Hospitals & Asylums

Commutation of Sentences for Arbitrary Arrest, Detention or Exile HA-8-8-16

By Anthony J. Sanders

A. Pardon Attorney

1. Rod Blagojevich
2. Chelsea Manning
3. Edward Snowden
4. Bob and Maureen McDonnel
5. Ray Nagin
6. UN Ambassador Devyani Khobragrade *et al*
7. Hammond
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10. Noor Zhi Salman in re: Pulse Nightclub v. (Warfarin) Human Rights Campaign

The Obama administration has been successful at reducing the US prison population from a high of 2,307,504 (755 detainees per 100,000 residents) in 2008 to 2,217,947 (693 detainees per 100,000 residents) in 2014. On Wednesday August, 3, 2016 the President cut short the sentences of 214 federal inmates, including 67 life sentences. Almost all the prisoners were serving time for nonviolent drug crimes. So far, President Barack Obama has commuted 562 sentences during his presidency, more than the past nine presidents combined. Almost 200 of those who have benefited were serving life sentences. The President is hereby requested to commute the sentences of a few completely innocent darlings of the press under Art. 9 of the Universal Declaration of Human Rights that states, "No arbitrary arrest, detention or exile" and Section 11 of the Convention on Privileges and Immunities of the United Nations. Compensation will be necessary for both the victims of miscarriage of justice under Art. 14 of the International Covenant on Civil and Political Rights and the families of the journalists witnessed being killed by US helicopter strike in Iraq by Wikileaks under Art. 14 of the Convention against Torture, Cruel, Inhuman and Degrading Treatment or Punishment.

The United States cannot be forever protected against slavery by the color of the President's skin and statelessness of his Uncle Omar Obama. When the President took office Blagojevich was being incarcerated as the result of the self-incrimination of an FBI agent investigating Rod's promptly aborted attempt to sell the newly elected President's Senate seat. This clemency petition tries to sell President Barack Obama his soul for eleven pardons – Rod Blagojevich, Chelsea Manning, Edward Snowden, Bob and Maureen McDonnel, Ray Nagin, Devyani Khobragrade, former UN General Assembly President, Chinese billionaire, Hammond father and son, and passports for Uncle Omar and I at normal price - the eternal balanced budget.

Several state studies have shown that people released from prison who earn a post-conviction Bachelor degree are 100% free of recidivism, whereas 25% of people with associated degrees, 50% with vocational certificates and 66% of offenders without any higher education attainment recidivate. Recidivism under federal correctional supervision runs about 9% but arbitrary innocence and educational attainment is high. A person seeking executive clemency by pardon, reprieve, commutation of sentence, or remission of fine shall execute a formal petition to the Office of Pardon Attorney (OPA).

A. Pardon Attorney

Article 1 Section 8, Article 2 Sections 2 & 3 of the United States Constitution

Art. 9 Universal Declaration of Human Rights - No arbitrary arrest, detention or exile
Section 11 Convention on Privileges and Immunities of the United Nations (1946)
Art. 14 International Covenant on Civil and Political Rights
Art. 14 Convention against Torture, Cruel, Inhuman and Degrading Treatment or Punishment
Convention on the Reduction of Statelessness of 1961
Conventions Relating to the Status of Refugees and Stateless Persons of 1951 and 1954
Slavery Convention (1926)
Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)

Alien and Sedition Acts; Alien Act July 6, 1798; Sedition Act July 14, 1798; Virginia Resolutions of December 28, 1798; Draft of the Kentucky Resolution October 1798; Kentucky Resolution on the Alien and Sedition Acts December 3, 1799
Arms Export Control Act
Authority for Employment of the Federal Bureau of Investigation (FBI) and Drug Enforcement Administration (DEA) Senior Executive Service 5USC§3151-3152 and 5USC§5301(b) repeal?
Office of Pardon Attorney 28CFR§0.35
Report to President 28CFR§0.36

Blakely v. Washington (2004)
R. v. Spencer, SCC 11 (2007)

Sanders, Tony J. Social Security Amendments of January 1, 2016 and Summer Solstice Instructions to the Board of Trustees of the Old Age Survivor Disability Insurance (OASDI) Trust Fund and Supplemental Security Income (SSI) Program. Hospitals & Asylums HA-6-6-16
– Summary of Attorney General Enforcement (AGE) and Jury Duty (JD)

The Office of Pardon Attorney (OPA) may, exercise of the powers and performance of the functions vested in the Attorney General under 28CFR§0.35, and perform such other duties as may be assigned by the Attorney General or the Associate Attorney General. The Pardon Attorney shall submit all recommendations in clemency cases through the Associate Attorney General and the Associate Attorney General shall exercise such discretion and authority as is appropriate and necessary for the handling and transmittal of such recommendations to the President under 28CFR§0.36. On Wednesday August, 3, 2016 the President cut short the sentences of 214 federal inmates, including 67 life sentences. Almost all the prisoners were serving time for nonviolent drug crimes. He was punished with a $1.7 billion settlement at the International Court of Justice for the extended diplomatic negotiations with Iran and four United States citizens were released from prison in Iran in sympathy. The President examines each clemency application on its specific merits to identify the appropriate relief, including whether the prisoner would be helped by additional drug treatment, educational programming or counseling. So far, President Barack Obama has commuted 562 sentences during his presidency, more than the past nine presidents combined. Almost 200 of those who have benefited were serving life sentences.

A person seeking executive clemency by pardon, reprieve, commutation of sentence, or remission of fine shall execute a formal petition. The petition shall be addressed to the President of the United States and shall be submitted to the Pardon Attorney, Department of Justice, Washington, D.C. 20530, except for petitions relating to military offenses. Petitions and other required forms may be obtained from the Pardon Attorney. Petition forms for commutation of sentence also may be obtained from the wardens of federal penal institutions. A petitioner applying for executive clemency with respect to military offenses should submit his or her petition directly to the Secretary of the military department that had original jurisdiction over the court-martial trial and conviction of the petitioner. In such a case, a form furnished by the Pardon Attorney may be used but should be modified to meet the needs of the particular case. Each petition for executive clemency should include the information required in the form prescribed by the Attorney General. No petition for pardon should be filed until the expiration of a waiting period of at least five years after the date of the release of the petitioner from confinement or, in case no prison sentence was imposed, until the expiration of a period of at least five years after the date of the conviction of the petitioner. Generally, no petition should be submitted by a person who is on probation, parole, or supervised release. No petition for commutation of sentence, including remission of fine, should be filed if other forms of judicial or administrative relief are available, except upon a showing of exceptional circumstances.

It seems obstructive of justice to coin the term commutation of sentence whereas the definition of the presidential pardon power under Art. 2(2) of the US Constitution has been limited to those people who have been released from all forms of correctional supervision for period of five years, but this is moot. The United States cannot use prisoners as soldiers. Several state studies have shown that people released from prison who earn a post-conviction Bachelor degree are 100% free of recidivism, 0% recidivism, whereas 25% of people with associated degrees, 50% with vocational certificates and 66% of offenders without any higher education attainment recidivate. Recidivism under federal correctional supervision runs about 9% but arbitrary innocence and educational attainment of offenders is high. OPA allows far to many exceptions to violent offenses that fail to distinguish between the piratic prosecutor and the arbitrary victim with terms such as major drug dealer, public security offender. Jain theology defines theft is a crime of violence. Enslavement, arrest, detention, and exile are also crimes of violence.

OPA could use an enhancement of regular jury instructions to distinguish that enforcement of *malum prohibitum* is *malum in se*. In cases involving violent *malum in se* (inherently bad crimes, such as murder, rape, assault, kidnapping, and robbery jurors should consider the case strictly on the evidence presented, and if they believe the accused person is guilty, they should so vote. In cases involving non-violent, *malum prohibitum* (legally proscribed) offenses, including "victimless" crimes such as narcotics possession and free online entertainment industry, there should be presumption in favor of nullification. Finally, for nonviolent, *malum in se* crimes, such as theft or perjury, there need be no presumption in favor of nullification, but it ought to be an option the juror considers informed that enforcement of *malum prohibitum* is *malum in se*. For instance deprivation of relief benefits must be described as robbery and why the case is not civil and compensation rational.

Upon receipt of a petition for executive clemency, the Attorney General shall cause such investigation to be made of the matter as he or she may deem necessary and appropriate, using the services of, or obtaining reports from, appropriate officials and agencies of the Government, excluding the Federal Bureau of Investigation (ie. the security-code block of sanderstony@live.com dated June 12 by dysfunction of the blogpost regarding the ruling that the FBI was the only violator of state secrecy in the Hillary email scandal). A denial of this unsolicited third party petition by the President shall not be the same as if the falsely accused had exhibited their own Bachelor degree by email to

USPardon.Attorney @usdoj.gov pro-se pursuant to Clemency Project 2014. Nonetheless, it is hoped the commutation of all the sentences will be granted so that their work will be done despite the fact that there shall be "No arbitrary arrest, detention and exile" under Art. 9 of the Universal Declaration of Human Rights. There is no need for the pardon attorney or President to email the author.

sanderstony@live.com is disabled and the archive may have been hacked, please submit any important messages to sandersasylum@gmail.com The security-code block of the email address appears to be incidental to the dysfunction of the blog-posting in regards to the Hillary Clinton email scandal when I ruled that the FBI were the only violators of state secrecy. The Justice Department unfortunately displays the their "abusive monopoly" ruling against Microsoft in 2000 too prominently in the DOJ website to do the breakage of Windows 8 and 10 and degradation of .doc files the Congress of test subjects the software programmers deserves. The jury (Congress) is instructed for nonviolent, *malum in se* crimes, such as theft or perjury, there need be no presumption in favor of nullification, but it ought to be an option the juror considers *R. v. Spencer*, SCC 11 2007 (where civil settlements have reached with Microsoft in recent years).

Under Art. 1 Sec. 8 the definition and penalty for piracy is an FY 2017 or 2018 force reduction by expiration of commission under Art. 2 Sec. 3 of the US Constitution ($12.9 billion justice deficit reduction + $6 billion state department conversion to international assistance = $18.9 billion). Congress must repeal the Authority for Employment of the Federal Bureau of Investigation (FBI) and Drug Enforcement Administration (DEA) Senior Executive Service under 5USC§3151-3152. Furthermore the clause, 'or to a member of the Senior Executive Service or the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service' must be repealed from the end of 5USC§5301(b) FY 2017.

Expiration of commissions: the Judiciary US Sentencing Commission, Justice Department FBI, DEA, (ATF), OJP Community Policing, State and Local Law Enforcement Assistance, US Marshall's Drug and Crime Task Force, and White House Office of National Drug Control Policy (ONDCP), to reduce the federal budget deficit, and conversion of the State Department International Narcotic Control and Law Enforcement, International Military Education and Training, Foreign Military Finance, and War Crime Tribunal funding, including the residuals, to legitimate international assistance under the Slavery Convention (1926) and Arms Export Control Act.

The Judiciary Court of International Trade of the United States (COITUS) needs to change its name to Customs Court (CC). The Justice Department Bureau for Alcohol, Tobacco and Firearms (ATF) needs to change its name to Bureau for Firearms and Explosives (FE) and legislate a share of the federal tax revenues generated by sales of firearms and ammunition and fees for criminal background checks based upon 2.5% annual growth. The Treasury needs to change the name of the Alcohol, Tobacco, Tax and Trade Bureau (ATTTB) to Alcohol, Tobacco and Marijuana (ATM) pursuant to the legalization of marijuana under the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

The Obama administration has been successful at reducing the US prison population from a high of 2,307,504 (755 detainees per 100,000 residents) in 2008 to 2,217,947 (693 detainees per 100,000 residents) in 2014. Although Seychelles edged ahead with 799 detainees per 100,000 residents, the US retains the largest penal population in the world. Although sentencing may have gone down somewhat since *Washington v. Blakely* (2004) eliminated mandatory minimum sentencing, the US Sentencing Commission must be abolished as an institution, prohibited by law - statute provides the maximum sentence for a crime. Most of the statistical reduction in US prison population, including the increase

in federal accountability for foreign detainees, is best explained by a dramatic increase in the deportation of criminal aliens by Immigration and Customs Enforcement (ICE) including people "denaturalized" in contravention to the Convention on the Reduction of Statelessness of 1961 and the Conventions Relating to the Status of Refugees and Stateless Persons of 1951 and 1954 respectively.

The President is requested to commute the sentences of a few completely innocent darlings of the press under Art. 9 of the Universal Declaration of Human Rights that states, "No arbitrary arrest, detention or exile" and Section 11(a) of the Convention on Privileges and Immunities of the United Nations of February 13, 1946 that assures "representatives of Members immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind". Compensation will be necessary for both the victims of miscarriage of justice under Art. 14 of the International Covenant on Civil and Political Rights and the families of the journalists witnessed being killed by US helicopter strike in Iraq by Wikileaks under Art. 14 of the Convention against Torture, Cruel, Inhuman and Degrading Treatment or Punishment. Military offenders should submit his or her petition directly to the Secretary of the military department that had original jurisdiction over the court-martial trial and conviction of the petitioner - Army Secretary Eric Fanning. In such a case, a form furnished by the Pardon Attorney may be used but should be modified to meet the needs of the particular case.

The United States cannot be forever protected against slavery by the color of the President's skin and statelessness of his Uncle Omar Obama. When the President took office Blagojevich was being incarcerated as the result of the self-incrimination of an FBI agent investigating Rod's promptly aborted attempt to sell the newly elected President's Senate seat. The Blagojevich case seems to have been swept under the rug and mothballed into a *flagrante delicto* upon diplomatic immunity that President and Vice-President have so far been too disabled to redress while in office due to their perpetuation of the XYZ Affair regarding the Alien and Sedition Acts of 1798. The Clintons were too Elvis Presley to reduce the prison population, but after being raided by a self-incriminating FBI agent regarding state secrecy of email, might get the message, "No arbitrary arrest, detention or exile" is the most effective rule of law to safely release the innocent. This clemency petition tries to sell President Barack Obama his soul for eleven pardons – Rod Blagojevich, Chelsea Manning, Edward Snowden, Bob and Maureen McDonnel, Ray Nagin, Devyani Khobragrade, former UN General Assembly President, Chinese billionaire, Hammond father and son, and passports for Uncle Omar and I at normal price - the eternal balanced budget of the Social Security Amendments of January 1, 2016 and Summer Solstice Instructions to the Board of Trustees of the Old Age Survivor Disability Insurance (OASDI) Trust Fund and Supplemental Security Income (SSI) Program HA-6-6-16, subsequent editions of Attorney General Enforcement (AGE) and Jury Duty (JD).

