Thomas Scott, *pro se*
2601 Main Street #1200
Irvine, CA 92614
tsfitnessandhealth@gmail.com

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

THOMAS SCOTT,
Plaintiff

v.

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

CASE NO.: 25LBCV00245

VERIFIED FIRST AMENDED COMPLAINT FOR INTENTIONAL TORTIOUS CONDUCT AND CRIMINAL ACTS

JURY TRIAL DEMANDED

DEPT: S26
JUDGE: Michael P. Vicencia

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

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

Pursuant to CA Code – CCP § 472, "A party may amend its pleading once without leave of the court at any time before the answer, demurrer, or motion to strike is filed.....," Plaintiff is filing this amended complaint.[1] Pursuant to CA Code – PEN §§ 115, 118, 132, 134, 135, 186, 470, 484, 487, 496, 523, and 532; CA Code – CIV §§ 1714, 1946.2, 3333, 3294, and 3336; CA Code – CCP §§ 487.020, 490.010, 490.020; CA Code – BPC § 6068; RI Gen. Laws §§ 7-14-1 et seq., 9-1-2, 9-4-9, 9-20-4, 9-21-2, 9-26-4, 9-30-1 et seq., 10-5-8, 11-32-3, 19-14.9-6, and 34-18-37; MA Gen. Laws c. 268 § 13B; 11 U.S. Code § 362; 15 U.S. Code § 1673; 18 U.S. Code §§ 4, 152, 157, 241, 1001, 1018, 1341, 1349, 1503, 1505, 1512, 1519, 1621, 1623, 1951, 1956, 1957, 1961, 1962, 1964, and 3057; 28 U.S. Code §§ 1331, 1332, and 2201; 42 U.S.C. § 1983; and the U.S. Constitution, Plaintiff brings this amended complaint as a result of Defendants' *intentional* tortious and criminal acts committed on many dates, the first of which began on or after September 1, 2014. "Defendant" will mean both the singular and the plural herein, but the term will be clarified with an associated name whenever necessary. Also, the words "defendant" and "criminal" will be used interchangeably and/or synonymously throughout this complaint.[2]

JURISDICTION AND VENUE

The Superior Court of California has subject matter jurisdiction pursuant to Article VI, Judicial Section 10, of the Constitution of the State of California and personal jurisdiction because several defendants are presumed to be residents of Los Angeles, San Diego, and Riverside California.

The Parties—Plaintiff

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

The Parties—Defendant

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

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

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

Comment [TG1]: rico

Comment [TG2]: Willful acts/negligence

Comment [TG3]: Just cause

Comment [TG4]: Specifies the amount of damages caused by 1714, for ex, covers the injury

Comment [TG5]: Pun dam if oppressive, fraudulent, or malicious actions

Comment [TG6]: conversion

Comment [TG7]: exempt from attach

Comment [TG8]: wrongful attach

Comment [TG9]: To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just, except the defense of a person charged with a public offense.

(d) To employ, for the purpose of maintaining the causes confided to him or her those means only as are consistent with truth,

Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest

Comment [TG10]: negl void exempt decl garnish…..obstr debt harass tenancy

Comment [TG11]: Fed q, divers, declaratory

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

- Because Plaintiff is suing the entire federal half of the syndicate, the defendants cannot remove the case to federal court so that their friends can flush it once again for them. As an added bonus, they will have to pay out-of-pocket for representation.....instead of wrongly burdening the taxpayers with defending their criminal misbehavior via "free" legal expenses.
- In exactly ***zero*** federal cases Plaintiff filed has he gotten this far—actually serving the defendant-criminals.
- In ***all*** federal cases in which Plaintiff has ever been involved, ***every single*** jurisprudence-based/non-administrative ruling has gone against Plaintiff and justice—approximately fifty-six rulings total. ***Not a single one*** has been in his favor.....because of crime, fraud, and corruption.[3]

INTRODUCTION

2. This complaint is being brought because of the *deliberate* nefarious actions by Defendant. The staggering story that gave rise to this complaint began more than two decades ago when Plaintiff, working as a small business, BR Enterprises, performed work for defendant Alyssa Lauren Parent (hereinafter "Parent") totaling $4,313.95, which he was never paid. What follows could be the script for a Hollywood movie or—more appropriately—a Hollywood horror flick. Plaintiff has been pursuing justice for well over two decades. What began as a result of criminal misbehavior of just ***one*** individual, defendant-criminal Joseph Leonard Michaud (hereinafter "J. Michaud"), has "snowballed" into dozens, perhaps even hundreds, of criminal actors working in concert against justice in order to cover for him—and others covering for him—in an ongoing chain reaction, thus constantly increasing the snowball's size.[4] The

[3] There has, of course, been crime and corruption in the state syndicate too. After all, that happened in the Massachusetts state courts and is what started all this. However, the state branch of the syndicate is not "batting 1000" with regard to relentlessly blocking Plaintiff like the federal branch. Blocking someone when he is right and in compliance with the law simply because he is feared/hated is ***not*** justice. It is the very definition of ***in***justice. Plaintiff is hated by the syndicate because he has written two books railing against it and has protected thousands of others from it. He is also hated for his blogs, automated email barrages, 15,000+ phone calls to chambers nationwide, websites listing phone numbers and home addresses of many criminals—which will ***not*** be removed. But the syndicate's hatred for him pales in comparison to the hatred he has for it and the evil cabal it has become. Moreover, none of this would have happened if the syndicate hadn't committed the crimes in the first place. All it had to do was ***not*** commit crimes against Plaintiff and follow the rule of law, but it couldn't do that. Incredibly, many judges today do not think, "How much justice can I serve?" They instead think, "How much criminal activity can I get away with?" Well, the answer is "not much" if someone like Plaintiff is covertly monitoring them.

