge his [Julian Madgett] testimony as to substance and credibility on the issues, Brennerman`s Sixth Amendment right was violated. Indeed, it is impossible for any defendant to defend himself if they are denied access to evidence which they require to do so.

Recently the Court stated that "The only indication that such documents are extant comes from Brennerman`s bare assertion" however the trial transcripts completely refutes such erroneous statement by the Court. The Court blatantly ignored the record.

IV. FACTS NECESSARY TO UNDERSTAND THE BACKGROUND

Brennerman was/is a defendant in the United States v. The Blacksands Pacific Group, Inc., et. al, Case No. 1:17-CR-155-LAK, a criminal case in the United States District Court for the Southern District of New York before Judge Lewis A. Kaplan, Senior United States District Judge. That proceeding alleged criminal contempt of court against Brennerman, was initiated in early 2017 by referral from Judge Kaplan to the United States Attorney`s Office ("USAO") on the issue of the alleged failure of The Blacksands Pacific Group, Inc. ("Blacksands") to produce documents in a civil case pending before Judge Lewis A. Kaplan, 15-cv-0070-LAK, ICBC (London) PLC v. The Blacksands Pacific Group, Inc. ("the civil case"). Plaintiff in the civil case, ICBC (London) PLC ("ICBC") had filed motions to compel discovery and sought a finding of contempt against Blacksands.

Notably, Mr. Brennerman was not a defendant in the civil case and no discovery demands were served on or directed at him. Mr. Brennerman was neither present in the courtroom for discussion on the issue of contempt, nor was he represented by counsel. In fact, Blacksands` counsel, Latham & Watkins ("Latham"), repeatedly and consistently communicated to the Court that they did not represent Mr. Brennerman personally and, in addition, had filed motion to withdraw from representation of Backsands making clear their limited communications and role, at least in the wake of their motion to withdraw.

Latham properly interposed objections to the discovery requests that were directed to Blacksands and filed a brief in support of those objections. See civil docket Nos. 84-2, 85-86. The Court (Judge Kaplan) failed to conduct any analysis regarding the permissible scope of the post-judgment discovery, the breadth of plaintiff`s demand, or Latham`s particular objections, and instead in conclusory fashion, declared that Blacksands objections were "baseless" and that Blacksands "shall comply fully" with "all" of plaintiff`s outstanding demands. See civil case docket No. 87.

ICBC`s counsel then, at the Court (Judge Kaplan)`s invitation, turned its attention to Mr. Brennerman, without even filing a motion to compel against Mr. Brennerman, on Wednesday, December 7, 2015. ICBC sought a finding of civil contempt against Mr. Brennerman personally by Order to Show Cause. See civil case docket No. 121. In this year old proceeding Judge Kaplan granted ICBC`s Order to Show Cause scheduling a hearing for December 13, 2016, only 4 business days later, and required that opposition papers be filed by 4 p.m. on Sunday, December 11, 2016. When Mr. Brennerman received notice of the Order to Show Cause, he promptly informed the Court (Judge Kaplan) that he was out of the country and was trying to retain counsel and requested additional time to respond. Judge Kaplan denied Mr. Brennerman`s request the next day. See civil case docket no. 134. Judge Kaplan then proceeded with the contempt hearing on December 13, 2016, in the absence of Mr. Brennerman or his counsel, and found Mr. Brennerman personally to be in contempt. See civil case docket no. 139. While Blacksands and Brennerman had provided responses and a substantial production in November 2016, immediately after the Court`s civil contempt order directed to Blacksands, the Court made no mention of it and appeared not to have reviewed or considered that production in its determination that Mr. Brennerman was, himself, personally in contempt. Then Judge Kaplan referred him to the Manhattan prosecutors for criminal prosecution.

In response to the criminal referral from Judge Kaplan, the prosecutors on March 3, 2017 filed a Petition seeking to initiate criminal proceedings to hold The Blacksands Pacific Group, Inc., and Brennerman, in

criminal contempt. Rather than properly filing the Petition as a new criminal or miscellaneous proceeding, subject to random assignment, the prosecutors filed the Petition in the pending civil case. See civil case docket no. 146.