1. Rod Blagojevich

Fifth Amendment right of non-self incrimination
First Amendment freedom of association

International Covenant on Civil and Political Rights

H.R. Res. 1650, 95th Gen. Assem., Reg. Sess. (Ill. 2008)
Honest services, mail and wire fraud statutes, Title 18, Sections 1001(a)(2), 1343, 1346, 1349, 1951(a), and 1962(d) Corruptly soliciting and demanding the firing of Chicago Tribune editorial board members who had been critical of defendant Blagojevich, in exchange for the awarding of millions of dollars in

financial assistance from the State of Illinois in violation of 18 U.S.C. §§ 666 dismissed at the request of the Appeal of Chicago Tribune Company, The New York Times Company, Illinois Press Association, and Illinois Broadcasters Association

U.S. v. Rod and Robert Blagojevich, Denial of Appeal *en banc* 614 F.3d 287 (2010) and 612 F. 3d 558 (2010) which both serve to exclude the names of jurors from the mass media.
U.S. v. Rod Blagojevich et al. Northern District of Illinois No. 08 CR 888 February 2008
Motion to Disclose Intercepted Communications. 594 F.Supp.2d 993 (2009)
Denial of Appeal en banc 614 F.3d 287 (2010)
Exclusion of Jurors 612 F. 3d 558 (2010)

President Barack Obama should commute the sentence of former Illinois Governor Rod Blagojevich. Rod did not sell Barack's Senate seat in 2008. Rod is innocent. All the crimes were committed by a self-incriminating FBI special agent in the execution of a warrant issued by the Chief Judge of the Northern District of Illinois in abuse of the Fifth Amendment right of non-self incrimination and this has infringed upon the First Amendment Freedom of Association of Barack for the eight unaccountable years he has had a constitutional duty to pardon Rod. Rod Blagojevich is believed to have been sentenced to 14 years in prison from 2008 in contravention to Art. 9 of the Universal Declaration of Human Rights that provides for "No arbitrary arrest, detention or exile". Of Illinois' last seven governors, four have ended up going to prison. They are: Rod Blagojevich – Governor from 2002 through 2009, when he became the first Illinois governor in history to be impeached. Convicted of numerous corruption charges in 2011, including allegations that he tried to sell or trade President Barack Obama's old Senate seat. George Ryan – Governor from 1999 through 2003. After leaving office, was convicted of racketeering for actions as governor and secretary of state. In November 2007, began serving a 6 1/2 year sentence in federal prison and was released on January 30, 2013. Dan Walker – Governor from 1973-1977. Pleaded guilty to bank fraud and other charges in 1987 related to his business activities after leaving office. Spent about a year and a half in federal prison. Otto Kerner – Governor from 1961-1968. Resigned to become judge, then was convicted of bribery related to his tenure as governor. Sentenced to three years in prison. The federal court should not entertain these arbitrary detentions of Illinois governors and must definitely compensate Rod Blagojevich for the miscarriage of justice under Art. 14 of the International Covenant on Civil and Political Rights. Under Obama's two terms as President the Illinois penal population has increased from 64,735 in 2005 (505 detainees per 100,000 residents) to 69,300 in 2013 (537 detainees per 100,000 residents) although it declined nationally and should be reduced to a rate less than 250 per 100,000 residents. There should be no arbitrary arrest, detention or exile in Illinois.

The Superseding Indictment written by Northern District of Illinois Judge James B. Zagel in *U.S. v. Rod Blagojevich et al*. No. 08 CR 888 dated February 2008 lists as violations: Title 18, Sections 1001(a)(2), 1343, 1346, 1349, 1951(a), and 1962(d). In the Motion to Disclose Intercepted Communications: *US v. Rod Blagojevich and John Harris* 594 F.Supp.2d 993 (2009) Northern District of Illinois Chief Judge James F. Holderman reports that on December 9, 2008, agents of the Federal Bureau of Investigation arrested Illinois Governor Rod R. Blagojevich pursuant to a criminal complaint filed in this case. That complaint charged defendant Blagojevich with two counts of alleged criminal conduct: one count of conspiring to defraud the citizens of Illinois of their right to his honest services in violation of the mail and wire fraud statutes, 18 U.S.C. §§ 1341, 1343, 1346, and 1349, and one count of corruptly soliciting and demanding the firing of Chicago Tribune editorial board members who had been critical of defendant Blagojevich, in exchange for the awarding of millions of dollars in financial assistance from the State of Illinois in violation of 18 U.S.C. §§ 666(a)(1)(B) and 2. Within days of defendant Blagojevich's arrest, the Illinois House of Representatives adopted House Resolution 1650,

creating a Special Investigative Committee "for the purpose of (i) investigating allegations of misfeasance, malfeasance, nonfeasance, and other misconduct of Governor Rod R. Blagojevich and (ii) making a recommendation as to whether cause exists for impeachment." H.R. Res. 1650, 95th Gen. Assem., Reg. Sess. (Ill. 2008).

The United States of America (the "government") on December 29, 2008, filed a Motion to Disclose Intercepted Communications to the Special Investigative Committee of the Illinois House of Representatives (Dkt. No. 16). Although the Chief Judge of the District takes full responsibility for authorizing the wire fraud the United States failed to stop charging the defendant with these charges as required to do by paragraph 16 of the Guidelines on the Role of Prosecutors. The Appeal of Chicago Tribune Company, The New York Times Company, Illinois Press Association, and Illinois Broadcasters Association indicates that the press has dropped the inapplicable theft or bribery concerning programs receiving federal funds §666 charges in *U.S. v. Rod and Robert Blagojevich*, Denial of Appeal *en banc* 614 F.3d 287 (2010) and 612 F. 3d 558 (2010) which both serve to exclude the names of jurors from the mass media.

2. Chelsea Manning

Eighth Amendment to the United States Constitution

Unlawful Detention

Manning, Bradley E. Charge Sheet. Fort Myer 29 May 2010
Coombs, David E.; Civilian Counsel. Defense Request for Production of Evidence. *United States v. Manning, Bradley E*. 22 November 2011
Espionage and censorship 18USC(I)(37)§793 and 18USC(I)(37)§794
US v. PFC Manning Appeal Army No. 20130739 18 May 2016
--American Civil Liberties Union amices brief *US v. Chelsea Manning* (claim for compensation, cannot be downloaded)

Arbitration

Army Information Security Program. Army Regulation 380-5 29 September 2000
Information Management: Information Assurance. Army Regulation 25-2. 24 October 2007
Classification Prohibitions and Limitations Sec. 1.7 Executive Order 13526
Manual for Courts-Martial: United States. Departments of the Army, Navy, Marines, Air Force and Coast Guards. 2008 Edition Rules 907, 915, 916, 1008
Uniform Code of Military Justice
Unlawful detention Rule 21 Art. 97 10USC(A)(II)(47)(X)§897
Cruelty and maltreatment Rule 17 Article 93 10USC(A)(II)(47)(X)§893
Threat or hoax designed or intended to cause panic or public fear Rule 109 Art. 134 10USC(A)(II)(47)(X)§934
Espionage Rule 30a(c) Article 106a(c) Espionage.
Regulations prescribed by the President Article 36 10USC(A)(II)(47)(VII)§836

Supporting Documents

Bradley Manning Network. Free Bradley Manning: Blowing the Whistle on War Crimes is not a Crime. Bradley Manning Support Network http://www.bradleymanning.org

--What did Wikileaks Reveal? Bradley Manning Support Network. August 16, 2011
Fuller, Nathan. Bradley Manning Support Network. Final day of Bradley Manning's pre-trial hearing: In depth notes from the art. 32 courtroom. December 22, 2011
Guichaoua, Valerie; Radermecker, Sophie. Julian Assange – Wikileaks: Warrior for Truth. Cogito Media Group. Montreal, Quebec. 2011
Keller, Bill; Star, Alexander; Leigh, Ann; Cohen, Sarah. Thompson, Ginger. Open Secrets: Wikileaks, War and American Diplomacy. The New York Times. 2011
Leigh, David; Harding, Luke. Inside Julian Assange's War on Secrecy. The Guardian. 2011
Marty, Dick. Abuse of State Secrecy and National Security: Obstacles to Parliamentary and Judicial Scrutiny of Human Rights Violations. Switzerland Alliance of Democrats and Liberals for Europe. Council of Europe. 7 September 2011
Mitchell, Greg. Bradley Manning: Truth and Consequences. Sinclair Books. New York. March 2011
Mitchel, Greg. The Age of Wikileaks: From Collateral Murder to Cablegate (and Beyond). Sinclair Books. New York. February 3, 2011
Sifry, Micah L. Wikileaks and the Age of Transparency. OR Books. New York. 2011

Claim for Compensation

American Civil Liberties Union amices brief *US v. Chelsea Manning* (cannot be saved)
Collateral Murder Video 5 April 2010
Convention against Torture, Cruel, Inhuman and Degrading Treatment or Punishment
Draft Articles of State Responsibility for Internationally Wrongful Acts 22 September 2001
United Nations Compensation Commission

Armed Forces Retirement Home Entry Requirements 24USC(10)§412
Hostile Fire Pay 37USC§310
Veterans Benefits 38USC§1521

Bloom v. Social Security Administration (10th Cir.) No. 02-3362 (2003)
Scarborough v. Principi No. 02-1657 (2004)
Sanders, Tony J. Wikileaks: Honorable Discharge of Bradley Manning HA-31-1-12
Shinseki v. Sanders No. 07-1209 (2009)

Dear Army Secretary Eric Fanning

The military judge sentenced PFC Manning to total forfeiture of pay and allowances, reduction to the grade of E-1, confinement for thirty-five years, and a dishonorable discharge. The defense attorney asks to reduce the sentence to 10 years. In one week in April 2011, over a half million people signed a petition calling on President Obama to end the isolation and torture of Bradley Manning, as those condition serve as "a chilling deterrent to other potential whistleblowers committed to public integrity." Over 300 top legal scholars declared Bradley's conditions of detention a violation of the Eighth Amendment's prohibition against cruel and unusual punishment and the Fifth Amendment's guarantee against punishment without trial. In 2011 *An Open Letter from the Members of the European Parliament* expressed concern for the human rights of Bradley Manning. U.S. Congress responded by abolishing the death penalty in espionage and censorship statute that now provides victim compensation at 18USC(I)(37)§793(h)(4) and 18USC(I)(37)§794(d)(4). The intention of the law is that the military judge dismiss the case against PFC Manning, honorably discharge him with backpay at his original pay-grade, and order the United States to pay compensation to the families of the journalists killed by the US helicopter strike as valued by the American Civil Liberties Union (ACLU)

amices brief regarding *US v. PFC Manning* Army No. 20130739.

No whistleblower in American history has been sentenced this harshly. The trial counsel in PFC Manning's case claimed her crime was worse than any Soldier in history. To sum it up, the Collateral Murder Video was released 5 April 2010 Bradley Manning was arrested, placed in pretrial detention on 20 May 2010. The charges against Bradley Manning must be dismissed under Rule 907 of the Manual for Courts-Martial (MCM) to allow the United States to pay reparations for war casualties without trial for the issue of arbitrary guilt of the messenger. The United States must dismiss the charges against Bradley Manning under Rule 907 of the MCM so that the families of the journalist who were killed in Iraq are compensated under the Draft Articles of State Responsibility for Internationally Wrongful Act of 22 September 2001.

Rule 916(h) of the Manual for Courts-Martial Defenses, provides, it is a defense to any offense except killing an innocent person that the accused's participation in the offense was caused by a reasonable apprehension that the accused or another innocent person would be immediately killed or would immediately suffer serious bodily injury if the accused did not commit the act. Wherefore, until Bradley Manning is released it is manifestly necessary in the interest of justice to declare a Mistrial under MCM Rule 915 because of circumstances arising during the proceedings which cast substantial doubt upon the fairness of the proceedings. A declaration of a mistrial shall have the effect of permanently withdrawing the affected charges and specifications from the court-martial whereas the mistrial was declared after jeopardy attached and before findings the declaration was: (A) An abuse of discretion and without the consent of the defense; or (B) The direct result of intentional prosecutorial misconduct designed to necessitate a mistrial. The power to grant a mistrial should be used with great caution, under urgent circumstances, and for plain and obvious reasons. As examples, a mistrial may be appropriate when inadmissible matters so prejudicial that a curative instruction would be inadequate are brought to the attention of the members or when members engage in prejudicial misconduct. Rule 1008 provides a sentence which is proper on its face may be impeached only when extraneous prejudicial information was improperly brought to the attention of a member, outside influence was improperly brought to bear upon any member, or unlawful command influence was brought to bear upon any member. It is improper that one member of the Armed Forces should serve time for the crimes of other members of the United States Armed Forces. Furthermore, the influence of the European Parliament and UN Committee against Torture who condemned the cruel and unusual treatment of Bradley Manning, compelled the U.S. Congress to abolish the death penalty in espionage and censorship statute. All the criminal charges against Bradley Manning should be dismissed under Rule 907 of the MCM. The White House has completed a report detailing the rather benign nature of the leaks and the lack of any real damage to national security. The Department of State formed a task force of over 120 individuals to review each released diplomatic cable. The task force conducted a damage assessment of the leaked cables and concluded the information leaked either represented low-level opinions or was already commonly known due to previous public disclosures. Examples of substantial damage of the national security of the United States include: impeding the performance of a combat mission or operation; impeding the performance of an important mission in a hostile fire or imminent danger pay area 37USC(5)(I)§310(a).

