

Chapter Four
IS CALIFORNIA/SACRAMENTO GUILTY OF TYRANNY, TREASON,
DISLOYALTY OR TRECHERY

IS THE CONSTITUTION DEAD AS I CLAIM

READ FOR YOURSELF

Just how deep in government does this indictment go, California, Sacramento, Federal Government, Judge for yourself, too start with let's get an understanding of each charge:

- **TYRANNY;**
Cruel or unjust use of power, (i.e. violations of the Constitution)
Governments position rule of term of office or a tyrant or absolute ruler.
- **TREASON;**
Betrayal of one's country or ruler (violation of an oath of office)
In the United State, giving aid and comfort to the enemies (does not apply here)
Betrayal of trust, duty or a friend, etc. (violating one's oath to the Constitution)
- **DISLOYALTY;**
Lack of loyalty, unfaithfulness (violations of the Constitution)
Disloyalty to one's country. (same as above)
- **TREACHERY;**
Suggest some definite act of betrayal trust while pretending to be loyal (citizens trust in those whose job it is to protect our rights)

The above claims are meant to be the government itself. In addition, I believe individuals as in judges, district attorneys, public defender and jail administrators should be found guilty of;

- **MALPRACTICE;**

Official misconduct, i.e. Prosecutorial Misconduct, (District Attorney)

Violation of public trust or duty i.e. ineffective assistance of counsel (one's lawyer)

- **GROSS NEGLIGENCE;**
Negligence that marked by conduct that presents an unreasonably high degree of risk to others by failure to exercise even the care in protecting them from it, (speaks to one's ineffective assistance of counsel)
A conscious and willful indifference to their rights.
- **CULPABLE NEGLIGENCE ALSO CALLED CRIMINAL NEGLIGENCE;**
A gross deviation from the standard of care expected of a reasonable person that manifest in failure to protect others from a risk
- **MISFEASENCE;**
The wrongful performance of a lawful act
Wrongful and injurious exercise of lawful authority, (judges)

In Sept. 19th, 2012 I was arrested and charged with a crime at 72 years old, never been convicted, never been in jail and no prior record, let me be clear this is not about my guilt or innocents it's about the Constitutional right of all citizens though out America. Placed in jail, and assigned a Public Defender I soon found out the name given public defenders is in truth a public pretender given only service needed to satisfy the courts need to show that you have counsel in court, "A mock due process"

I soon realized that the Constitution, I and many like myself defended while serving in the military has been twisted, perverted or just ignored by Sacramento's justice system. Let me first say I believe criminals belong in jail but not at the cost of their Constitutional rights, our founders of the bill of Rights believed that it would be better for 100 criminals to go free than to send one innocent person to jail, an idea long lost In Sacramento's concept

of justice, (after being locked up in jail for six months waiting to prove my innocents, and have not reviewed my case with my P.D. as of yet, and denied my right to a speedy trial, denied O.R. and had extreme condition set on my bail, (no prior arrests, white collar crime, non-violent, and I meet every qualification for being released on my own recognizance, whereas the D.A. said that I was a threat to society, this was supported by the judge and uncontested by my P.D. The disregard runs through out most of the amendments of our constitution. I can speak first hand having been arrested, jailed and placed in jail at the mercy of those running the Sacramento's justice system.

I was assigned a P.D., Sue Carlton, for a bail hearing this was my first encounter with Sacramento's misfeasance and the violations of my 8th Amendment right. D.A. Dean Archibald stated at my P.D. request for O.R. "he does not deserve to be freed, his crimes are so Haines he should be kept in jail" he did not state alleged crimes, The D.A.'s statement assumed guilt before trial violating my 5th and 8th Amendment rights, at that point the judge agreement with making the judge guilty of misfeasance (the wrongful performance of a lawful act). The D.A.'s statements were a predisposition of guilt the Constitution states that an accused has the right to be presumed innocent until proven guilty in a court of law.

The judge's decisions in support of the D.A. was arbitrary and invalid the actions of my assigned P.D. who stood silent making no objections, which I believe leaves her guilty of malpractice and gross negligence, i.e. conscious and willful indifference to my rights. These actions further violated my 8th Amendment right "excessive bail shall not be required," explained in the NOLO Criminal Law Handbook states bail amounts are only to ensure an accused suspect show up for court hearings. I meet every requirement for O.R.

- I did not pose a physical danger to the community
- I don't have a previous criminal record
- I have strong ties to the community

The actions so far by the P.D., D.A. and Judge make my case they should be found guilty as stated above.