[4] This is in direct contravention of *Branzburg v. Hayes*, 408 U.S. 665 (1972), which stated that "knowledge of a crime" and taking "some affirmative act of concealment" by disposing of my cases or doing anything else to avoid taking the steps towards prosecuting the offenders is a violation of this federal criminal statute.

speculation about hundreds being involved is not fantasy or exaggeration. When Plaintiff sends a single email to the DOI, it sometimes gets read hundreds of times across the nation and even internationally in Brazil, Germany, England, and Australia. See exhibit "A" (www.stloiyf.com/evidence/images/ex_a.jpg).

3. Plaintiff is not alone regarding the injustices he has suffered at the hands of the syndicate. The syndicate is ***off-the-rails corrupt*** and has negatively impacted ***thousands*** of other victims nationwide. The crimes committed by its personnel every day in every court in every state lead Plaintiff to say one thing: "God, I'm ashamed to be an American today."[5] "The greatest lies are told in the name of truth. The greatest crimes are committed in the name of justice."[6] And the syndicate is king of both.

4. Plaintiff has directly contacted dozens upon dozens of syndicate members in addition to the hundreds he has contacted indirectly as stated above at 15. Other than Agent Jeremy Hunt for the OIG, *not a single one* has come forward to right the massive injustice. Thus, it must be presumed that they are all fighting against justice. One is either for justice or against it. There is no gray area. Moreover, when evil beings don't know they are being monitored they will continue to do evil things, which will become even more apparent throughout this complaint.

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

6. Plaintiff was originally and rightfully given a default judgment of $11,271.53 on August 27, 2014, for nonpayment of the work he did for Parent. Until then the Massachusetts courts had not done anything corruptly or illegal in the case. However, soon afterward, J. Michaud made a phone call[7] and

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

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

[7] It is possible Michaud visited the court rather than called it, but his *modus operandi* is to make phone calls as he did to several of Plaintiff's attorneys (while violating criminal law M. G. L. c. 268 § 13B) and to the U.S. Trustee's Office (while violating 18 U.S. Code § 152, § 157, and other criminal laws). The type of contact he made will not be known any earlier than during discovery. Accordingly, everywhere in this complaint where a form of the word "call" is used with regard to Michaud contacting a court, it really means some form of the phrase "call or visit."

conspired with court personnel, including, but not limited to, defendant-criminal Claudia Abreau Lamb (hereinafter "Lamb") to take the first step towards reaching a predetermined alternate outcome by illegally transforming the legitimate default judgment awarded to Plaintiff into a fraudulent judgment for J. Michaud's client, Parent.

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

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

according to rule 55(a) and (b)(1). Now, if rules 55(c), 60(a), and 60(b) are all studied carefully, it can be seen that the only way an error-free default judgment can be vacated is by motion under 60(b). The emails by court personnel and the contrived court record are all part of a smokescreen to cover up a call by J. Michaud to the court on or before September 8, 2014, in order to get the judgment orally and illegally vacated. This is nothing less than conspiracy to commit fraud and is clearly intentional misconduct. At a time beginning shortly thereafter, the court then tried to cover its tracks with multiple docket entries to conceal the call and the conspiracy.

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

10. The corrupt Massachusetts court—in concert with certain employees conspiring with J. Michaud—reversed the original and legitimate default judgment it had awarded Plaintiff on August 27, 2014, and turned it into a $32,913.30 fraudulent judgment in favor of Parent on November 3, 2015, after which date, Plaintiff filed mountains of complaints and appeals. However, when one uses loaded dice, he will get the same result every single time. Coincidentally, this figure was quite close to the damages requested ($31,438.31) in Plaintiff's MOTION FOR DEFAULT JUDGMENT. Visit https://stloiyf.com/evidence/letter.htm for a summary of some of the misconduct in the original case.[8]

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

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

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

Comment [TG12]: Keep?

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

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

15. In order to prevent the theft of the property and the loss of $2,200 (in today's dollars) per month Plaintiff received for managing it, which, if stopped, would relegate him to extreme poverty, he filed Chapter 7 on February 28, 2020. The stay began on that day and continued through August 3, 2021.

16. In order to interfere with Plaintiff's business as a landlord and convert the vast majority of his income stream, defendant-criminal Kristen Tavia Mihelic (hereinafter "Mihelic") and defendant-criminal Abram Stuart Feuerstein (hereinafter "Feuerstein") produced innumerable falsified documents and spoke untruthfully to sustain their false narrative during the bankruptcy regarding Plaintiff and his business operations. Every single known filing by them contained lies.