The unlawful detention of Bradley Manning under Rule 21 Art. 97 10USC(A)(II)(47)(X)§897 has given rise to numerous infractions of Rule 17 Article 93 pertaining to cruelty and maltreatment in violation of 10USC(A)(II)(47)(X)§893 and the arbitrary reliance of the prosecutors upon the death penalty in aiding the enemy statute amounts to a threat or hoax designed or intended to cause panic or public fear in violation of Rule 109 Art. 134 10USC(A)(II)(47)(X)§934. The prosecutors made a serious error by trying to defend their capital espionage case without proving a single aggravating

factor under Rule 30a(c) Article 106a(c) Espionage. A sentence of death may be adjudged by a court-martial for an offense only if the members unanimously find, beyond a reasonable doubt, one or more of the following aggravating factors: (1) The accused has been convicted of another offense involving espionage or treason for which either a sentence of death or imprisonment for life was authorized by statute. The new espionage and censorship statute only authorizes a maximum 10 year sentence. (2) In the commission of the offense, the accused knowingly created a grave risk of substantial damage to the national security. (3) In the commission of the offense, the accused knowingly created a grave risk of death to another person. (4) Any other factor that may be prescribed by the President by regulations under UCMJ Article 36 10USC(A)(II)(47)(VII)§836.

There have been five recent cases of espionage, three involving whistleblowers and two non-whistleblower. Thomas Drake, an analyst at the National Security Agency, pleaded guilty to a misdemeanor and was sentenced to a year of probation for leaking classified information to the news media for the purpose of exposing wrongful conduct by the government. 2) Stephen Jin-Woo Kim, a former arms expert at the State Department, was sentenced to thirteen months in federal prison for leaking classified information to a Washington Post reporter about North Korean military capabilities. 3) Jeffrey Sterling, a former Central Intelligence Agency (CIA) officer, was sentenced to three and a half years in federal prison for leaking classified information to a New York Times reporter about a secret operation to disrupt Iran's nuclear capabilities. The federal sentencing guidelines had called for a sentence of more than twenty years. Two recent non-whistleblower classified information cases prove PFC Manning's sentence is excessive. 4) The first involved a Navy intelligence specialist named Bryan Martin. Martin pleaded guilty to charges he sold classified information to a person he believed to be a spy. A military judge sentenced him to thirty-four years confinement. By all measures PFC Manning received the same sentence as a service- member who wished to sell classified information for money. 5) The second case involves General David Petraeus. General Petraeus is one of the most decorated Army generals in American history and the former Director of the CIA. General Petraeus pleaded guilty to disclosing highly classified information to his former mistress and biographer. He apparently disclosed the materials for sex. General Petraeus pleaded guilty to a misdemeanor offense and was sentenced to two years of probation.

The failure of the military judge to dismiss the charges against Bradley Manning cause substantial damage of the national security of the United States including impeding the performance of a combat mission or operation; impeding the performance of an important mission in a hostile fire or imminent danger pay area 37USC(5)(I)§310(a). Unlike these other arbitrary espionage offenders, who should probably not have been criminally sentenced either, Bradley Manning and Wikileaks sent a team of journalists to Iraq to interview the victims and observers of the helicopter attack, the team obtained copies of hospital records, death certificates, eye witness statements and other corroborating evidence needed to compensate victims of war, and should not themselves be petitioners under the United Nations Security Council Compensation Commission:

1. People forced to relocate as the result of military action $2,500 -$4,000 for an individual and $5,000-$8,000 for a family;
2. People who suffered serious bodily injury or families reporting a death as the result of military action are entitled to between $2,500 and $10,000;
3. After being swiftly compensated for relocation, injury or death an individual may make a claim for damages for personal injury; mental pain and anguish of a wrongful death; loss of personal property; loss of bank accounts, stocks and other securities; loss of income; loss of real property; and individual business losses valued up to $100,000.
4. After receiving compensation for relocation, injury or death an individual can file a claim valued at

more than $100,000 for the loss of real property or personal business.
5. Claims of corporations, other private legal entities and public sector enterprises. They include claims for: construction or other contract losses; losses from the non-payment for goods or services; losses relating to the destruction or seizure of business assets; loss of profits; and oil sector or heavy industry losses.
6. Claims filed by Governments and international organizations for losses incurred in evacuating citizens; providing relief to citizens; damage to diplomatic premises and loss of, and damage to, other government property; and damage to the environment.

An expert witness provided that Chelsea Manning suffers from gender dysphoria, fetal alcohol syndrome and Asperger's. The espionage charges are bogus and tend to bring the United States into disdain and corrupt the US-EU privacy Bradley Manning didn't succeed as either homeless person or a spy. Now the United States owes the public compensation to both the families and employers of the journalists slain in the Collateral Murder Video 5 April 2010 and must overturn the conviction of Chelsea Manning so that she may receive compensation for the miscarriage of justice. It should be sufficient to honorably discharge Chelsea Manning with backpay for all the pay that has been withheld under *Bloom v. Social Security Administration* (10th Cir.) No. 02-3362 (2003). In accordance with the entry requirements of the Armed Forces Retirement Home 24USC(10)§412(a)(3) and the thresholds for Veterans Benefits under 38USC§1521(j) when US soldiers serves 90 days in a war, or hostile fire in any declared or undeclared military action he or she become equally eligible under 37USC§310 for retirement benefits usually reserved for people who served 20 years or more in active service. The extended period of unlawful detention certainly qualifies as hostile fire pay. Legal fees for claims for Veteran's Benefits are authorized under the Equal Access to Justice Act in *Scarborough v. Anthony J. Principi* No. 02-1657 (2004) and *Shinseki v. Sanders* No. 07-1209 (2009).

3. Edward Snowden

First, Fourth and Fourteenth Amendments to the U.S. Constitution

Cases

ACLU v. NSA 6th Cir. HA-6-7-07
International Court of Justice. *Asylum Case* (Columbia/Peru) Request for the Interpretation of the Judgment of November 20, 1950
New York Times v. Sullivan 37 U.S. 254 (1964)
Leon J. *Klayman v. Obama* (Nos. 13-cv-851 & 13-cv-881)
Pauly J. *ACLU v. Clapper* (13 Civ. 3994).
Snowden v. Hughes, 321 U.S. 1 (1944)

Treaties
Art. 14 Universal Declaration of Human Rights
Declaration on Territorial Asylum 2312 (XXII) of 14 December 1967
Johannesburg Principles on National Security, Freedom of Expression and Access to Information, of November 1996

Statute

First Amendment Privacy Protection 42USC(21A)§2000aa
FISA Act 50USC(36)I§1809

Recovery of civil damages 18USC(119)§2520
Unlawful intrusion and violation of the rules and regulations 24USC(3)V§154

Reports

Goodman, Melvin A. National Insecurity: The Cost of American Militarism. Open Media Series. City Lights Books. San Francisco. 2013
Review Group on Intelligence and Communications Technologies released 'Liberty and Security in a Changing World: Report and Recommendation' on 12 December 2013
Epps, Garrett ed. The First Amendment Freedom of the Press. Its Constitutional History and the Contemporary Debate. Prometheus Books. New York. 2008
Haynes, Charles C.; Chaltain, Sam; Glisson, Susan M. First Freedoms: A Documentary History of First Amendment Rights in America. Oxford University Press. New York. 2006
Sanders, Tony J. Snowden v. National Security Administration (NSA) HA-6-1-14

Edward Joseph Snowden (born June 21, 1983) is an American computer specialist, a former Central Intelligence Agency (CIA) employee, and former National Security Agency (NSA) contractor who disclosed classified NSA documents to several media outlets, initiating the NSA leaks, which reveal operational details of a global surveillance apparatus run by the NSA and massive violations of First Amendment Privacy Protection 42USC(21A)§2000aa. Snowden's release of classified material was called the most significant leak in US history by Pentagon Papers leaker Daniel Ellsberg. A series of exposés beginning June 5, 2013 revealed Internet surveillance programs such as PRISM, XKeyscore and Tempora, as well as the interception of US and European telephone metadata. Snowden did so for moral reasons despite knowing that it would almost certainly cost him his salary in the neighborhood of $200,000 a year and possibly his freedom. The reports were based on documents Snowden leaked to *The Guardian* and *The Washington Post* while employed by NSA contractor Booz Allen Hamilton. According to Snowden, his "sole motive" for leaking the documents was "to inform the public as to that which is done in their name and that which is done against them." The disclosures have fueled debates over mass surveillance, government secrecy, and the balance between national security and information privacy. Seven months after the NSA revelations began, Snowden declared his mission accomplished, citing the international debate sparked by his leaks. Snowden is considered a fugitive by American authorities who have charged him with espionage and theft of government property. He is currently living in Russia under temporary asylum.

Crediting the Snowden leaks, a United Nations committee unanimously adopted an 'anti-spying resolution' to 'protect the right to privacy against unlawful surveillance' in the wake of reports that 35 foreign leaders were subjects of US eavesdropping. The European Parliament invited Snowden to make a pre-recorded video appearance to aid their NSA investigation. He is expected to answer questions submitted by Parliament members in January 2014. Snowden said in December 2013 that he was 'inspired by the global debate' ignited by the leaks, and stated that NSA's 'culture of indiscriminate global espionage "is collapsing". The Government has not proved that the acts of which the refugee was accused…constitute common crimes" and "the grant of asylum is not an instantaneous açt which terminates with the admission, at a given moment, of a refugee to an embassy or a legation", but that asylum "is granted as long as the continued presence of the refugee in the embassy prolongs this protection" in the *Request for the Interpretation of the Asylum Case Judgment of* November 20, 1950.

The granting of Asylum is a peaceful and humanitarian act and that, as such, it cannot be regarded as unfriendly by any other State under the *Declaration on Territorial Asylum* 2312 (XXII) of 14 December 1967 is mindful of the Universal Declaration of Human Rights, which declares in Art. 14 **(**1) Everyone has the right to seek and to enjoy in other countries asylum from persecution. (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

The roots of this militarization of U.S. foreign policy lie in the year 1947, with the beginning of the Cold War. Passage of the National Security Act of 1947 made the U.S .armed forces an inherent part of the national security policy in peacetime. Previously, the Pentagon had rarely asserted itself in the policy process, even in wartime. The National Security Administration (NSA) was created July 15, 1949 with the passage of the Secretary of Defense Transfer Order No. 40 of July 22, 1949 that named the Department of Defense. Military influence grew over the next four decades, leading to the Defense Re-organization Act of 1986, commonly referred to as the Goldwater-Nichols Act, which made the chairman of the Joint Chiefs of Staff the "principal military adviser to the President, the National Security Council and Secretary of Defense". The 2007 dismissal of *ACLU v. NSA* HA-6-7-07 by the 6th Circuit Court of Appeals called for plaintiffs to provide claims for which relief could be granted whereas the FISA Act provides for a fine of not more than $10,000 or imprisonment for not more than five years, or both under 50USC(36)I§1809. Domestically, the first offense is entitled to appropriate injunctive relief; and a second or subsequent offense shall be subject to a mandatory $500 civil fine for the recovery of civil damages under 18USC(119)§2520. Hospitals and Asylums Battle Mountain Sanitarium Reserve statute likewise provides for a $1,000 fine and up to 12 months in jail for unlawful intrusion and violation of the rules and regulations under 24USC(3)V§154. For some strange reason the ACLU incorrectly quoted the Fourth Amendment to describe a Court although the text states, 'The right of the people to be secure in their persons, houses, papers, and effect, against unreasonable searches and seizures, shall not violated, an no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.'

The President's Review Group on Intelligence and Communications Technologies '*Liberty and Security in a Changing World: Report and Recommendation'* of 12 December 2013 Recommendations naming the N.S.A. include: Recommendation 20 on pg. 33 'We recommend that the US Government should examine the feasibility of creating software that would allow the National Security Agency and other intelligence agencies more easily to conduct targeted information acquisition rather than bulk-data collection. Recommendation 22 on pg. 34 'We recommend that: (1) the Director of the National Security Agency should be a Senate-confirmed position; (2) civilians should be eligible to hold that position; and (3) the President should give serious consideration to making the next Director of the National Security Agency a civilian'. Recommendation 23 on pg. 34 'We recommend that the National Security Agency should be clearly designated as a foreign intelligence organization; missions other than foreign intelligence collection should generally be reassigned elsewhere. Recommendation 24 on pg. 34 'We recommend that the head of the military unit, US Cyber Command, and the Director of the National Security Agency should not be a single official'. Recommendation 25 on pg. 34 'We recommend that the Information Assurance Directorate—a large component of the National Security Agency that is not engaged in activities related to foreign intelligence—should become a separate agency within the Department of Defense, reporting to the cyber policy element within the Office of the Secretary of Defense'. The N.S.A. reforms are however not fair until the United States drops espionage and theft of public property charges against their whistleblower, whether the N.S.A. is military or civilian.

Larry Klayman, founder, chairman and general counsel of Freedom Watch and also a former U.S. Justice Department prosecutor, petitioned the Honorable Richard J. Leon of the U.S. District Court for the District of Columbia and was granted a motion for preliminary injunction against the federal government and the National Security Agency ("NSA"), enjoining the NSA from collecting telephone and other metadata, finding that the program violates the U.S. Constitution in *Klayman v. Obama* (Nos. 13-cv-851 & 13-cv-881). Judge Pauley's ruling shortly thereafter denied the ACLU's motion for a preliminary injunction and granted the government's motion to dismiss the challenge to the constitutionality of the NSA's mass call-tracking program, finding that the government's bulk collection of phone records is lawful under Section 215 of the Patriot Act and under the Fourth Amendment *ACLU v. Clapper* (13 Civ. 3994). Both civil liberties and foreign intelligence surveillance act (FISA) are codified in Title 50 War and National Defense of the United States Code and the ACLU seems to be playing to lose and this is not legal. The President must pardon Edward Snowden and terminate the NSA's mass call-tracking program

The First Amendment to the US Constitution is one of the world's finest instruments of democratic principle, it states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances". The Johannesburg Principles on National Security, Freedom of Expression and Access to Information, of November 1996 provides at Principle 1:3 the restriction imposed by the least restrictive means. Principle 6 expression may be punished as a threat to national security only if it incites violence. Principle 20 provides that any person accused of a security related crime regarding freedom of expression shall be entitled to all of the rule of law including the right not to be arbitrarily detained. Due process of the equal protection section of the Fourteenth Amendment to the US Constitution aiming to repeal Sections 2-5 requires the United States to dismiss the charges and return to Edward Snowden his diplomatic visa pursuant to *Snowden v. Hughes*, 321 U.S. 1 (1944).