After the prosecutors filed the Petition and Order to Show Cause, Judge Kaplan, on March 7, 2017, summoned the prosecutors to his robbing room. ("THE COURT: "I asked you to come in..."). Acknowledging that the Petition constituted a new proceeding - but that the AUSAs (Assistant United States Attorney Robert Benjamin Sobelman and Nicolas Tyler Landsman-Roos) had not properly filed it - the Court (Judge Kaplan) told the prosecutors that he would "direct the clerk to assign a criminal docket number to require all subsequent filing in the contempt proceeding to bear the criminal caption." Judge Kaplan thereby circumvented the process that applied to any new action., i.e., the random assignment of the action to a Judge by the clerk. (see 1:17-CR-155-LAK, doc. no. 12-2)

The transcript of the ex parte proceeding in the robbing room demonstrates that Judge Kaplan successfully sought to influence and substantially alter the approach that the prosecution had taken relating to the contempt charge. The prosecution had prepared and filed not only the Petition but also an Order to Show Cause that, consistent with Federal Rule of Criminal Procedure 42, directed Blacksands and Mr. Brennerman simply to appear before the Court (Judge Kaplan) on a future date. But rather than ruling on the application that was before him, Judge Kaplan insisted that the prosecutors adopt a far more aggressive approach as to Mr. Brennerman.

As the ex parte conference began, Judge Kaplan advised the prosecutors that the Court should issue an arrest warrant for Mr. Brennerman, putting forth the entirely invalid assumption that "the United States can`t find him." In response, the prosecutors repeatedly expressed their view that execution of an arrest warrant was not warranted under the circumstances. The prosecutors advised, first, that Mr. Brennerman had actually called them on Friday March 3, 2016, the same day that the Petition was filed to talk with them about that Petition. The prosecutor advised Mr. Brennerman that he could not speak with him, and Mr. Brennerman then provided his phone number so, the prosecutor explained, "there may be a way for the government to be in touch with him via that telephone number." The prosecutor then proposed to the Court (Judge Kaplan) that the Order to Show Cause could be issued to require Mr. Brennerman to attend the conference and "should he not appear, [] a summons or arrest warrant be issued to secure his appearance.

Judge Kaplan continued to press the issue asking "[w]hy shouldn`t I, given the history in this case, issue an arrest warrant?. The prosecutor reasoned:

> Mr. Brennerman did try to contact the government on Friday...[W]e don`t know that he`s absconded or seeks to abscond. He`s already knowledgeable about the petition. He appears to have the resources to have fled had he intended to and the government thinks it`s prudent to provide him an opportunity to appear at the conference voluntarily.

The prosecutor went on to say that, even it the Court issued an arrest warrant, "the government would likely provide Mr. Brennerman an opportunity to surrender rather than dispatching law enforcement to apprehend him without providing that opportunity."

Judge Kaplan persisted, stating "I`m inclined to issue an arrest warrant" and pushed back against the prospect that Mr. Brennerman would be allowed to surrender. "Now, if the government is going to give him an opportunity to surrender, there`s a substantial question as to whether I`m wasting my time because I think the odds are not unreasonable that he will vanish."

Eventually the prosecutors deferred to the Court (Judge Kaplan) and confirmed that if an arrest warrant was issued, they would discuss in their office how best to proceed. Judge Kaplan continued to argue that the prosecutors should effectuate the arrest warrant and apprehend Mr. Brennerman.

The Court (Judge Kaplan) then presented the prosecution with documents that it had already prepared: a revised Order to Show Cause directed only to Blacksands, an arrest warrant for Mr. Brennerman, and an order to the clerk to initiate the criminal action. Notably, the Court (Judge Kaplan) and the prosecution discussed the fact that there was no appropriate "box to check" on the arrest warrant in terms of the document that charged the offense. The Court (Judge Kaplan) decided to alter the arrest warrant to state that the charging document was the Petition - a document that does not charge an offense but rather only requests that the Court issue the proposed Order to Show Cause.