17. Plaintiff tried his hardest and spent thousands of hours disputing Mihelic's and Feuerstein's falsified documents and untrue claims, but despite having rock-solid and voluminous evidence, he was deliberately blocked by defendant-criminal Louise DeCarl Adler (hereinafter "Adler") from bringing the evidence to light, or at least she failed to take "appropriate action" according to Canon 3(B)(6) when Plaintiff revealed to her that "a lawyer violated applicable rules of professional conduct."[9] Plaintiff was later sanctioned by Adler for revealing their crimes—18 U.S. Code §§ 4, 152, 157, 241, 1001, 1018, 1341, 1349, 1503, 1505, 1512, 1519, 1621, and 1623—which certainly 100 percent of the sane population outside the syndicate and over the age of five years would agree is not "appropriate action."

18. Mihelic, Feuerstein, and possible other perpetrators behind the scenes committed *multiple* federal felonies against Plaintiff for which the preceding canon easily applies since committing crimes violates any "rules of professional conduct."[10] Later during appeals, defendant-criminals Robert Jay Faris, Gary Allan Spraker, and Julia Wagner Brand (hereinafter "Faris," "Spraker," and "Brand," respectively) also violated Canon 3(B)(6)—as has every judge who has covered for the original criminals and judges who have covered for the coverers in a recursive fashion. Additionally, Faris, Spraker, and Brand deliberately blocked defendant but had to violate 18 U.S. Code § 4 according to *Branzburg* in order to do so. They even went so far as to call the facts and evidence "[i]mproper inferences, unwarranted speculation,

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

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

inuendo [*sic*], and hyperbole" and label Plaintiff a "conspiracy" theorist. See exhibit "E" (www.stloiyf.com/evidence/images/ex_e.jpg).

19. Plaintiff informed Mihelic, Feuerstein, and Adler on many occasions—both verbally and in writing—that Mihelic and Feuerstein were producing falsified documents, including declarations made under penalty of perjury pursuant to 28 U.S. Code § 1746 from Mihelic, and lying in the statements they were making and therefore were violating state (and federal) civil and criminal law, for example, CA Penal Code §§ 115, 132, 135, 470, 484, 487, 496, and 532. They nonetheless knowingly and deliberately continued on their course of fraud.

20. On June 10, 2021, and unbeknownst to Plaintiff at the time, Ronald Russo, as an agent for J. Michaud and others, "sold" the property in full violation of the automatic stay in effect at the time per 11 U.S. Code § 362. "Selling" any property under such circumstances would make the sale and corresponding deed void as a matter of law. See, for example, *Albany Partners Ltd. v. Westbrook* (*In re Albany Partners, Ltd.*), 749 F.2d 670, 675 (11th Cir. 1984). See also *In re Soares*, 107 F.3d 969 (1st Cir. 1997) (Holding that action taken in derogation of the automatic stay is not merely "voidable" but "void").

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

22. As any normal person could guess, Plaintiff was *extremely* pissed at this point and getting more so with time. On August 26, 2021, he filed suit in state court against Mihelic, Carroll, and Adler for their nefarious and outright criminal activity. The snowball was continuing to grow. The complaint was amended on September 14, 2021. Other than the addition of a brief STATEMENT OF THE FACTS

section, the title page of the complaint was really the only thing that substantially changed. Notably, the "Does" were replaced with actual names in the amendment, which was filed *after* Plaintiff's fee waiver was granted. This is the same pattern he is following here. Shortly afterward, certain federal criminal actors removed the case to federal court against Plaintiff's strong and very vocal objections. Over the succeeding months, Plaintiff engaged with these criminals and tried ardently but unsuccessfully to stop injustice once again.

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

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

25. Another statement Lopez makes, "Plaintiff fails to present any <u>evidence</u> that Defendants Mihelic,

Carroll and Adler were acting outside the scope of their employment," (emphasis added) needs addressing. Firstly, it is well known in jurisprudence that evidence is ***not*** required in a complaint.[11] Discovery is the process for usually gathering evidence. Secondly, Lopez's statement is also misleading since Plaintiff clearly presented evidence in the bankruptcy court, the BAP, the U.S. Court of Appeals for the Ninth Circus, blog posts, his second book, and elsewhere of the massive crime and corruption that took place during the bankruptcy, although it was a mere *fraction* of the evidence he had in his possession. If she truly wanted to see the evidence of criminality—which always falls outside everyone's "scope" of legitimate employment—she could have easily looked in any of those places. She later claims: "Plaintiff alleges that Defendants Carroll and Mihelic committed fraudulent acts in connection with the adversary proceeding. ECF No. 2-1 at 3-8. Notably, the FAC lacks any specific allegations of actions by Defendants Carroll and Mihelic." The ***entire*** FAC except for the caption, the jurisdictional statement, paragraph 8, and the signature page is *filled* with "specific allegations." Just because a criminal that wears a black gown says something doesn't exist does not mean that it doesn't exist. It means the criminal is trying to cover for his or her colleagues' wrongdoing.