In determining the extent of the constitutional protection of the liberty of the press, it has been generally, if not universally, considered that it is the chief purpose of the guaranty to prevent prior restraints upon publication. In the pre-eminent freedom of the press case, *New York Times v. Sullivan* 37 U.S. 254 (1964), Dr. King's Court held that a representative democracy ceases to exist the moment that the public functionaries are by any means absolved from their responsibility to their constituents; and this happens whenever the constituent can be restrained in any manner from speaking, writing, or publishing their opinions upon any public measure, or upon the conduct of those who may advise or execute it. An unconditional right to say what one pleases about public affairs is the minimum guarantee of the First Amendment. The classical formulation of the principle underlying the First Amendment is that: "Those who won our independence believed that public discussion is a political duty; and that this should be a fundamental principle of the American government. They recognized the risks to which all human institutions are subject. But they knew that order cannot be secured merely through fear of punishment for its infraction; that it is hazardous to discourage thought, hope and imagination; that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies; and that the fitting remedy for evil counsels is good ones. Believing in the power of reason as applied through public discussion, they eschewed silence coerced by law - the argument of force in its worst form. Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech (free press) and assembly should be guaranteed".

4. Bob and Maureen McDonnel

Art. I Sec. 8 Clause 10 Piracy, Art. II Sec. 2 Pardon, Art. III Sec. 2 Original Jurisdiction of the U.S. Constitution, First freedom of association, Fourth probable cause, Fifth non-self-incrimination, Eighth cruel and unusual punishment and Twelfth selection of Vice-President Amendments

Art. 14 International Covenant on Civil and Political Rights compensation for miscarriage of justice
Art. 9 Universal Declaration of Human Rights "No arbitrary arrest detention or exile"
Sentences 14-16 Guidelines on the Role of Prosecutors 7 September 1990

U.S. v. Bob and Maureen McDonnell. Eastern District of Virginia. Grand Jury Indictment. No. 3:14cr12 Richmond, Virginia. January 21, 2014
U.S .v. Megavideo; Kim Dotcom et al Grand Jury Indictment. Criminal No. 1:12 CR3 Alexandria, Virginia January 5, 2012

Adulterated drugs or devices 21USC(9)VA§351
Racketeering 18USC§1951
Private Securities Litigation Reform Act of 1995
Prohibition of interference with the medical profession 42USC§1395

Alman, Ashley. Bob McDonnel, Wife Indicted on Federal Corruption Charges. Huffington Post. 21 January 2014

The Grand Jury Indictment of Bob and Maureen McDonnel by the Eastern District of Virginia on January 21, 2014 infringes upon a personal loan for a wedding from J.W., President of Star Scientific, whose products Anatabloc® and CigRx® had received a warning letter from the F.D.A. on December 24, and 2013. The federal prosecutors crashed a Virginia wedding and interfered with medical matters without probable cause resulting in unlawful detention that must be redressed. It was these false racketeering allegations that led to the realization that federal prosecutors have a cruel propensity for self-incrimination in an unusual interpretation of the Fifth Amendment that would normally be redressed by sentences 14-16 of the Guidelines on the Role of Prosecutors in a court of law. This is obviously a case of arbitrary arrest, detention and exile. With an executive pension, compensation for the miscarriage of justice is thought to be as cheap as a review of these smoke-stopping products by the FDA after the criminal convictions against the McDonnels are overturned. The 2015 pipe tobacco harvest was heavily contaminated by green tomatoes said to have been thrown by the FY 2017 FDA anti-smoking campaign for teenagers. The FDA made a lot of money in fines and inspections by contagious health professionals who did not inform the public of the danger of green tomatoes to the throat. In 2016 the new Governor is fighting against a felon voter disenfranchisement initiative of the Virginia Supreme Court and Tim Kaine, a Virginia lawyer and Senator has usurped Bernie Sanders' Vice-Presidency under the same rebellion against the 12th Amendment that spurned Hillary in 2008. While it may be okay to receive electoral votes and taxes from Southern Democrats and Virginia prosecutors it is illegal for either the federal government or state of Virginia to indiscriminately reward their tyrants. Hillary must defeat the Virginia adulterer as Trump defeated the Texas Solicitor General. Is Hillary partner of the people, Bernie's independent voters, under the 12th Amendment or piratic

adulterer of marriage and tobacco products? Virginia lawyers must stop infringing on matters that the Constitution give to Congress under penalty of piracy including the change of name of the Court of International Trade of the United States (COITUS) to Customs Court (CC). The Virginia prison population has increased from 48,828 (713 detainees per 100,000 residents) in 2000 to 57,444 (759 per 100,000) in 2006 to 58,800 (710 per 100,000) in 2013. The Democratic National Convention cannot perpetuate the outrageous infringement posed by the arbitrary arrests, detentions and exiles of local Virginia Federal Grand Jury custom in their selection of Vice-Presidential candidate. The United States must commute the sentences of the McDonnel family and compensate them for the miscarriage of justice under Art. 14 of the International Covenant on Civil and Political Rights.

The crime of racketeering is defined under 18USC(I)(95)1951(a) as interference with commerce with threats and violence so that, Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both. But who is it that is interfering with commerce with threats and violence? The United States cannot continue to employ or sustain the conviction of these self-incriminating privateering prosecutors who libel respectable citizens with crimes that can only be construed to have been committed by themselves during the course of one investigation. The Guidelines on the Role of Prosecutors of 7 September 1990 provides at paragraph 14 Prosecutors shall not initiate or continue prosecution, or shall make every effort to stay proceedings, when an impartial investigation shows the charge to be unfounded. 15. Prosecutors shall give due attention to the prosecution of crimes committed by public officials, particularly corruption, abuse of power, grave violations of human rights and other crimes recognized by international law and, where authorized by law or consistent with local practice, the investigation of such offences. 16. When prosecutors come into possession of evidence against suspects that they know or believe on reasonable grounds was obtained through recourse to unlawful methods, which constitute a grave violation of the suspect's human rights, especially involving torture or cruel, inhuman or degrading treatment or punishment, or other abuses of human rights, they shall refuse to use such evidence against anyone other than those who used such methods, or inform the Court accordingly, and shall take all necessary steps to ensure that those responsible for using such methods are brought to justice. The federal soap opera prosecutors of Virginia have only incriminated themselves of racketeering under the Fifth Amendment right of non self-incrimination until the McDonnels are released and compensated for the miscarriage of justice.

On Dec. 31, 2013, Star Scientific wrote that they had received a warning letter from the FDA regarding consumer products. Star Scientific, Inc. (NASDAQ:STSI) announced the receipt on December 24, 2013, of a warning letter from the U.S. Food and Drug Administration (FDA) regarding two consumer products, Anatabloc® and CigRx®, which are marketed by the Company. The letter requires the Company to respond to the FDA with information and remedial steps. Both of the Company's consumer products contain anatabine, a substance naturally occurring in various plants. In the letter, the agency asserts that anatabine is a new dietary ingredient that required premarket notification to the agency. The agency also asserts that the Company's products are unapproved new drugs based on

statements made on the Company's websites. As is typical for warning letters issued by FDA, the agency stated that the Company's failure to address these alleged violations may result in regulatory action by the FDA without further notice. The Company is responding to the letter and has already advised the agency that it intends to work cooperatively to resolve these issues, including undertaking a review of the Company's websites. Certain statements contained in this release constitute forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995 in filings with the Securities and Exchange Commission, including, the annual report on Form 10-K for the fiscal year ended December 31, 2012 and quarterly reports on Form 10-Q for the quarters ended March 31, 2013, June 30, 2013, and September 30, 2013. The incidental Grand Jury indictment of January 21, 2016 is clearly a violation of Prohibition of interference with the medical profession 42USC§1395. Regular jury instructions have been updated so that the enforcement of *malum prohibitum* is *malum in se*. It was a true crime for the Grand Jury to infringe on an FDA prohibition.

These racketeering charges are a severe case of self-incrimination by the same privateering prosecutors who infringed upon Megavideo in 2012 . On 19 January 2012 the United States Department of Justice seized and shut down the file-hosting site Megaupload.com and commenced criminal cases against its owners and others. On 20 January Hong Kong Customs froze more than 300 million Hong Kong dollars (US$39 million) in assets belonging to the company. In a proceeding before the High Court of New Zealand on February 2, 2012, Kim Dotcom stated that Megaupload was "hosting 12 billion unique files for over 100 million users." Kim Dotcom has hired the services of Ira Rothken, an attorney who defended several copyright infringement cases. Rothken claims that the raid was unjustly swift and did not give his client the opportunity to defend himself, quoting a similar case involving YouTube as an example of a completely different turnout. On 20 January 2012 the prominent Washington, D.C. attorney Robert Bennett confirmed that he will represent Megaupload in the piracy case. Bennett is known for defending Bill Clinton, Enron, and other high-profile cases. On January 22, 2012, Robert Bennett withdrew from the Megaupload piracy case due to a conflict of interest with another client. As of 23 January, attorney Paul Davison was quoted as representing Megaupload's founder, Kim Dotcom in the case *U.S .v. Kim Dotcom; Megavideo* Criminal No. 1:12 CR3

5. Ray Nagin

Art. I Sec. 8 Piracy, Art. II Sec. 2 Pardon, Art. III Sec. 2 of the US Constitution First freedom of association, Fourth probable cause, Fifth non-self-incrimination, Eighth cruel and unusual punishment or treatment Amendments

Art. 14 International Covenant on Civil and Political Rights
Art. 9 Universal Declaration of Human Rights “No arbitrary arrest, detention or exile”

Bruton v. United States, 389 U.S. 818, 88 S.Ct. 126, 19 L.Ed.2d 70 (1968)
US v. Ray Nagin (a.k.a. Mayor Nagin). United States District Court, Eastern District of Louisiana. Criminal No. 13-011 January 18, 2013

Federal Rules of Evidence Rule 105 Limiting Evidence That is Not Admissible Against Other Parties or for Other Purposes Rule 403 Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons Rule 409 Offers to Pay Medical and Similar Expenses

Conspiracy to commit offense or defraud the United States 18USC§371
Engaging in Monetary transactions in property derived from specified unlawful activity 18USC§1957

Forfeiture 21USC§853, 18USC§98, 28USC§2461
Fraud and False Statements 26USC§7206
Laundering of Monetary Instruments 18USC§1956
Overpayment Underpayment Sec. 204(c) of the Social Security Act 42USC§404
Principals 18USC§2
Scheme or artifice to defraud 18USC§1343, Wire, radio or television §1346
Theft and Bribery in Federal Programs 18USC§666

Nagin, Ray. Katrina Secrets: Storms after the Storms. June 22, 2011

Clarence Ray Nagin, Jr., also known as C. Ray Nagin (born June 11, 1956), previously served as the 60th mayor of New Orleans, Louisiana from 2002 to 2010. A Democrat, Nagin became internationally known in 2005 in the aftermath of Hurricane Katrina. Nagin was first elected as mayor in March 2002. He was re-elected in 2006 even though the election was held with at least two-thirds of New Orleans citizens still displaced after Katrina struck. Term-limited by law, he left office on May 3, 2010. Prior to leaving office in 2010, Nagin was appointed by Secretary of State Hillary Clinton to head the United States delegation to a state and local governments conference on assistance to post-earthquake Haiti held in Martinique. After leaving office, Nagin founded CRN Initiatives LLC, a firm that focuses on emergency preparedness, green energy product development, publishing, and public speaking. He wrote and self-published *Katrina Secrets: Storms after the Storms*. In 2014, Nagin was convicted on twenty of twenty-one charges of wire fraud, bribery, and money laundering related to bribes from city contractors before and after Hurricane Katrina and was sentenced to ten years in federal prison. These charges are self-incrimination from evidence produced without probably cause, just like Rod Blagojevich, but with a libelous pro-slavery, rather than abolitionist, press. Louisiana has the highest rate of incarceration in the nation. In 1999 Louisiana detained 44,934 prisoners (1,025 per 100,000 residents), in 2006 51,458 (1,138 per 100,000) and in 2013 50,100 (1,082 per 100,000).

On April 7, 2009, the *Times-Picayune* alleged a conflict of interest with regard to a trip Nagin took to Hawaii in 2004. The vacation Nagin, then-chief technology officer Greg Meffert, and their families took in 2004 was claimed to be partially paid for by Meffert, but years later it was revealed that Meffert used a contractor's credit card to pay for Nagin's plane ticket. David Hammer of the *Times-Picayune* reported on April 23, 2009, that Nagin had taken "plenty of other trips" at the expense of NetMethods, a company owned by city vendor Mark St. Pierre. In April 2009, Nagin was obliged "to sit for a deposition as part of a civil lawsuit over the city's controversial crime camera program." The *Times-Picayune* had obtained information that Mark St. Pierre, who allegedly paid for the holiday, had made substantial donations to Nagin's 2006 re-election campaign. Nagin's Chief Technology Officer, Greg Meffert, was later charged with 63 felony counts in what authorities say "was a lucrative kickback scheme." All but two of the counts were subsequently dropped, and Meffert eventually pleaded guilty to one count of conspiracy to commit wire fraud and one count of filing a false income tax return. In June 2012, Frank Fradella, who was facing major securities fraud charges, pleaded guilty in New Orleans federal court to one count of conspiracy to bribe a public official. According to *The Times-Picayune*, Fradella claims to have paid $50,000 and delivered truckloads of free granite to Nagin's sons' business in exchange for favorable treatment for Fradella's companies with city contracts.