The D.A. was not ready for trial not adhering statutory tie lines for a speedy trial. My pretrial is to be 30 days after arrest mine was 90 violating my 6th Amendment right. I refused to waive my rights to a speedy trial my P.D. Mark Slaughter, told the judge he was not ready for trial (he had all my evidence for five months at that time) in favor of my P.D.'s request the judge waived my 6th Amendment rights for me (I ask you can a superior court judge set a person's Constitutional rights aside), further evidence the above charges are true. The story goes on.

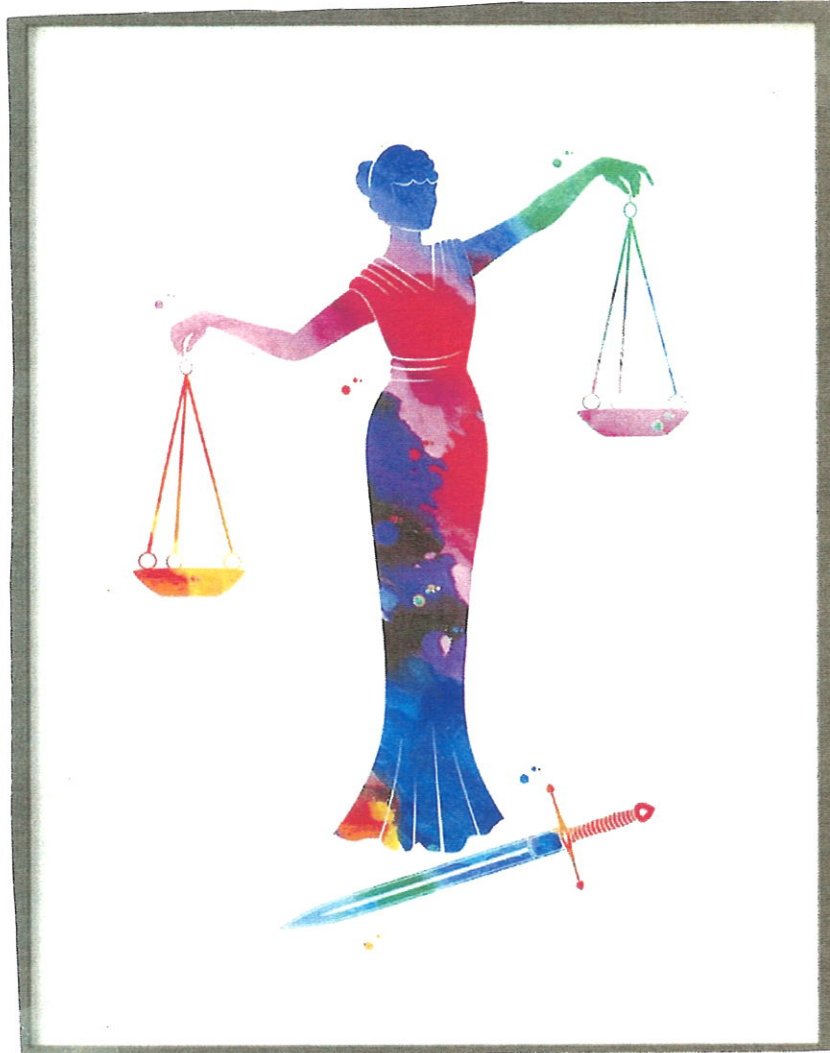
P.D. Sue Carlton, led me to believe that I had no options to my bail hearing withholding information about my right to make a motion for a new bail hearing (malpractice and gross negligence), Further actions by both P.D.'s Carlton and Slaughter, failed to comply with ABA Rules 4-3.8 (attorney should promptly comply with clients reasonable requests and to keep them informed to the process of the progress of the case)

When the judge waived my rights to a speedy trial, trial rules law states that, the government cannot delay legal proceedings while incarcerated suspects languish in jail. In addition, prosecutor's failure to adhere to statutory time requirements generally results in dismissal of the case P.D. Slaughter, knew that D.A. Archibald, had two cases scheduled for trial days apart from each other and could not start my trial failing to bring the above two facts before the judge, which is further proof of my claims of corruption in Sacramento's justice system.

At this point in time it has been seven weeks since I heard from my P.D. Slaughter, while I languish in jail. I ask how deep the Constitutional violations goes, every fellow inmate that I live with tells the same story.

They say that justice is blind

**I say that justice is not blind
its only colored blind
and only see's the color
\$\$ GREEN \$\$**



**Up to this time I have represented myself as pro-se (without an attorney).
To continue to seek justice I will need help with legal fee's to take my case all
the way to the US Supreme court if needed,**

**With Your Help
I will Stand up for the Constitution
Prove My Innocents
Expose California's Corrupt Justice System
Giving Hope to other Wrongfully Convicted Californian's**