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

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

27. After the "sale" of the property and on unknown dates in the first half of 2022, J. Michaud and/or M. Michaud left one or more intimidating notes at the property telling Plaintiff's tenant: "Coming back after the 7th to move items out. Contact me to discuss where you'd like your property stored." See exhibit "F" (www.stloiyf.com/evidence/images/ex_f.jpg). Defendant-criminal Steven J. Hart (hereinafter "Hart") appears to have mailed a notice to the tenant on February 28, 2022, stating, "You are hereby directed to vacate and remove your property and personal possessions from the premises.....If you fail to vacate the premises by the date specified, an eviction will be instituted against you without further notice." See exhibit "G" (www.stloiyf.com/evidence/images/ex_g.jpg). This letter was sent in violation of law, specifically, RI Gen. Laws §§ 34-18-37, 9-20-4, and possibly others.

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

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

30. Oates stated in an email to Plaintiff on June 14, 2022, that the change for the hearing on his motions to vacate current orders and dismiss the fraudulent case originally scheduled for June 15, 2022, was made "by Justice Taft-Carter." See exhibit "I" (www.stloiyf.com/evidence/images/ex_i.jpg). There

is not enough evidence at this time to determine if any conduct by Oates rises to the level of criminality, but there is certainly enough evidence to support a civil conspiracy as will be illustrated in the next paragraph.

31. On June 30, 2022, Plaintiff received email correspondence from defendant Sarah Taft-Carter (hereinafter "Taft-Carter") as a result of U.S. mail he sent to the presiding judge in the Rhode Island Superior Court. Taft-Carter contradicted Oates when she said, "As I understand it [Smith's] request for a continuance was made through the clerk's office." See exhibit "J" (www.stloiyf.com/evidence/images/ex_j.jpg). Both can't be relaying truthful information, and possibly neither are. Defendant Smith may have wanted to change the hearing date, but its actual rescheduling was done in violation of due process and rules of procedure. Deflection by Oates and Taft-Carter against each other further supports this allegation and points to a civil conspiracy between Smith and Oates or Smith and Taft-Carter or between all three and perhaps others.

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

33. On July 1, 2022, Plaintiff emailed a demand letter to several defendant-criminals to satisfy any requirements of law prior to filing suit. See exhibit "K" (www.stloiyf.com/evidence/images/ex_k.jpg). That letter was sent to Smith and defendant-criminal Brenden Thomas Oates (hereinafter "Oates"), among

others. Smith forwarded the message to J. Michaud, but, even if he didn't, would have almost certainly spoken with him by phone. See exhibit "L" (www.stloiyf.com/evidence/images/ex_l.jpg). It was also recorded in the docket by Oates. See exhibit "M" (www.stloiyf.com/evidence/images/ex_m.jpg). Therefore, J. Michaud knew about the incoming suit and would have had plenty of time to prepare to deflect it, that is, by setting up automated notifications of new federal case entries with PACER so that he could call the court when the notification arrived in his inbox. He couldn't call the court and contaminate the crime scene in July of 2022 because Plaintiff had redacted the name of the federal court in the attached lawsuit template because he knew Michaud was going to try to interfere with justice once again. See exhibit "N" (www.stloiyf.com/evidence/images/ex_n.jpg). In fact, Michaud could not make contact with the court any time prior to knowing the name of the federal court where Plaintiff's case would be filed.

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

Comment [TG13]: Look for the plural when done, ma too

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

36. On January 25, 2023, after having nearly four months to give the case careful consideration according to 28 U.S. Code § 1915(e)(2) since the complaint was filed with a motion for a fee waiver, McElroy issued orders allowing the motions to proceed IFP and to file electronically and directing the

U.S. Marshals Service to effectuate service.* The case opening notice was posted on PACER this same day.* Note that she had not yet done anything criminal regarding 1:22-cv-354-MSM-LDA as of the above date, but she would within twenty-four hours.

37. On January 25, 2023, or January 26, 2023, J. Michaud—after learning he was being sued via an automated email from PACER notifying him of the case—promptly called McElroy or someone else at the U.S. district court to complain that he was being sued for his criminal misconduct and that he didn't like it and wanted to keep the condominium he stole from Plaintiff's mother and its rental income that he stole and continues to steal from Plaintiff. PACER accounts can be configured to send notifications of case openings based on party names, which J. Michaud and/or another defendant in 1:22-cv-354-MSM-LDA had likely configured.*

38. On January 26, 2023, McElroy *then* acted criminally by immediately and illegally vacating all of her previous rulings.* She did this because J. Michaud contacted the court after getting notification of the lawsuit because he wanted to keep the property he had stolen and block Plaintiff from reversing the theft. In the process, J. Michaud committed several state and federal felonies, including, but not limited to, RI Gen. Laws § 11-32-3 and 18 U.S. Code §§ 241, 1001, 1503, and 1512. McElroy was a co-conspirator to these and also violated 18 U.S. Code § 4 herself according to *Branzburg*.