On January 18, 2013, Nagin was indicted on 21 corruption charges, including wire fraud, conspiracy, bribery, money laundering, and filing false tax returns related to bribes from city contractors. The 21-count federal corruption charges were issued by a grand jury. On February 20, 2013, Nagin pleaded not guilty in federal court to all charges. Despite New Orleans' long history of political corruption, Nagin was the first mayor to be criminally charged for corruption in office. Nagin was convicted on 20 of the

21 counts by jury on February 12, 2014. These charges included that he had taken more than $500,000 in payouts from businessmen in exchange for millions of dollars' worth of city contracts. Judge Helen Ginger Berrigan, a Bill Clinton appointee to the federal bench, ordered a pre-sentencing investigation. On July 9, 2014, Nagin was sentenced to ten years' imprisonment, and more than $585,000 in restitution and forfeiture. Berrigan recommended that Nagin be sent to the Federal Correctional Complex, Oakdale. On July 15, 2014, Nagin's attorney filed an appeal with the Fifth Circuit Court of Appeals. On September 3, 2014, a judge deemed Nagin indigent and ordered the Federal Public Defender's Office to take over his appeal. Nagin said he was near penniless and relying on food stamps. Nagin reported to the Federal Correctional Institution, Texarkana, a prison camp, on September 8, 2014. Ray Nagin, Bureau of Prisons (BOP)#32751-034, is presently incarcerated at this facility. His earliest possible release date is May 25, 2023. The Pardon Attorney must commute this sentence and compensate Ray Nagin for the miscarriage of justice under Art. 14 of the International Covenant on Civil and Political Rights.

Rule 105. Limiting Evidence That Is Not Admissible Against Other Parties or for Other Purposes. If the court admits evidence that is admissible against a party or for a purpose — but not against another party or for another purpose — the court, on timely request, must restrict the evidence to its proper scope and instruct the jury accordingly. This rule recognizes the practice of admitting evidence for a limited purpose and instructing the jury accordingly. The availability and effectiveness of this practice must be taken into consideration in reaching a decision whether to exclude for unfair prejudice under Rule 403. Rule 403 of Federal Rules of Evidence Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons provides that the court may exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence. In *Bruton v. United States*, 389 U.S. 818, 88 S.Ct. 126, 19 L.Ed.2d 70 (1968), the Court ruled that a limiting instruction did not effectively protect the accused against the prejudicial effect of admitting in evidence the confession of a codefendant which implicated him. The decision does not, however, bar the use of limited admissibility with an instruction where the risk of prejudice is less serious.

Whether or not the payments truly existed, or were falsely reported to the IRS, prosecutors have failed to prove their case with the stated 'intent of the United States pursuant to 21USC§853(p) being to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property all in violation of Title 18USC§981(a)(1)(c), made applicable through 28USC§2461(c)'. In nonviolent *malum in se* cases such as theft and perjury the jury tends to convict, but does not need to. The psychological problem is that Ray Nagin is falsely accused of the crimes of wrongfully admitting evidence involving bank secrecy and secrecy of correspondence treated in Rule 409 Offers to Pay Medical and Similar Expenses that states, "Evidence of furnishing, promising to pay, or offering to pay medical, hospital, or similar expenses resulting from an injury is not admissible to prove liability for the injury. Evidence of payment of... expenses of an injured party by the opposing party, is not admissible, the reason often given being that such payment or offer is usually made from humane impulses and not from an admission of liability, and that to hold otherwise would tend to discourage assistance to the injured person." These false allegations financially ruined the former taxpayer, who was on food stamps before going to prison. The United States must forfeit all claims to own Ray Nagin or his or his associates' property. Ray Nagin has paid disaster benefits to many people in two nations and is entitled to immunity under Sec. 204(c) of the Social Security Act 42USC§404(c). The United States must overturn the convictions and compensate Ray Nagin for the miscarriage of justice under Art. 14 of the International Covenant on Civil and Political Rights.

6. UN Ambassador Devyani Khobragrade *et al*

Article 1 Section 8
Original Jurisdiction Art. 3 Section 2 Clause 2
Just Compensation Fifth Amendment
Equal Protection Section 1 Fourteenth Amendment United States Constitution

Bribery 18USC§201
Dismissal of motion of action against individual entitled to immunity 22USC(6)§254d
Privileges and immunities of mission nonparty to the Vienna Convention 22USC(6)§254b

Article 105 Charter of the United Nations
Convention on Privileges and Immunities of the United Nations of February 13, 1946
Article 14 of the International Covenant on Civil and Political Rights
Vienna Convention on Diplomatic Relations April 18, 1961

Herskovits, John. US concerned for the welfare of Houston woman as China set spy trial date. Austin, Texas. Sep. 1, 2016
Sanders, Tony J. Devyani Khobragrade v. Naturalization Service HA-8-1-14

UN Ambassador Devyani Khobragrade was arrested in New York City in 2014 regarding the trumped up slavery complaints of her domestic help. Apparently her maid gave testimony in exchange for an immigration visa to the United States, in which she claimed that Ambassador Khobragrade had made her work long hours and locked her passport in a safe. Although this is obviously an arbitrary case that has been solved by an immigration visa, Ambassador Khobragrade was wrongfully facing indictment on January 13, 2013 in Manhattan when the Secretary of State asked her to leave for her own protection. Before she was forced to leave New York City for India Ambassador Khobragrade worked for the UN human rights commission. Pursuant to Section 29 of the Convention on the Privileges and Immunities of the United Nations the UN website informed the public, that in early fall 2015 a former UN General Assembly President was arrested by US authorities in regards to the money he received from a Chinese billionaire who had been arrested and was being interrogated in prison in regards to bribes he paid to then General Assembly President in regards to plans to develop a convention center under 18USC§201. However, in all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the Supreme Court shall have original Jurisdiction under Art. 3 Sec. 2 Clause 2. These arbitrary arrests, detention and exile by the inferior court must be overturned, their money, property and privileges returned to them as just compensation under Fifth Amendment and equal protection section of the 14th Amendment to the US Constitution.

A prisoner swap should be negotiated by the President regarding the Chinese billionaire and US Businesswoman Sandy Phan-Gillis. China has set a Sept. 19 trial date for a U.S. businesswoman accused of spying, charges her husband in Texas said on Thursday were false, and the U.S. State Department said it was concerned about her welfare.Sandy Phan-Gillis, who was born in Vietnam and has Chinese ancestry, was arrested on suspicion of spying by Chinese authorities in March 2015 while visiting the country as part of a trade delegation from Houston. It is no known who was falsely arrested and detained first. In compensation it may be satisfactory to sell them the newly abolished FBI headquarters in Washington DC under Art. 14 of the International Covenant on Civil and Political Rights. It is these false arrests that brought it to the attention of the public that when the 300 economists and 600 churches went to the White House in 2014 to legalize marijuana and reduce the budget deficit by $14 billion by abolishing federal police finance they actually meant to abolish $18.9

billion in bribery. Under Art. 1 Sec. 8 the definition and penalty for piracy is an FY 2017 or 2018 force reduction by expiration of commission under Art. 2 Sec. 3 of the US Constitution ($12.9 billion justice deficit reduction + $6 billion state department conversion to international assistance = $18.9 billion).

Article 105 of the Charter of the United Nations provides that the Organization shall enjoy in the territory of each of its Member such privileges and immunities as are necessary for the fulfillment of its purposes. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization. With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers shall enjoy the privileges and immunities specified in the Vienna Convention under 22USC(6)§254b. Any action or proceeding brought against an individual who is entitled to immunity shall be dismissed under 22USC§254d.

The Vienna Convention on Diplomatic Relations of April 18, 1961 (T.I.A.S. numbered 7502; 23 U.S.T. 3227), entered into force with respect to the United States on December 13, 1972. Article 22 provides, the premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution. Article 31 ensures at 1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction. Under Article 39(1&2) Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State on proceeding to take up his post to when the functions of a person enjoying privileges and immunities have come to an end, such privileges and immunities shall normally cease at the moment when he leaves the country.

Section 11(a) of the Convention on Privileges and Immunities of the United Nations of February 13, 1946 assures "representatives of Members immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind". The United Nations shall make provisions for appropriate modes of settlement of ... (b) Disputes involving any official of the United Nations who by reason of his official position enjoys immunity under Section 29.

7. Hammond

Double Jeopardy Fifth Amendment to the US Constitution
Speedy Trial Sixth Amendment
Cruel and Unusual Punishment Eighth Amendment

Art. 9 Universal Declaration of Human Rights

Admiralty and Maritime Cases 28USC§1873
Arson within special maritime and territorial jurisdiction 18USC§81
Burn Ordinance Chapters 477 and 478 Oregon Revised Statute.
Remission of fine 18USC§3573
Terrorism and Effective Death Penalty act

Blakely v. Washington (2004)
United States v. Booker (2005)

Food and Agriculture Organization (FAO) Voluntary Guidelines of Rural Tenure
Sanders, Tony J. Oregon Refuge Appeal to Court Legal Education regarding Hammond Arson Statute. Hospitals & Asylums HA-4-1-16
Subcommittee on Crime, Terrorism and Homeland Security of the House Judiciary Committee released, United States v. Booker: One Year Later – Chaos or Status Quo No. 109-121 March 16, 2006
The Hammond ranch borders on the southern edge of the Oregon refuge, a bird sanctuary in the arid high desert in the eastern part of the state, about 305 miles (490 km) from Portland. Malheur National Wildlife Refuge, encompassing 292 square miles (75,630 hectares), was established in 1908 by U.S. President Theodore Roosevelt as a breeding ground for greater sandhill cranes and other native birds. Cattle ranching is slightly more dangerous than being a police officer. The Hammonds are believed to have reported to federal prison Monday January 4, 2016. The 74 year old father and son ranchers are arbitrarily accused of arson, having served one year in jail each, were subsequently unconstitutionally sentenced to another five years, or so, in October 2015, reportedly under the Terrorism and Effective Death Penalty act that is even worse spoken than the Hammonds have been with federal officers in the past. The Hammonds present no threat of recidivism. Their Aboriginal burning techniques and life threatening words to officers of the law are not considered to be educated behavior in Oregon where everyman has been threatened with up to $5,000 for violation of burn ordinances in Chapters 477 and 478 of the Oregon Revised Statute. How the Hammonds were subjected to a $400,000 fine and more than a year in jail can only be the result of a miscarriage of justice for which these American ranchers must be released and are due just compensation under the Fifth, Sixth and Eighth Amendments to the United States Constitution.

The United States must stop angering militants with their constitutional abuses. The Bundy family occupied a federal Wildlife Refuge with more than 150 armed militants clothed in the robes of nonviolent repossession of public land for private use under the Homestead Act expiration of 1900. US Fish and Wildlife Service (FWS) scientists believe the militants express the most ignorant forms of human land usage in a way that might be negotiable under current laws. In the end one of them was shot to death by an FBI agent and the leaders and fugitives were taken into custody. No one can deny that the demands of these private federal hostage crisis negotiators regarding the Hammonds release are right. They might need to cite the elimination of mandatory minimum sentencing in *Blakely v. Washington* (2004) and abolish the US Sentencing Commission to be cured of their anarchy after witnessing the supremacy of the law.

The $17 million US Sentencing Commission must be abolished pursuant to *Blakely v. Washington* (2004) because statute sets the maximums sentence a person can serve for being convicted of such a crime. In the early 1980's, with crime rates at near record highs, Members of Congress from both political parties, working together, reformed Federal sentencing policy to replace a broken and weak system of indeterminate sentencing with a strong and honest determinate sentencing system that would more effectively fight crime and address inequities in sentences. The Sentencing Reform Act of 1984 brought about comprehensive reform. It created the United States Sentencing Commission, and in turn, the Federal Sentencing Guidelines. The fundamental principles underlying the act and the guidelines were: consistency, fairness and accountability in sentencing. Defendants who commit similar crimes and have similar criminal records are to receive similar sentences. The 1984 Act was a bi-partisan measure designed "to provide certainty and fairness in meeting the purposes of sentencing, avoiding unwarranted disparities among defendants with similar records who have been found guilty of similar criminal conduct." The result of mandatory minimum sentencing was exactly the opposite. As the result of overturning centuries of jurisprudence regarding the legislative maximum sentence disparities between the United States and the people of other countries grew immensely.

On March 16, 2006 the Subcommittee on Crime, Terrorism and Homeland Security of the House Judiciary Committee released, *United States v. Booker*: One Year Later – Chaos or Status Quo No. 109-121. Given the fact that the *Booker* decision eliminated mandatory application of guidelines and required the courts to consider a broader array of factors, including the guidelines, it's amazing that there is not a more pronounced difference in sentencing when compared to pre-*Booker* sentencing. With over 69,000 cases in 94 districts during a time implementing the new sentencing regimen, judges sentenced within the guidelines 85 percent of the time. Some have suggested that there has been little change in Federal sentencing practices because the average length of Federal sentences has remained nearly constant at 56 to 58 months. After passage of the PROTECT Act in 2003, there was an increase in the percentage of sentences imposed within the ranges set forth by the Federal Sentencing Guidelines from 65 percent in fiscal year 2002 to 72.2 percent in fiscal year 2004. However, in the year since *Booker* was decided, we have seen a 10 percent decline in the number of sentences within the guideline range. This is a significant increase in downward departures. Indeed, nearly 8,200 defendants benefited from downward departures not endorsed by the Government in the period since *Booker* was decided. The Sentencing Commission's report on post-*Booker* sentences indicates that a third of the defendants, approximately 2,700, who have received a downward departure not endorsed by the Government had their sentences reduced by 40 percent or more below the low end of the applicable guideline range. This is the bottom line average total of sentences that have been imposed over the last several years, and the bottom line is that last year judges imposed average sentences of 58 months as compared to 57 months in the year before *Booker*. This same pattern occurs across the most significant categories of Federal offense, drug trafficking, firearms, theft and fraud, all saw increases in average sentence length in 2006.

Ten years later, on Wednesday August, 3, 2016 the President cut short the sentences of 214 federal inmates, including 71 life sentences, mostly pertaining to drug offenses. The guiding principles of sentencing is that statute provides the maximum sentence a person might be required to serve for being convicted of a particular crime in a court of law. Statutory maximum sentencing is the rule of law whereby Congress prohibits by law mandatory minimum sentencing and abolishes the US Sentencing Commission for usurpation and piracy under Art. 1 Sec. 8 whereas there shall be "No arbitrary arrest, detention and exile" under Art. 9 of the Universal Declaration of Human Rights.