Thus as of March 7, 2017, when the prosecutors entered the robbing room, it was prepared to proceed with a contempt proceeding by Order to Show Cause, and had no concerns that Mr. Brennerman would seek to "abscond". There was no discussion on pending investigation as to Mr. Brennerman regarding fraud. By the time the conference with Judge Kaplan was over, the government had been persuaded not only to proceed by arrest warrant but also to deploy law enforcement resources to actually apprehend Mr. Brennerman at his home in Nevada.

Pursuant to the arrest warrant prepared and signed by Judge Kaplan, Mr. Brennerman was arrested on April 19, 2017 at his home in Las Vegas where he had lived for approximately five years. As of the date of the arrest warrant, and because the Court (Judge Kaplan) had declined to sign the Order to Show Cause presented by the prosecution, there was no actual contempt charge pending against Mr. Brennerman. The Court (Judge Kaplan) omitted Mr. Brennerman from the signed Order to Show Cause but then failed to otherwise rule on or grant the prosecution`s Petition as it related to Mr. Brennerman. There was, therefore, no proper basis for the arrest warrant. The Court (Judge Kaplan)`s decision to alter the arrest warrant to reference the Petition was inadequate to support the warrant.

Mr. Brennerman`s arrest on April 19, 2017 (when the prosecution seized his electronic devices and documents (which was adduced as evidence (e-mails between Mr. Brennerman (Blacksands) and Madgett (ICBC London)) at trial of both the contempt and fraud case (because the prosecution actually never obtained or reviewed any pertinent ICBC underwriting file from ICBC (London) plc)) was in violation of both Mr. Brennerman`s Fourth and Fifth Amendment rights.

Additionally, the prosecution contacted Blacksands's business partners, Exotix Partners and BP Oil International, to advise them that Mr. Brennerman had been arrested and to disengage from both Blacksands and Mr. Brennerman.

On May 4, 2017, Chief Judge Colleen McMahon of the United States District Court for the Southern District of New York granted bail to Mr. Brennerman however by June 1, 2017, Mr. Brennerman was re-arrested by the prosecution. This time, the prosecution had hurriedly (without any meaningful investigation and within six weeks) obtained an indictment charging Mr. Brennerman inter alia with conspiracy to commit bank and wire fraud, bank fraud and wire fraud based on the transaction between ICBC (London) plc and The Blacksands Pacific Group, Inc., which was negotiated exclusively in London, U.K. He has been in federal custody since June 1, 2017. The indicted case was assigned to Judge Richard J. Sullivan, United States Circuit Judge of the Second Circuit U.S. Court of Appeals (formerly United States District Judge) at case no. 1:17-CR-337-RJS.

Recently Judge Sullivan denied Mr. Brennerman`s request for discovery which he required to present clear and convincing evidence with a complete bail application in reliance on the law and statute governing post-conviction bail, because he is diabetic with hypertension and wants to be in an

environment where he could practice the recommended social distancing because of the COVID-19 pandemic. Judge Sullivan denied the request while also determining that Mr. Brennerman was a flight risk (at a time when the entire Country and World was on lock-down due to the coronavirus, with no flights or means of flight) and also denied Mr. Brennerman access to the evidence which Mr. Brennerman would have used to rebut against such presumption of flight risk without providing any legal authority or explanation for such denial. The appeal of that denial is at the Second Circuit U.S. Court of Appeal docketed at 20-1414.

Mr. Brennerman lost his mother (an International Black Businesswoman) during this situation. She was ill and Mr. Brennerman was a match as an organ donor however she passed away while waiting for Mr. Brennerman to clear his name and regain his freedom.

Mr. Raheem Jefferson Brennerman was the Chairman and CEO and the majority shareholder of The Blacksands Pacific Group, Inc. ("Blacksands"), one of three black owned oil & gas businesses in the United States.