39. On February 7, 2023, after taking nearly two weeks to concoct bogus reasons thinly veiled in "law" to justify the reversal of orders McElroy issued on January 26, 2023, and to dismiss the case entirely, she issued a fraudulent terminating order.* Of note is another smoking gun. After McElroy wrongly dismissed the case, she immediately went looking for any other cases Plaintiff had pending and found 1:22-CV-00421. She dismissed it for the very same diversity "reason" so that the dismissal of 1:22-cv-354-MSM-LDA wouldn't look so concocted. If she had allowed Plaintiff's case against Fidelity to continue but not 1:22-cv-354-MSM-LDA, that would have been a blaring red flag. However, in her enthusiasm to block Plaintiff, she dismissed it on the very same day, February 7, 2023. She wasn't even smart enough to wait several weeks to make it not look so obvious. There is no way *Fidelity* would have been next in the queue since it was filed almost two months after Plaintiff filed his first case in that court.

Comment [TG14]: Nov 22, 2022 Case Assigned/Reassigned

Check 3 letters on other cases in pacer

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

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

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

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

44. It has taken *monumental* effort and several years, but Plaintiff has *finally* proved what he set out to prove: the federal syndicate is exactly that, a criminal enterprise run exclusively by criminals. When the litigants' names were either hidden, redacted, aliased, or otherwise unknown, the case was allowed to proceed just fine. But once the names were known, or even suspected to be known, then the case had to be blocked at all costs. This is why Plaintiff has filed in state court and is suing the entire federal

syndicate—because it is *wildly, off-the-rails* corrupt and has never done anything according to law and continually injures Plaintiff. By making it this far in the instant case—*actually serving the defendant-criminals*—Plaintiff has gotten further than he has in all six prior attempts in the federal syndicate.

45. On March 8, 2023, unsurprisingly, defendant-criminals Gustavo Antonio Gelpí Jr., Jeffrey Robert Howard, and William Joseph Kayatta Jr. (hereinafter "Gelpí," "Howard," and "Kayatta," respectively)—criminals because they violated 18 U.S. Code § 4 as determined in *Branzburg* by ignoring and trying to hide J. Michaud's violations of 18 U.S. Code §§ 241, 1001, 1503, and 1512 and RI Gen. Law §11-32-3 (all felonies) when J. Michaud contacted McElroy or someone else at the U.S. district court, who are now accessories to those crimes—refused to issue the writ of *mandamus* or take any appropriate action whatsoever towards prosecuting the criminals.[12]

46. Plaintiff simultaneously also sued the syndicate, Rhode Island Federal Court Division, in the U.S. District Court for the District of Rhode Island on May 8, 2023, in order to force them to bring in an external arbiter in the matter since he didn't know how deep the corruption with McElroy penetrated. Was McElroy contacted by J. Michaud, or was someone else contacted who then informed McElroy to "fix" the case?[13] The answer will not be known until discovery, if at all. Plaintiff was hoping, albeit anemically, that ***one*** outside judge would finally step up to the plate and deliver justice instead of more fraud, crime, and corruption. Defendant-criminal Andrea Kneifel Johnstone (hereinafter "Johnstone") issued a "report and recommendation" that tried to hide the crimes, once again in violation of 18 U.S. Code § 4 and *Branzburg*. Plaintiff filed an objection to this report but to no avail.

47. On May 24, 2023, defendant-criminals Mark Jeremy Bennett, Eric David Miller, and Lawrence James Christopher VanDyke (hereinafter "Bennett," "Miller," and "VanDyke," respectively) committed criminal acts pursuant to 18 U.S. Code § 4, 241, 1001, 1018, and 1349 against Plaintiff via their bogus "MEMORANDUM." There, they falsely stated, "[Plaintiff] failed to allege facts sufficient to establish

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[12] 18 U.S. Code § 1503 (a) and (b) says: "(a) Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States.....shall be punished as provided in subsection (b).....imprisonment for not more than 10 years, a fine under this title, or both" (emphasis added).

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

that these defendants' actions exceeded the scope of their employment." Crime *should not* fall within the "scope" of anyone's employment. Plaintiff alleged—and can prove—perjury, fraud, and falsification of records, documents, and evidence in his complaint. These are all crimes under federal statutes. They further stated, "We reject as unsupported by the record [Plaintiff]'s contentions that the district court acted improperly or was biased against [Plaintiff]." By this statement, they were overtly and falsely saying that members of the court did no wrong. However, since some of the original criminals—Michaud, Mihelic, Feuerstein, and Carroll, for instance—haven't been prosecuted, then it can be assumed that nobody in the district court reported their criminal misconduct and therefore violated 18 U.S. Code § 4 according to *Branzburg*. Based on the same reasoning, Bennett, Miller, and VanDyke did likewise.