The Hammonds are innocent. The Hammonds should be released under double jeopardy and just compensation clauses of the Fifth Amendment and statute of limitations of the speedy trial of the Sixth Amendment, whereas their fires were victimless and completely extinguished by the time of their excessive fines and unlawful detention. The Hammonds were found guilty in 2012 of setting a series of fires including a 2001 blaze that went on to burn 139 acres (56 hectares) of public lands, according to federal prosecutors and another one in 2006 below an encampment of wildfire fighters. The federal prosecution seems to have ignored the statute of limitations, that a person not be convicted after one or two years of an offense that did not result in the death of any human being. The Hammonds managed to defend the Aboriginal burning techniques for a while before they learned their lesson.

Federal arson statute is so bad no reasonable federal prosecutor could use it without the rural conscience provided to every rural man by Chapters 477 and 478 of the Oregon Revised Statute. They were initially sentenced to 12 months in prison, below the federal minimum for arson, but a U.S. district judge in October raised the sentences to five years. This subsequent "mandatory minimum sentence" offends the Fifth Amendment double jeopardy concept, no militant could ignore, as well as *Washington v. Blakely (*2004) that abolished mandatory minimum sentencing so that no constitutional lawyer of the past decade could ever allow any other case to blind them. The anonymous appellate decision in the Hammond case seems to have been made under the influence of the October 2015

infringement of interjurisdictional immunity that was celebrated with the false arrest and detention of a former UN General Assembly President and Chinese billionaire on bribery charges. As the law currently stands at the federal appeals court in San Francisco, the Hammond convictions are entirely in jeopardy under the FAO Voluntary Guidelines of Rural Tenure.

Arson within special maritime and territorial jurisdiction under 18USC§81 states, "Whoever, within the special maritime and territorial jurisdiction of the United States, willfully and maliciously sets fire to or burns any building, structure or vessel, any machinery or building materials or supplies, military or naval stores, munitions of war, or any structural aids or appliances for navigation or shipping, or attempts or conspires to do such an act, shall be imprisoned for not more than 25 years, fined the greater of the fine under this title or the cost of repairing or replacing any property that is damaged or destroyed, or both. If the building be a dwelling or if the life of any person be placed in jeopardy, he shall be fined under this title or imprisoned for any term of years or for life, or both". Congress must legislate a less explosive arson statute for the common crime of arson. The United States needs a normal arson statute to stop inciting arson. Navy and Marine corp veterans seem to suffer more but arson is a common crime. There are tyrannical prohibitions against campfires whereby cooking fires are prohibited and this prohibition is enforced by prisoners released on, for example a $20,000 bond for a $200 fee to a psychiatrist, who light "campfires" that have been deadly near town where the Sherriff said, "the sleeping bag was burned onto his corpse" and turn into huge forest fires that need to be declared national disasters when undetected for so long they become unextinguishable by human means. In the West the practice of controlled burning ostensibly to mitigate fire risk has come to be much maligned by the forestry literature and obviously incites the anarchists with the impunity of their huge, ugly and smelly controlled burns. Trails are all that should cut through the undergrowth. Logging is more profitable, but must share with recreation and drinking water, and be the first responders to fires in their region, that should be regularly patrolled by air in the dry summer months to look for signs of wildfires.

In this burn ordinance case state criminal law did not prosecute, the offenders did not re-offend, federal prosecutors exhausted the statute of limitations long before they came to the realization that there might have been an infraction of arson statute that by strict definition did not occur. It is the United States who must not recidivate. The Soberaine Fire is burning in California right now because the United States offended hundreds of millions of kickass torrent consumers to sell the new Piratebay site from prison in Sweden, hoping to hook every prison cell up to the Internet and online Bachelor degree that is supposed to be 100% proof against recidivism. The Hammonds need remission of their fine under 18USC§3573. Although the "campfires" are evidently started by people released on tens of thousands of dollars of bond for two hundred dollars paid to a psychiatrist, Immigration and Customs Enforcement (ICE) may be billed in good faith for the oceanic heating pump clean-up costs incidental to their seizure of kickass torrents. To extinguish the Soberaine fire by jury all oceanic hydrocarbon heating pumps should be turned to cool, or off, and the clouds that form from the cool waters and jet engine contrails should be seeded with silver iodide by missile to make enough rain with Admiralty and Maritime Cases under 28USC§1873.

8. Toni Jaffe

11th Amendment to the US Constitution

Statute

Armed Forces Retirement Home Trust fund under 24USC§419

Civil rights remedies under 42USC§2000d-7
Deprivation of relief benefits 18USC§246
Eligibility for Admittance to the Armed Forces Retirement Home 24USC§412
First Amendment Privacy Protection 42USC§2000aa
Naval Hospital Act of Feb. 26, 1811
Overpayment Sec. 204 of the Social Security Act 42USC§404

Cases

US v. Thomas Fillebrown, Secretary of Commissioners of Navy Hospitals 32 US 28 7 Pet. 28 (1833)
Minis v. US 40 U.S. 423 (1841)

Deprivation of relief benefits does not pay. The fact that a lot of new veterans beneficiaries received benefits after being robbed of their signing bonus does not disqualify them from both being reimbursed and receiving veterans benefits. California is advised to reimburse $22 million that have already been taken from the rightful beneficiaries of signing bonuses from the 2000s under 18USC§246 and release Sgt. Toni Jaffe immune under Sec. 204(c) of the Social Security Act 42USC§404(c). 9,700 California Army National Guard soldiers and veterans have been ordered to repay +/-$15,000 in enlistment bonuses from the 2000s. Sgt. Toni Jaffe pleaded guilty to filing false claims for handing out more than $15 million in bonuses to ineligible soldiers and is serving a 30-month sentence. Eligibility was apparently limited to civil and intelligence officers, probably due to the hacking of the original documents, that was unlawfully retroactively interpreted to not cover grunts after 2010. To create the Naval Asylum promised in the Naval Hospital Act of Feb. 26, 1811 veterans commissioned the jury that initially tried *US v. Thomas Fillebrown, Secretary of Commissioners of Navy Hospitals* 32 US 28 7 Pet. 28 (1833) arrested, detained him, and tried him, in failing health, all the way to the Supreme Court, as cited by Justice Story in *Minis v. US* 40 U.S. 423 (1841) after the Retirement Home had been created in Washington DC, where Abraham Lincoln penned the Emancipation Proclamation two decades later. Signing bonuses are a respected form of hostile fire pay under 24USC§412. The overpayment decision is unlawful under the Sec. 204(a) of the Social Security Act 42USC§404(a) because the beneficiaries are faultless and the paymaster should be immune under Sec. 204(c) of the Social Security Act 42USC§404(c). The Social Security Administration is appalled. This message was transmitted to the Armed Forces Retirement Home Trust fund under 24USC§419. The State of California must recover from an electoral meltdown that took many lives since the Democratic Primaries and created many refugees. California's $22 million is not immune under the XI Amendment to civil rights remedies under 42USC§2000d-7. Please restore "First Amendment Privacy Protection" to Internet searches of 42USC§2000aa.

9. Bernard L. Madoff

Cases

Blakely v. Washington (2004)

Cunningham v. Brown, 265 U.S. 1, 13 (1924)

In re: Bernard L Madoff Investment Securities LLC. On Appeal from the United States Bankruptcy Court for the Southern District of New York. Brief for Trustee-Appellee Irving H. Picard, As Trustee for the Substantially Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff. United States Court of Appeals for the Second Circuit. 10-2378-bk(L)

10-2676, 10-2677, 10-2679, 10-2684, 10-2685, 10-2687, 10-2691, 10-2693, 10-2694, 10-2718, 10-2737, 10-3188, 10-3579, 10-3675. September 20, 2010

SEC v. Bernard L. Madoff *et al*. Stanton, Louis J. Clarkson, James. SEC Associate Regional Director United States District Court for the Southern District of New York. 08 Civ. 10791. December 11, 2008

United States of America v. Madoff et al. Government's Notice of Intent to Seek Forfeiture of Certain Assets. Lassen, Lev. L. Assistant US Attorney. March 15 & 17 (including jewelry) 2009

United States of America v. Bernard L. Madoff, Bernard L. Madoff Investment Securities LLC. Affirmation in Opposition to Madoff's Motion for a Stay and Reinstatement of Bail. US Court of Appeals for the Second Circuit No. 09-1025-cr. March 17, 2009

United States of America v. Bernard L. Madoff. Chin, Denny J. United States District Court Southern District of New York. 09 CR 213 June 29, 2009

United States of America v. Bernard L. Madoff, Defendant. United States District Court, S.D. New York. 586 F.Supp.2d 240 (2009). January 12, 2009

No Timely Criminal Appeal Published

United States of America v. Bernard L. Madoff. Government’s Declaration in Support of Motions Pursuant to Title 18, United States Code, Section 3663A(c)(3) 09 Cr. 213 (DC). January 17, 2014

Code
Appeal of Order §3142

Application for a Writ of Habeus Corpus 28USC§2243

18USC§3663A

Deprivation of relief benefits 18USC§246

Disposition of the Effects of Deceased Persons 24USC§420

Employment of Manipulative and Deceptive Devices Rule 10b-5 of the Advisor Act 17CFR§240.10b-5

Findings Section 209 of Advisers Act of 1940 15USC§80b-1

Fraudulent Interstate Transactions Section 17(a) 15USC§77q of the Securities Act of 1933

Injunctions and prosecution of offenses Section 20(b) of the Securities Act, 15USC§77t

Investigations and Actions Section 2l of the Exchange Act, 15USC§78u

Manipulative and deceptive devices Section 10(b) of the Securities Exchange Act of 1934 15USC§78j

New Trial 18USC§3145

Order of Detention 18USC§3143

Prohibited Acts 18USC§205

Prohibited Actions by Investment Advisers Section 206 of the Advisers Act of 1940 15USC§80b-6

Treaties

Universal Declaration of Human Rights

International Covenant on Civil and Political Rights

Time served for 11 counts of security fraud in a Ponzi scheme resulting in unprecedented deprivation of relief benefits under 18USC§246 when he was arrested December 11, 2008. Bernard Lawrence "Bernie" Madoff born April 29, 1938) is a former stockbroker, investment advisor, and financier. He is the former non-executive chairman of the NASDAQ stock market, and the admitted operator of a Ponzi scheme that is considered the largest financial fraud in U.S. History. Madoff founded the Wall Street firm Bernard L. Madoff Investment Securities LLC in 1960, and was its chairman until his arrest on December 11, 2008. The firm was one of the top market maker businesses on Wall Street, which bypassed "specialist" firms by directly executing orders over the counter from retail brokers. He employed at the firm his brother Peter, as Senior Managing Director and Chief Compliance Officer; Peter's daughter Shana Madoff, as the firm's rules and compliance officer and attorney; and his sons Andrew and Mark. Peter has since been sentenced to 10 years in prison and Mark committed suicide by hanging exactly two years after their father was arrested because information they had reported to the "authorities (SEC or FBI?)". The following day, FBI agents arrested Madoff and charged him with one count of securities fraud. Andrew died of lymphoma on September 3, 2014. Bernie Madoff is reported to suffer from end-stage renal disease probably due to cancer of the kidney. Easier to dispose of the effects of deceased under 24USC§420.

Madoff posted $10 million bail in December 2008 and remained under 24-hour monitoring and house arrest in his Upper East Side penthouse apartment until March 12, 2009, Judge Denny Chin revoked his bail and remanded him to the Metropolitan Correctional Center. Chin ruled that Madoff was a flight risk because of his age, his wealth, and the prospect of spending the rest of his life in prison. Prosecutors filed two asset forfeiture pleadings which include lists of valuable real and personal property as well as financial interests and entities owned or controlled by Madoff. On March 12, 2009, Madoff pleaded guilty to 11 federal felonies and admitted to turning his wealth management business into a massive Ponzi scheme. Madoff's lawyer, Ira Sorkin, filed an appeal, which prosecutors opposed, and it is reported that no timely appeal was filed within 30 days. On March 20, 2009, an appellate court denied Madoff's request to be released from jail and returned to home confinement until his sentencing on June 29, 2009. On June 22, 2009, Sorkin hand-delivered a customary pre-sentencing letter to the judge requesting a sentence of 12 years, because of tables from the Social Security Administration that his life span was predicted to be 13 years. On June 26, 2009, Chin ordered forfeiture of $170 million in Madoff's assets. Prosecutors asked Chin to sentence Madoff to the maximum 150 years in prison. The Madoff investment scandal defrauded thousands of investors of billions of dollars. Madoff said he began the Ponzi scheme in the early 1990s. The amount missing from client accounts, including fabricated gains, was almost $65 billion. The Securities Investor Protection Corporation (SIPC) trustee estimated actual losses to investors of $18 billion. On June 29, 2009, Madoff was sentenced to 150 years in prison, the maximum allowed.

Bernard L. Madoff Investment Securities LLC v. SEC United States Supreme Court. Application for a Writ of Habeas Corpus. Certiorari from the Court of Appeals for the Second Circuit on appeal from the Bankruptcy Court of the Southern District of New York

The Madoff Court liberates SEC from conflict of interest with the FBI and US Sentencing Commission Guidelines under 18USC§205. SEC must ensure warrants for future arrests, detentions and exiles of particularly heinous debtors are addressed to the Attorney General, arrested by the US Marshall, signed by a federal judge under Rule 4 (b, d) of the Federal Rules of Criminal Procedure who charges, convicts and sentences the criminal defendants to a fine and up to one year in prison, to best compensate victim(s) of the deprivation of relief benefits under 18USC§246. In December 2012, Richard C. Breeden was retained to serve as Special Master on behalf of the Department of Justice to administer the process of compensating the victims of the Madoff fraud with the forfeited funds. On December 14 and 17, 2012, the Government filed motions requesting that the Court distribute restitution to victims the more than $2.35 billion forfeited to date as part of its investigation through the remission process, in accordance with Department of Justice regulations. Now that the most impoverished of the torture victims have been compensated, it is time for a new trial under 18USC§3145. The victims were once compelled to testify in support of the sentencing Bernie Madoff to 150 years in prison to get their money. Now that the really impoverished among them have been compensated up to $500,000, the beneficiaries are compelled to sue the government for a new trial to distribute all recovered funds equally and release Bernie Madoff and associates, who have served their time and paid for their crimes, only to be convicted of deprivation of relief benefits 18USC§246, a civil rights crime, and released from federal prison – time served.