V. ADVERSE ACTIONS TAKEN BY JUDGE KAPLAN AND JUDGE SULLIVAN IN THE WRONGFUL PROSECUTION OF RAHEEM JEFFERSON BRENNERMAN

I. QUESTIONABLE AND ADVERSE ACTIONS UNDERTAKEN BY JUDGE LEWIS A. KAPLAN:

a.) Judge Kaplan ignored the law in "OSRecovery, Inc., v. One Groupe Int`l, Inc., 462 F.3d 87, 90 (2d Cir. 2006) and invited plaintiff in the civil case, ICBC (London) plc to move for contempt against Brennerman personally, even though he [Brennerman] was not a defendant in the civil case, no discovery demands were directed at him, he was never present in the courtroom for discussions on the issue of contempt, and he was not represented by counsel.

b.) On December 7, 2016, Judge Kaplan signed an order to show cause to hold Brennerman in contempt personally completely ignoring the fact that Brennerman and Blacksands (the civil case defendant) had just provided a substantial document production in November 2016, a few weeks earlier.

c.) Judge Kaplan scheduled the civil contempt hearing against Brennerman for only 4 days after granting ICBC`s order to show cause and required that opposition papers be filed by 4.00 p.m on a Sunday.

d.) Judge Kaplan denied Brennerman`s request for additional time to appoint new counsel. The counsel that represented him, Paul Weiss LLP, could not appear before Judge Kaplan given that the Judge was previously a partner at that law firm and proceeded with the contempt hearing in the absence of Brennerman or his counsel.

e.) Judge Kaplan made a number of statements indicating bias towards Brennerman including for example: the Court (Judge Kaplan) "presumed" that the Government would not be able to find Brennerman when there was no basis for that conclusion: the Court (Judge Kaplan) stated that "there is a long history in this case of attempts by Brennerman to delay, obscure and avoid various reckonings" and the Court (Judge Kaplan) stated incorrectly that "Latham attorneys had reported that Brennerman had "refused" to provide his address."

f.) Judge Kaplan insinuated himself in an unusual extent into the charging process, not merely referring the matter for criminal prosecution but opposing and overruling the less aggressive action taken by the prosecutors, replacing the prosecutors filing with a new order to show cause along with an arrest warrant already prepared by the Court (Judge Kaplan) then actively worked to persuade the prosecutors to devote Government resources to the apprehension of an individual (Brennerman) who according to the prosecution, had shown no inclination to "abscond". Judge Kaplan then sentenced Brennerman, a non party, to an increased term of imprisonment for allegedly causing the Government to devote significant Governmental resources toward his prosecution.

g.) The Court (Judge Kaplan) presumed that Brennerman's effort to retain counsel - a lawyer at Paul Weiss where Judge Kaplan was previously a partner - had a sinister purpose: to disqualify Judge Kaplan from the case, even though Paul Weiss had been representing Brennerman since 2007.

h.) Judge Kaplan actually investigated and researched Brennerman by Googling him (which is against federal rule), and then forwarded the material to another Judge in advance of the bail hearing, constituting unusual and extra-judicial activity.

i.) Judge Kaplan issued order that directed Brennerman`s case be tried by a jury - even though the Government took "no position" as to whether the case should be set for a bench trial or jury trial - indicating that the Court (Judge Kaplan) was determined to conduct an entire jury trial on the issue of an alleged failure to produce documents so that it could then sentence Brennerman to more than the maximum period of six months imprisonment. Judge Kaplan ultimately sentenced Brennerman to 24 months.

j.) Judge Kaplan, the complainant (that referred Brennerman for criminal prosecution for court orders that were directed at Blacksands and not Brennerman himself) then presided over the criminal case and trial.

k.) Judge Kaplan then ruled prior to trial, denying subpoena to compel evidence: the complete ICBC underwriting files, thus depriving Brennerman of the very evidence which he required to demonstrate his innocence and to challenge the testimony of Government witnesses at trial.

l.) At trial, Judge Kaplan's ruling caused the preclusion of evidence concerning settlement discussion, particularly with his erroneous jury instruction regarding settlement discussion, while also excluding defendant`s theory from the jury instruction

m.) At trial, Judge Kaplan admitted evidence of his prior ruling finding of civil contempt, while excluding evidence concerning the circumstances of those contempt findings. This was particularly egregious given that the Court (Judge Kaplan) admitted evidence of erroneously adjudged civil contempt order to be presented to the jury causing significant prejudice to Brennerman.