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

49. On November 2, 2023, Bennett and defendant-criminals Jennifer Sung and Holly Aiyisha Thomas (hereinafter "Sung" and "Thomas," respectively) committed several felonies, including, but not limited to, 18 U.S. Code § 4, 157, 241, 1001, 1018, and 1349. They did this when they knowingly made false statements in their unpublished "MEMORANDUM." They claimed, "However, the record does not support [Plaintiff's] contention" that "the bankruptcy court's and [Acting] United States Trustee's ([A]UST) alleged errors and malfeasance" are true. See the mountain of evidence of crime and corruption in exhibit "x"—in which only a fraction of it is revealed, by the way—that these criminals chose to ignore in their ruling and that proves Plaintiff's allegations are ***100 percent true***.* They further support hiding of the crimes below them with: "[W]e must take the well-pleaded factual allegations of the complaint as true." Mihelic filed the complaint. It, along with every single other document she filed, was

rife with lies. Nobody should ever take *anything* said or written by a compulsive liar as "true." Bennett, Sung, and Thomas simply wanted to reinforce their desired corrupt outcome. For the record, Plaintiff never stated the bankruptcy court or the AUST made any "errors" whatsoever in the bankruptcy. One or two falsified documents or misstatements could be considered errors. Fifty-plus cannot. The actions of the prior criminals were calculated and deliberate.

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

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

52. Of course, case law unequivocally only supports anonymous filings if the plaintiff isn't this one. Once again, justice was stymied and blocked in these courts. Plaintiff pursued the matters in New York and Georgia to the appellate levels. The same tune was heard in these courts. Rules of court were broken. Law was perverted. Submitted papers were ignored, with "orders" even being written saying such papers were never filed.....despite the court record clearly showing them on the docket.*

53. Plaintiff spoke with Barbara Hurst, law clerk for McElroy, by phone on March 18, 2024, who said she would inquire about the call J. Michaud made to the court. However, it would be folly to expect that those who committed state and federal felonies with J. Michaud would admit to doing it. Unsurprisingly, she replied in an email three days later, "No one I spoke to had any knowledge of such a call." Give Plaintiff the phone records. He will find proof of such a call. J. Michaud has made many

calls to several attorneys, courts, and agencies in order to interfere with or obstruct justice to Plaintiff over the years. Michaud has made such illicit contact on no less than five different occasions.

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

55. Defendant has interfered with Plaintiff's business activities by depriving him of the vast majority of his income stream, which he obtained as landlord of the property. The property has also been stolen from an innocent third party.

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

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

58. Finally, here we are today—in California state court after successfully tricking the syndicate into taking a first step towards serving *justice* instead of relentlessly serving *in*justice and one step closer to a jury trial, which the defendants ***ABSOLUTLEY.....DO.....NOT.....WANT!*** In fact, Plaintiff has been blocked from a jury trial *no less than eight times* and has never been before a jury. The matter is now pushing twenty-five years with *thousands* of complaints having been filed, *thousands* of phone calls to criminals in black gowns having been made, *tens of thousands* of emails having been sent to these same criminals and others, and *millions* of words written in court papers, in blogs, on social media, and in two books—all of which have been completely ignored by the syndicate with regard to delivering justice.

59. Judges are not completely immune from suit nor should they be. From *Mireles v. Waco*, 502 U.S. 9 (1991): "The Court, however, has recognized that a judge is not absolutely immune from criminal liability, *Ex Parte Virginia*, 100 U.S. 339, 348 -349 (1880), or from a suit for prospective injunctive

relief, *Pulliam v. Allen*, 466 U.S. 522, 536 -543 (1983)" (emphasis added). Maybe judges should not be liable for damages when they make genuine errors, but they should ***absolutely be liable for intentional misconduct or criminal acts***. Anything contrary is just plain wrong. The sad reality is that the overwhelming majority of the 100-plus judges involved in Plaintiff's legal battles have been nothing more than despicable criminals in black gowns supporting criminal activity and committing crimes themselves. Only slightly more than a mere handful of them do not fit this description. If Plaintiff had done one-tenth of the reprehensible things that these criminals have done to him, he would have been put in "the chair" long ago.

60. Crime and deliberate misconduct of judges have recently been disfavored whereby the beloved *Stump* was blown out of the water with a ruling made in 2022 that slapped the judge-criminals involved in the "kids for cash" scandal with $206 million in damages.[14] Justice finally seems to be taking hold, at least in small steps, across the nation. "We've got to judge the judge."[15] The fact of the matter is that most glorified lawyer-criminals in black gowns *think* they can get away with it because they have a golden get-out-of-jail-free card. "It is ironic that any discipline doled out to the lawbreakers in these instances is *less* severe than it is to the average person when all logic dictates that it should be *more* severe because they know the law and, criminal defense attorneys excepted, enforce it on unsuspecting citizens every day" (emphasis original).[16]

61. This is just round three of a twelve-round fight—one that has lasted more than twenty years and forced Plaintiff to spend well over ***12,000 hours*** fighting crime. Note, however, that anytime criminals in black gowns commit crimes against Plaintiff, they will be held accountable so long as he hasn't taken a bath with a hairdryer or hanged himself from a doorknob or shot himself twice in the back of the head. As the years pass, Plaintiff's tolerance for crime and corruption within the syndicate gets lower and lower. He now has *zero* tolerance for it, maybe less. But the topic shouldn't even be up for discussion—because crime in the U.S. legal system should not even exist!