Time served for 11 counts of security fraud resulting in deprivation of relief benefits under 18USC§246. There are probably an equal number of trial errors by the Government, most significantly a failure of the Attorney General to publish the true cause of detention under 28USC§2243 for which the Sentencing Guidelines are alleged to provide for a 150 year sentence for language engaging in the business, actions and transactions of what SEC statute describes as the financial advising business, like so many unlawful detentions by the FBI reported by judges and the news media. Bernie Madoff is a civil prisoner arbitrarily arrested, detained (or exiled) for his debts by the FBI in violation of Art. 9 of the Universal Declaration of Human Rights and Art. 11 of the International Covenant on Civil and Political Rights. Madoff is reported to have not appealed his detention within 30 days; Wikipedia documents some sort of timely submission by his lawyer requesting a 12 year sentence based on Social Security life expectancy. After paying victim compensation, service of an eight or nine year sentence satisfies the Social Security Ac. Sentencing Guidelines must be abolished in a new trial under *Blakely v. Washington* (2004). Any recoveries shall be distributed to equally amongst the faultless beneficiaries (compensated victims) and released detainees, in a new trial of immunity to release the detainees from federal prison and debt for the Ponzi scheme under *Cunningham v. Brown* (1924) and Sec. 204(c) of the Social Security Act 42USC§404(c). For the Madoff Court to issue a writ of habeas corpus under 28USC§2243 in this SEC case, a judge or justice must explain the true cause of arrest and detention is deprivation of relief benefits under 18USC§246 to the Attorney General who restored the one year sentence in 2016 the year it was hacked. Sentencing guidelines must be abolished under *Blakely v. Washington* (2004). Because of the severity of the economic damage caused by the exposure of the Madoff Ponzi scheme was off the charts it seems fair to allow SEC's 11 counts of security fraud to be used to calculate the maximum sentence a person could serve for this security fraud under §246.

SEC v. Bernard L. Madoff *et al*. Stanton, Louis J. Clarkson, James. SEC Associate Regional Director. United States District Court for the Southern District of New York. 08 Civ. 10791. December 11, 2008. The SEC's complaint, filed on December 11, 2008, in federal court in Manhattan, alleges that the

defendants have committed a $50 billion fraud and violated Section 17(a) 15USC§77q(a) of the Securities Act of 1933, Section 10(b) 15USC§78j(b) of the Securities Exchange Act of 1934 and Rule 10b-5 17CFR§240.10b-5 and Sections 206(1) and 206(2) of the Advisers Act of 1940 15USC§80b-6(1)(2). The complaint alleges that Madoff informed two senior employees the week before that his investment advisory business was a fraud. Madoff told these employees that he was "finished," that he had "absolutely nothing," that "it's all just one big lie," and that it was "basically, a giant Ponzi scheme." The Commission brings this action pursuant to the authority conferred upon it by Section 20(b) of the Securities Act, 15USC§77t(b), and Section 2l(d)(l) of the Exchange Act, 15USC§78u(d)(l), seeking to restrain and enjoin permanently the Defendants from engaging in the acts, practices and courses of business alleged herein. In addition to the injunctive and emergency relief recited above, the Commission seeks: (i) final judgments ordering Defendants to disgorge their ill-gotten gains with prejudgment interest thereon; and (ii) final judgments ordering the Defendants to pay civil penalties pursuant to Section 20(d) of the Securities Act, 15USC§77t(d), and Section 21(d)(3) of the Exchange Act, 15USC§78u(d)(3). Granting such other and further relief as to this Court seems just and proper.

Form ADV for BMIS filed in January 2008 with the Commission stated that BMIS had over $17 billion in assets under management, and 23 clients. In or about the first week of December 2008, Madoff told a senior employee that there had been requests from clients for approximately $7 billion in redemptions. According to this senior employee, he had previously understood that the investment advisory business had assets under management on the order of between approximately $8- 15 billion. SEC v. Bernard L. Madoff *et al*. Stanton, Louis J. Clarkson, James. SEC Associate Regional Director Order not to dissipate assets. United States District Court for the Southern District of New York. 08 Civ. 10791. December 11, 2008. The SEC's complaint, filed on December 11, 2008, in federal court in Manhattan, alleges that the defendants have committed a $50 billion fraud and violated Section 17(a) 15USC§77q(a) of the Securities Act of 1933, Section 10(b) 15USC§78j(b) of the Securities Exchange Act of 1934 and Rule 10b-5 17CFR§240.10b-5 and Sections 206(1) and 206(2) of the Advisers Act of 1940 15USC§80b-6(1)(2). The complaint alleges that Madoff informed two senior employees the week before that his investment advisory business was a fraud. Madoff told these employees that he was "finished," that he had "absolutely nothing," that "it's all just one big lie," and that it was "basically, a giant Ponzi scheme." The Commission brings this action pursuant to the authority conferred upon it by Section 20(b) of the Securities Act, 15USC§77t(b), and Section 2l(d)(l) of the Exchange Act, 15USC§78u(d)(l), seeking to restrain and enjoin permanently the Defendants from engaging in the acts, practices and courses of business alleged herein. In addition to the injunctive and emergency relief recited above, the Commission seeks: (i) final judgments ordering Defendants to disgorge their ill-gotten gains with prejudgment interest thereon; and (ii) final judgments ordering the Defendants to pay civil penalties pursuant to Section 20(d) of the Securities Act, 15USC§77t(d), and Section 21(d)(3) of the Exchange Act, 15USC§78u(d)(3). Granting such other and further relief as to this Court seems just and proper. Final Judgments directing the Defendants to pay civil money penalties pursuant to Section 209(e) of the Advisers Act 15USC§80b-1, Section 20(d) of the Securities Act 15USC§77t(d) and Section 21(d)(3) of the Exchange Act 15USC§78u(d)(3). In a May 4, 2011, statement, trustee Picard said that the total fictitious amounts owed to customers (with some adjustments) were $57 billion, of which $17.3 billion was actually invested by customers. $7.6 billion has been recovered, but pending lawsuits, only $2.6 billion is available to repay victims. If all the recovered funds are returned to victims, their net loss would be under $10 billion.

On December 11, 2008, the Securities and Exchange Commission brought a civil action against Mr. Madoff, and filed a motion to freeze certain assets and to appoint a receiver. On December 12, 2008, U.S. District Judge Louis L. Stanton entered an order: (1) appointing a receiver over Bernard L. Madoff Investment Securities LLC, Madoff Securities International Ltd., and Madoff Ltd.; and (2)

freezing certain corporate and personal assets. On December 15, 2008, a trustee (Irving H. Picard, Esq.) was appointed for the liquidation of Bernard L. Madoff Investment Securities LLC, pursuant to the Securities Investor Protection Act of 1970. The court-appointed trustee has posted information about its activities at www.madoff.com and www.sipc.org. David Sheehan, chief counsel to trustee Picard, stated on September 27, 2009, that about $36 billion was invested into the scam, returning $18 billion to investors, with $18 billion missing. About half of Madoff's investors were "net winners," earning more than their investment. The withdrawal amounts in the final six years were subject to "clawback" (return of money) lawsuits. In a May 4, 2011, statement, trustee Picard said that the total fictitious amounts owed to customers (with some adjustments) were $57 billion, of which $17.3 billion was actually invested by customers. $7.6 billion has been recovered, but pending lawsuits, only $2.6 billion is available to repay victims. If all the recovered funds are returned to victims, their net loss would be under $10 billion. In December 2012, Richard C. Breeden was retained to serve as Special Master on behalf of the Department of Justice to administer the process of compensating the victims of the Madoff fraud with the forfeited funds. On December 14 and 17, 2012, the Government filed motions requesting that the Court distribute restitution to victims the more than $2.35 billion forfeited to date as part of its investigation through the remission process, in accordance with Department of Justice regulations. Government's January 17, 2013 Declaration in Support of Motions Pursuant to Title 18, United States Code, Section 3663A(c)(3) United States v. Bernard L. Madoff, 09 Cr. 213 (DC). Those motions were granted by order date January 22, 2013.

The Internal Revenue Service ruled that investors' capital losses in this and other fraudulent investment schemes will be treated as business losses, thereby allowing the victims to claim them as net operating losses to reduce tax liability more easily. While awaiting sentencing, Madoff met with the SEC's Inspector General, H. David Kotz, who conducted an investigation into how regulators had failed to detect the fraud despite numerous red flags, that did not protect him from conflict of interest statute pertaining to the limited role of the public official to safely represent the rights of the criminally accused although any other legal act would be a conflict interest. On December 11, 2008, Madoff was charged with a multi-billion dollar securities fraud scheme in violation of 15 U.S.C. §§ 78j(b) & 78ff and 17 C.F.R. § 240.10b-5 in the United States District Court for the Southern District of New York. *See In re Bernard L. Madoff Inv. Securities LLC*, 424 B.R. 122, 125-26 (Bankr. S.D.N.Y. 2010) ("*In re BLMIS*"). In December 2008, victims of Bernard Madoff's multi-billion dollar Ponzi scheme learned that the double-digit returns that had regularly appeared on their brokerage statements, in good times and bad, were a fraud. Madoff, rather than being an investment wizard, had never actually traded in securities, but had concocted fictitious trades after the fact based upon historical prices. And as is typical of Ponzi schemes, when customers requested distributions of "profits" from their accounts, Madoff paid them with money invested by other customers. In short, they received nothing more than other people's money.

The Trustee is responsible under the Securities Investor Protection Act, 15 U.S.C. §78aaa *et seq*. ("SIPA"),1 for identifying, collecting, and distributing customer property to the customers of Bernard L. Madoff Investment Securities LLC ("BLMIS"). The appellants argue that the Trustee should have calculated their "net equity"—which determines their percentage of recovered customer property—based on the amounts shown on their last customer statements (the "last statement method"). The United States Bankruptcy Court for the Southern District of New York has jurisdiction over this case under SIPA §78eee(b)(4). The bankruptcy court issued a decision on March 1, 2010, and an order on March 8, 2010, relating to the method for calculating net equity. The bankruptcy court certified an immediate appeal to this Court of its order and decision under 28 U.S.C. § 158(d)(2)(A). Various notices of appeal and petitions for permission were filed with this Court, and on June 16, 2010, this Court accepted jurisdiction of this direct appeal. Did the bankruptcy court correctly conclude that net

equity had to be calculated based upon the cash that customers deposited with the debtor?
On December 15, 2008, SIPC filed an application in the civil action alleging that BLMIS was not able to meet its obligations to securities customers as they came due and that its customers needed the protection afforded by SIPA. The SEC consented to combining its action with SIPC's action. The district court granted SIPC's application, appointed Irving H. Picard as trustee for the liquidation of BLMIS, and referred the case to the bankruptcy court. The Trustee has recovered a billion and a half dollars for the benefit of the estate's customers and creditors to date, but does not expect that the total value of assets ultimately recovered will be sufficient to fully reimburse the customers of BLMIS for the many billions of dollars they invested with BLMIS over the years. The statutory framework for the satisfaction of customer claims in a SIPA liquidation proceeding provides that customers share pro rata in customer property to the extent of their "net equity," as defined in section 78lll(11) of SIPA. For each customer with a valid net equity claim, if the customer's ratable share of customer property is insufficient to make him whole, SIPC advances funds to the SIPA trustee up to the amount of the customer's net equity. SIPA § 78fff-3(a). However, the amount of the SIPC advance is capped at $500,000 for claims.

Investors' funds were principally deposited into a bank account at J.P. Morgan Chase (the "703 Account"). The money received from customers was not invested in securities for the benefit of those customers as purported, but instead was primarily used to make distributions to, or payments on behalf of, other investors, as well as withdrawals and payments to Madoff family members and employees. As Madoff explained at his plea hearing, "Up until I was arrested . . . I never invested [customer] funds in the securities, as I had promised. Instead, those funds were deposited in [the 703 Account].
When opening their BLMIS customer accounts, customers signed standardized customer agreement documents, in which they relinquished all investment authority to Madoff. In essence, customers deposited their cash and were able to make withdrawals upon request, but ceded to Madoff all other rights associated with their accounts, including the authority to make investment decisions. Information relating to BLMIS customer accounts was stored in a computer system, the "AS/400," on the 17th floor. The computer system was programmed to record the fictitious securities positions allegedly bought and sold, customer cash transactions, prepare BLMIS customer statements, and produce BLMIS trade confirmations. BLMIS did not provide its customers with electronic real-time online access to their accounts, which by the year 2000 was customary in the industry. When clients wished to receive the profits they believed they had earned with me or to redeem their principal, I used the money in the [703 Account] that belonged to them or other clients to pay the requested funds." The final customer statements issued by BLMIS as of November 30, 2008 falsely record nearly $64.8 billion of net investments and related fictitious gains from those investments with BLMIS. Viewed in their entirety, the books and records of the debtor reveal that the last statements are a fiction. The securities listed on them were never purchased, and the fictitious backdated transactions reflected on the statements never could have been replicated in the marketplace. The only real figures reflected in BLMIS books and records are the customers' deposits to and withdrawals from their accounts. (28-29). The word of the fake "profits" and the supposedly positive experience of the initial investors serve to bring more funds into the scheme. In *Cunningham v. Brown,* 265 U.S. 1, 13 (1924) the Supreme Court set forth the principle that all investors in a Ponzi scheme must be treated equally and that "equality is equity and this is the spirit of the bankrupt law."

On December 11, 2008, Bernard L. Madoff was also arrested on a criminal complaint alleging one count of securities fraud. US v. Madoff et al. Government's Notice of Intent to Seek Forfeiture of Certain Assets. Lassen, Lev. L. Assistant US Attorney. March 15 & 17 2009. United States of America v. Bernard L. Madoff, Bernard L. Madoff Investment Securities LLC. Affirmation in Opposition to Madoff's Motion for a Stay and Reinstatement of Bail. US Court of Appeals for the Second Circuit No.

09-1025-cr. March 17, 2009. Held, although there is no judgment of conviction, the District Court's order of detention under 18USC§3143(a) qualifies as the final order appealed under section §3142(b) or (c). In issuing its detention order the District Court acted well within its wide discretion to adjudicate bail matters and its findings were supported by the facts that Madoff: (i) faces the probability of spending the rest of his life in jail given his age (70) 1 the magnitude of his crimes and his exposure under the applicable statutes and the United States Sentencing Guidelines for those crimes (150 years); (ii) has been shunned by the community of New *York* to which he once had substantial ties; (iii) has experience living abroad1 as demonstrated by his ownership of a home in France; and (iv) has acknowledged his decades-long history of repeatedly lying to both clients (to whom he owed a fiduciary duty) and regulators (to whom he had sworn to tell the truth).