II. QUESTIONABLE AND ADVERSE ACTION UNDERTAKEN BY JUDGE RICHARD J. SULLIVAN

a.) Prior to trial, Judge Sullivan denied Brennerman`s motion-in-limine to exclude testimony from ICBC (London) plc because Brennerman had been deprived access to the relevant ICBC London underwriting files which was patently unfair and highly prejudicial for the prosecution to be able to elicit testimony from ICBC (London) plc at trial while Brennerman would be unable to challenge the testimony or engage in any meaningful cross-examination of Government witness from ICBC (London) plc, Julian Madgett as to substance and credibility of the issues. Judge Sullivan allowed Brennerman to suffer prejudice.

b.) During trial, following testimony by Government sole witness from ICBC (London) plc, Julian Madgett, as to the existence of underwriting files (which documented the materiality and basis for the approval of the bridge loan) in the bank`s file in London, United Kingdom, Brennerman again made motion to the Court (Judge Sullivan) to compel for those evidence (at 1:17-CR-337-RJS, doc. no. 71). The Court (Judge Sullivan) who had an obligation to protect Brennerman`s constitutional rights, denied his request to compel for evidence which he required to present a complete defense and to challenge the testimony of Julian Madgett as to substance and credibility on the issues. The denial violated Brennerman`s Sixth Amendment Constitutional rights.

c.) After trial, Judge Sullivan denied Brennerman`s request to compel for the ICBC underwriting files (at 1:17-CR-337-RJS, doc. nos. 153, 161, 187, 200, 236, 237, 241) which Brennerman required to present with arguments in his post-trial motions and to present as clear and convincing evidence for bail.

d.) Judge Sullivan ignored the evidence presented by Brennerman (at 1:17-CR-337-RJS, doc. no. 167) which demonstrated that Brennerman`s conviction for bank fraud and bank fraud conspiracy was a statutory error based on the theory of the bank fraud argued to the jury at trial and repeated by Judge Sullivan during the appearance on November 19, 2018.

e.) At the appearance on November 19, 2018, Judge Sullivan called Brennerman "A Con Man"; "A Crook"; "A Liar" among others personal insult directed at Brennerman. Judge Sullivan's denials for request to compel for evidence would have demonstrated Brennerman`s innocence and allowed him to present a complete defense. Such statements by a Federal Judge who is required to be a neutral arbiter demonstrates the preconceived bias which Judge Sullivan harbored towards Brennerman and were intended to cause maximum reputational damage to Brennerman.

f.) Bias was also demonstrated when Judge Sullivan in June 2017 acknowledged (following demonstrable evidence present by the defense) that the prosecution had misrepresented the nature of a real estate transaction during Brennerman`s June 1, 2017 arraignment on the fraud charges leading the Court to deny his bail. However, Judge Sullivan was unconcerned that the prosecution had misrepresented a material fact.

g.) Recently, during the coronavirus pandemic when the country and indeed the world was on lock-down, Judge Sullivan denied Brennerman`s request for documents which he required to present clear and convincing evidence with his bail application. While ignoring the law and Brennerman`s right to liberty, Judge Sullivan stated that Brennerman was a flight risk (even though the country was on lock-down with no way to fly) while also denying Brennerman access to the documents which Brennerman required to rebut such presumption as to flight risk.

h.) Judge Sullivan ignored Brennerman when he pleaded with the Court (Judge Sullivan) to allow him obtain the evidence (ICBC documents) which he required to prove his innocence so that he may return to care for his mother (an International black woman) because Brennerman was a match as an organ donor to her (see 1:17-CR-337-RJS, doc. no. 188). Judge Sullivan ignored him and Brennerman`s mother passed away on May 18, 2019 while waiting on Brennerman to clear his name and return to care for her.

"Freedom is not something that is given freely by the oppressor it must be demanded by the oppressed."....Dr. Martin Luther King Jr.