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[14]https://www.law360.com/pulse/articles/1521688/-kids-for-cash-judges-slapped-with-206m-damages-ruling
[15]Pete Townshend, *White City: A Novel, Face the Face* (United States: ATCO Records, 1985).
[16]Sara Naheedy, Tom Scott, *Stack the Legal Odds in Your Favor* (United States: Smart Play Publishing, 2016), p. 14.

62. The criminals fighting Plaintiff have one goal: defeat him at all costs. Ruling contrary to case law—even against *unanimous* U.S. Supreme Syndicate precedent, *Maness v. Meyers*, 419 U.S. 449 (1975), at one point—wasn't enough to ensure victory in their minds. If they had been content with only ruling contrary to case law, then Plaintiff would not have been able to bring this action because it would have no merit. There are no laws, civil or criminal, about ignoring *stare decisis.* But they had to be greedy and go next-level in order ***not*** to risk losing and therefore guarantee a "win." They had to violate civil and criminal statutes to be assured of their claim to the trophy. This is far beyond infuriating! ***Members of the syndicate are not supposed to "litigate" on behalf of the opposing party or break laws!***

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

- The sum awarded to Parent and J. Michaud by the corrupt Massachusetts courts was suspiciously close to the damages requested ($31,438.31) in Plaintiff's MOTION FOR DEFAULT JUDGMENT.
- The corrupt Massachusetts court first *officially* mentioned its "error" on the docket on September 15, 2014, several days *after* J. Michaud filed his motion to vacate judgment on September 9, 2014—the 9th being a day *later* than the email Plaintiff received from the court saying "the judgement [*sic*] that issued has been vacated."—and *prior* to any hearing for the motion. Note that it took ***eight*** days after the first email to Plaintiff to "correct" the docket.
- The year J. Michaud was appointed judge, 2018, MA Gen. Laws c. 268 § 13B magically changed after Plaintiff *repeatedly* revealed in court filings and elsewhere that J. Michaud violated it numerous times—this after it not having changed in decades.
- Just *one day after* case 1:22-cv-354-MSM-LDA was blasted out on PACER, McElroy reversed/vacated everything, but it took her nearly *two weeks* to state *why* she was dismissing the lawsuit.
- The *day after* Plaintiff sent a generic email to the U.S. Court of Appeals for the Ninth Circus and it being read in Boston, MA, apparently after forwarding—without any righteous reason—Sorokin dismissed 1:23-cv-30024-LTS, which was filed essentially using "Does," but he, of course, made it sound like fraud.
- The ***only*** party that *didn't* get involved in Plaintiff's bankruptcy is the ***only one*** he listed as a "creditor"/criminal on his initial schedules, most likely because Smith, that person's attorney, was told by J. Michaud, "Don't worry; I will make a call and take care of all this, so don't waste your time," since J. Michaud specializes in making nefarious phone calls.
- Less than a year after Plaintiff filed a complaint of judicial misconduct against Adler, she abruptly and mysteriously "retired."
- The probability of McElroy being assigned to both of Plaintiff's cases randomly is only 20 percent.
- All fifty-plus of the "errors" in Mihelic's bogus lawsuit favored her. Not a single one favored Plaintiff. Chances of that happening purely randomly are less than 1 in 1,125,899,906,842,624. Powerball is more than 3.8 million times *easier* to win.[17]

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

- Other than administrative/non-jurisprudence-based rulings, Plaintiff has been ruled against seventy-seven consecutive times. The chance of that happening by (bad) luck is 1 in 151,115,727,451,828,646,838,272 (151 sextillion). By comparison, *only* half that many stars are suspected to exist in the known universe.

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

- PERSONAL INJURY PER CA CODE – CIV § 1714
- CONVERSION/CIVIL THEFT PER CA CODE – CIV § 3336, RI GEN. LAW § 10-5-8, AND 15 U.S. CODE § 1673
- VIOLATION OF CA CODE – CCP § 487.020 AND RI GEN. LAW § 9-26-4, PROPERTY EXEMPT FROM ATTACHMENT
- VIOLATION OF CA CODE – CIV § 1946.2 AND R.I. GEN. LAW § 34-18-37, IMPROPER TERMINATION OF PERIODIC TENANCY
- WRONGFUL ATTACHMENT PURSUANT TO CA CODE – CCP §§ 490.010 AND 490.020
- INTENTIONAL INTERFERENCE WITH ECONOMIC ADVANTAGE
- ABUSE OF PROCESS
- VIOLATION OF 11 U.S. CODE § 362, AUTOMATIC STAY DURING BANKRUPTCY
- NEGLIGENCE/VIOLATION OF CA CODE – CIV § 1714 AND RI GEN. LAW § 9-20-4 AND
- FILING A FRAUDULENT LIEN IN VIOLATION OF CA CODE – PEN § 115
- ACTUAL FRAUD/CONCEALMENT
- LIABILITY PURSUANT TO 42 U.S.C. § 1983
- VIOLATION OF RICO STATUTES CA CODE – PEN § 186, RI GEN. LAW § 7-14-1 ET SEQ., AND 18 U.S. CODE § 1962 AND § 1964 (in three distinct counts)
- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Comment [TG15]: TORTIOUS INTERFERENCE

Comment [TG16]: ?

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

COUNT ONE: PERSONAL INJURY PER CA CODE – CIV § 1714

65. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-four.

66. This count is against all named defendants.

67. Defendant was fully aware, or should have been, that Plaintiff was going to be *severely* injured financially because of their *intentionally fraudulent and criminal* actions and that he would lose his job as landlord of the property; however, Defendant continued to act willfully against Plaintiff. By doing so, he was removed as landlord of the property and no longer received the income associated with being landlord of it.

68. Plaintiff did not consent to the submission of any of Defendants' falsified court documents, untruthful statements, or other fraudulent and criminal acts. To the contrary, he *vehemently* opposed them.

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

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

71. Defendant severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, which totals approximately $66,600 to date, for a grand total of $353,327.92.

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

72. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-four.

73. Because of Defendants' falsified documents, false statements, and fraudulent activity, Plaintiff's income stream from the property was converted.

74. Upon information and belief, Defendant either directly or indirectly benefitted from the rental income from the property after their nefarious actions diverted the rent payments away from Plaintiff.

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

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

77. Defendant severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, which totals approximately $66,600 to date, for a grand total of $353,327.92, together with interest pursuant to CA Civil Code § 3336. Plaintiff also seeks

punitive damages because Defendants' actions involved fraud, malice, and disregarded Plaintiff's rights.[18]

COUNT THREE: TORTIOUS INTERFERENCE

78. Plaintiff incorporates by reference the allegations in paragraphs one through sixty-four.

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

80. Defendant was well aware of the lease because Plaintiff had provided copies to Defendant.

81. Defendant engaged in conduct that prevented or hindered execution of the lease, specifically, they produced falsified documents, made false statements, and did other fraudulent acts that ultimately led to the early termination of Plaintiff's rental income from the property in violation of the lease and the loss of Plaintiff's respective income thereafter as landlord.

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

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

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

85. Defendant severally and jointly are thus liable to Plaintiff for compensatory damages of said interest and penalties plus lost monthly rental income, which totals approximately $66,600 to date, for a grand total of $353,327.92.

COUNT FOUR: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

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

87. As stated earlier in this complaint, Defendant has caused Plaintiff financial stress and duress by pushing him into extreme poverty. This in turn has caused Plaintiff emotional distress. Since the

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

aforementioned Defendant acts were deliberate and malicious, this was intentional infliction of emotional distress on the part of Defendant.

88. The courts have ruled that intentional infliction of emotional distress growing out of conversion is recoverable.[19]

89. The conduct of Defendant has been *beyond* outrageous since the beginning of this legal nightmare—by openly and deliberately producing falsified documents, making false statements, and conducting fraudulent activity, all without restraint.

90. Thus far, Plaintiff has had to spend more than 3,000 painstaking hours on tasks related to this matter because of Defendants' actions. Defendant has intentionally inflicted emotional and financial distress upon Plaintiff as a result of their tortious acts committed during the creation of their falsified documents, the making of their false statements, and their overall fraudulent activity, and Plaintiff has suffered a great deal. The infliction of emotional distress continues to present day.

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

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

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

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

93. Defendant also intentionally forced Plaintiff into extreme poverty, with Plaintiff now experiencing approximately a -$673 monthly basic living expense to income shortfall even with the

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

assistance mentioned in paragraph 36. By their actions, Defendant has caused Plaintiff significant financial and emotional distress.

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

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

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

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

DEMAND FOR JUDGMENT

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

99. Pursuant to CA Civil Code § 3294, whereby Defendant acted with oppression, fraud, and malice, Plaintiff also seeks punitive damages in an amount determined by the jury at trial.[20]

Comment [TG17]: Recalc at end

100. Several defendants should be going to prison for an extensive time because of their wantonly egregious criminal acts, and sentence length should be *longer* than for the average person.

[20] Since there are approximately 70,304 defendants, the total compensatory and punitive damages due should only amount to about $27 each.

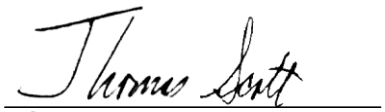
DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial on all issues raised in this complaint. If this matter is dismissed in any way, shape, or form before trial, Plaintiff will be releasing it—and all its corresponding evidence—in its entirety to all the major media outlets.

DECLARATION

Pursuant to CA Code Civ. Proc. § 2015.5(a), I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 21, 2025, in California



Thomas Scott, *pro se*

*** **FULL DISCLOSURE**: Plaintiff knows someone who knows White House Chief Counsel. Plaintiff has written a letter to Counsel in hopes that Plaintiff can begin taking the first steps towards creating a new MAJA (make all judges accountable) oversight group, similar to DOGE, and lead the effort once created. He will apply most of what is written in chapter 7 of his second book in addition to other corrective measures. He also guarantees that judges who continue to rule against him and others nationally in contravention of civil and criminal law and contrary to justice will be running for the hills if he is successful with this noble endeavor. ***

When the legislative or executive functionaries act unconstitutionally, they are responsible to the people in their elective capacity. The exemption of the judges from that is quite dangerous enough. I know no safe depository of the ultimate powers of the society, but the people themselves. - **Thomas Jefferson**