US v. Bernard L. Madoff. Chin, Denny J. United States District Court Southern District of New York. 09 CR 213 June 29, 2009 resulted in a 150 year sentence. On March 10, 2009, a Criminal Information was filed in Manhattan federal court charging Bernard L. Madoff with eleven felony charges including securities fraud, investment adviser fraud, mail fraud, wire fraud, three counts of money laundering, false statements, perjury, false filings with the United States Securities and Exchange Commission ("SEC"), and theft from an employee benefit plan. There was no plea agreement between the Government and the defendant. On March 12, 2009, Madoff pleaded guilty to all eleven counts in the Information. On June 29, 2009, Madoff was sentenced by Judge Chin to a term of imprisonment of 150 years.

Time served for 11 counts of security fraud resulting in deprivation of relief benefits under 18USC§246. There are probably an equal number of trial errors by the Government, most significantly a failure of the Attorney General to publish the criminal laws for which the Sentencing Guidelines are alleged to provide for a 150 year sentence for language engaging in the business, actions and transactions of what SEC statute describes as the financial advising business, like so many unlawful detentions by the FBI reported by judges and the news media. The Government does not deny that Bernie Madoff is a civil prisoner arbitrarily arrested, detained (or exiled) for his debts by the FBI and his very Jewish community of investors in violation of Art. 9 of the Universal Declaration of Human Rights and Art. 11 of the International Covenant on Civil and Political Rights. Madoff is reported to have not appealed his detention within 30 days; Wikipedia documents some sort of timely submission by his lawyer requesting a 12 year sentence. After paying victim compensation, an eight or nine year sentence of time served seems to satisfy instantly. Sentencing Guidelines must be abolished in a new trial under *Blakely v. Washington* (2004). Any recoveries must be distributed to victims in a new trial to forgive Bernie Madoff and his associates, release them and for all the victims, including the released civil detainees, to be paid equally for the Ponzi scheme under *Cunningham v. Brown* (1924).

In a May 4, 2011, statement, trustee Picard said that the total fictitious amounts owed to customers (with some adjustments) were $57 billion, of which $17.3 billion was actually invested by customers. $7.6 billion has been recovered, but pending lawsuits, only $2.6 billion is available to repay victims. If all the recovered funds are returned to victims, their net loss would be under $10 billion. In December 2012, Richard C. Breeden was retained to serve as Special Master on behalf of the Department of Justice to administer the process of compensating the victims of the Madoff fraud with the forfeited funds. On December 14 and 17, 2012, the Government filed motions requesting that the Court distribute restitution to victims the more than $2.35 billion forfeited to date as part of its investigation through the remission process, in accordance with Department of Justice regulations. Now that the most impoverished of the torture victims have been compensated, it is time for Bernie Madoff to appeal his criminal sentence. The victims were once compelled to testify in support of the sentencing Bernie Madoff to 150 years in prison to get their money. Now that the really impoverished among them have

been compensated up to $500,000, the victims are again compelled to sue the government for a new trial to distribute all recovered funds equally and release Bernie Madoff and associates, who have served their time, paid for their crime, only to be convicted of deprivation of relief benefits 18USC§246, a civil rights crime, and released from federal prison – time served.

For the Madoff Court to issue a writ of habeas corpus under 28USC§2243 in this SEC case, a judge or justice must explain the true cause of arrest and detention is deprivation of relief benefits under 18USC§246 to the Attorney General who restored the one year sentence in 2016 the year it was hacked. Sentencing guidelines must be abolished under *Blakely v. Washington* (2004). Because the severity of the economic damage caused by the Madoff Ponzi scheme was off the charts it seems fair to allow SEC's 11 counts of security fraud to be used to calculate the maximum sentence a person could serve for a white collar crime under §246. Any criminal prosecution of SEC offenders would be done by the Attorney General, not the FBI, or the 'Government' and the charge would be deprivation of relief benefits. The wire fraud language used by the arresting FBI criminally infringes on the job description of financial advisors with lengthy sentences for each transaction and no understanding of the Uniform Commercial Code or SEC regulation. Habitual FBI fraud statutes are strong on financial advisers. SEC regulations are weak on insider traders. It is common knowledge that the FBI, DEA, US Marshall Interagency Crime and Drug Task Force, federal police finance and US Sentencing Commission must be abolished under the Slavery Convention of 1926 whereas enforcement of *malum prohibitum* is *malum in se*.

To the United States Supreme Court from the Court of Appeals for the Second Circuit on appeal from the Bankruptcy Court of the Southern District of New York – *Bernard L. Madoff Investment Securities LLC v. SEC*. The Madoff Court liberates SEC from the FBI. SEC must ensure warrants for future arrests, detentions and exiles of particularly heinous debtors are addressed to the Attorney General, arrested by the US Marshall, signed by a federal judge under Rule 4 (b, d) of the Federal Rules of Criminal Procedure who charges, convicts and sentences the criminal defendants to a fine and up to one year in prison, to best compensate victim(s) of the deprivation of relief benefits under 18USC§246.

10. Noor Zhi Salman *in re: Pulse Nightclub v. (Warfarin) Human Rights Campaign*

Art. 14 Convention against Torture, Cruel, Inhuman, and Degrading Punishment or Treatment
Art. 14 Covenant on Civil and Political Rights
Exclusive Remedies 18USC§2340B
Federal Food, Drug and Cosmetic Act; Prohibited Acts 21USC(9)III§331, Injunction Proceedings 21USC(9)III§332 and 21USC(9)III§333
Federal Rules of Criminal Procedure
Forfeiture 18USC§924, 21USC§853 and 28USC§2461
Harboring or Concealing Terrorists 18USC§2339
Obergefell v. Hodges (2015)
Providing Material Support to Terrorism 18USC§2339A
Providing material support or resources to dignated foreign terrorist organization 18USC§2339B
Tampering with a witness, victim or an informant 18USC§1512
Torture 18USC§2340A
United Nations Compensation Commission
Wikipedia

The Actuary attributed integrity to *Obergefell v. Hodges* (2015) in the tardy 2015 Annual Report that was not called for. In 2016 Social Security Matters blog hosted several postings regarding LGBT

people that were rudely received by the public, before and after the Pace nightclub rampage shooting of June 12, 2016, that was never mentioned. Around January 12, Social Security Matters seems to have engaged with the FBI to censure their blog in order to misinform the public in violation of 18USC§1512. The two count indictment alleges that, from an unknown date, at least April 2016 through and including June 12, 2016 the defendant did knowingly aid and abet Omar Mateen by (1) providing material support or resources in violation of 18USC2339A & B (a)(1 & 2) and (2) engage in misleading conduct toward the Officers of the Fort Pierce, Florida, Police Department and Special Agents of the Federal Bureau of Investigation, with the intent to hinder, delay and prevent the communication of federal law enforcement officers and judges of the United States of information relating to the commission and possible commission of a federal offense in order to prevent them from communicating to agents of the Federal Bureau of Investigation and the United States Department of Justice and judges of the United States of information relating to the attack on June 12, 2016 at the Pulse Night Club, in Orlando, Florida, in the Middle District of Florida in violation of 18USC§1512(b)(3). The defendant is ordered to forfeit all assets foreign and domestic under 18USC981(a)(1)(G) any firearms and ammunition used in the offense and $30,500 pursuant to 18USC§924(d) or substitute property under 21USC§853 and 28USC§2461(c). The indictment is signed by three assistant US Attorneys including the chief of the criminal division and the foreman of the grand jury.

The arrest by the FBI without the prior signature of a judge is a trial error under Rule 4 (b, D) of the Federal Rules of Criminal Procedure. A federal magistrate judge is now determining flight risk of the pre-trial detainee before a federal judge can be found to take the case. Historically, occupying powers have used collective punishment to retaliate against and deter attacks on their forces by Resistance movements (e.g. destroying entire towns and villages where such attacks have occurred). Art. 33 of the Fourth Geneva Convention provides No protected person may be punished for an offense he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited. The major issue is that the indictment seems to have been pirated/ defrauded by the FBI before a Judge could issue a federal arrest warrant served by US Marshall under Rule 4 Fed. Crim. P.

Both Assistant US Attorneys who wrote the Indictment and FBI are self-incriminating to accuse the defendant with providing misleading information under 18USC§1512(b)(3). How ridiculous to think the defendants have not yet forfeited the arms and ammunition that were used to commit the offense. It is difficult to judge the fact that the FBI, DEA, OJP federal grants, ONDCP and US Sentencing Commission must be abolished under the Slavery Convention of 1926. The FBI must be dismissed with a self-incrimination conviction under 18USC§1512 and Art. 33 of the Fourth Geneva Convention before the terrorism trial can start to liberate Congress from the rampage shooter (Pelosi's Permanent Select Intelligence Committee, FBI?) in good grace with the Geneva Conventions. Can the shooter's family disgorge the estimated $30,500 inheritance to the United States. Do any of the surviving victims and the families of those who died in the gay bar shooting and Human Rights Campaign need to be immediately compensated under Art. 14 of the Convention against Torture. Provided that she disgorge her inheritance the shooter's widow is fully entitled to have her conviction overturned so that she can enjoy an equal share of any compensation paid under Art. 14 of the Covenant on Civil and Political Rights. Since 2014 Medicaid has been paying for Hormone Replacement Therapy (HRT) for Male-To-Female types and penectomies. Medicaid needs to stop paying for HRT for MTF types and sex change operations because the estrogen causes a "Warfarin dependency". The FDA has to revise its policy so that coagulopathy and Warfarin dependency are absolute contraindications for the estrogen portion of the HRT for MTF types.

Since 2014 Medicaid has been paying Hormone replacement therapy (HRT) of the male-to-female

(MTF) type. HRT of the MTF type is a form of hormone therapy and sex reassignment therapy that is used to change the secondary sexual characteristics of transgender and transsexual people from masculine (or androgynous) to feminine. It is one of two types of HRT for transgender and transsexual people, the other being female-to-male, and is predominantly used to treat transgender women. The main effects of HRT of the MTF type are as follows: Breast development and enlargement. Softening and thinning of the skin. Decreased body hair growth and density. Redistribution of body fat in a feminine pattern. Decreased muscle mass and strength. Widening of the hips (if epiphyseal closure has not yet occurred; see below). Decreased acne, skin oiliness, scalp hair loss, and body odor. Decreased size of the penis, scrotum, testicles, and prostate. Suppressed or abolished spermatogenesis and fertility. Decreased semen production/ejaculate volume. Changes in mood, emotionality, and behavior. Decreased sex drive and incidence of spontaneous erections. Breast, nipple, and areolar development varies considerably depending on genetics, body composition, age of HRT initiation, and many other factors. Development can take a couple years to nearly a decade for some. Its effectiveness remains to be seen.

After the gay bar shooting, that was the largest rampage shooting in US history Medicaid coverage for HRT for MTF and sex change operations must be re-evaluated. The FDA must redetermine Warfarin dependency be an absolute contraindication for estrogen consumption. Medicaid must not cater to or pay for gender dysphoria, to corruptly convince pubertal teenagers whose beard growth might be reduced, to be sickened by HRT for MTF type therapy, waiting to believe in breasts no one at the gay bar sees anymore. Medicaid must stop paying for the new fangled volunteer penectomy and invagination that revolutionizes the ancient practice of castrating eunuch slaves that might reduce estrogen needs to such a level they would not need Warfarin, but would probably not even reduce the dose of this absolute contraindication for Hippocratic HRT for MTF type use for timely failure to develop breasts under the Nuremberg Code. Medicaid must stop paying for HRT of the MTF type puberty corruption propaganda or sex change operations. Medicaid shall pay for the surgical removal of all extra reproductive organs of XXY, XYY Kinefelter syndrome transgender and XXX cisgender people and stop catering to the hormonal demands of their precancerous organs on teenage runaways unless these HRT for MTF type drugs are proven to improve, rather than harm, the patients' health, and sex life, worse than a cigarette. Medicaid does not pay for cigarettes.

Absolute contraindications – those that can cause life-threatening complications, and in which hormone replacement therapy should never be used – include histories of estrogen-sensitive cancer (e.g., breast cancer), thrombosis or embolism (unless the patient receives concurrent anticoagulants), or macroprolactinoma. In such cases, the patient should be monitored by an oncologist, hematologist or cardiologist, or neurologist, respectively. Relative contraindications – in which the benefits of HRT may outweigh the risks, but caution should be used – include: Liver disease, kidney disease, heart disease, or stroke. Risk factors for heart disease, such as high cholesterol, diabetes, obesity, or smoking Family history of breast cancer or thromboembolic disease. Gallbladder disease. Circulation or clotting conditions, such as peripheral vascular disease, polycythemia vera, sickle-cell anemia, paroxysmal nocturnal hemoglobinuria, hyperlipidemia, hypertension, factor V Leiden, prothrombin mutation, antiphospholipid antibodies, anticardiolipin antibodies, lupus anticoagulants, plasminogen or fibrinolysis disorders, protein C deficiency, protein S deficiency, or antithrombin III deficiency. As dosages increase, risks increase as well. Therefore, patients with relative contraindications may start at low dosages and increase gradually.

The most significant cardiovascular risk for transgender women is the pro-thrombotic effect (increased blood clotting) of estrogens. This manifests most significantly as an increased risk for thromboembolic disease: deep vein thrombosis (DVT) and pulmonary embolism, which occurs when blood clots from

DVT break off and migrate to the lungs. Symptoms of DVT include pain or swelling of one leg, especially the calf. Symptoms of pulmonary embolism include chest pain, shortness of breath, fainting, and heart palpitations, sometimes without leg pain or swelling. Deep vein thrombosis occurs more frequently in the first year of treatment with estrogens. The risk is higher with oral estrogens (particularly ethinylestradiol and conjugated estrogens) than with injectable, transdermal, implantable, and nasal formulations. DVT risk also increases with age and in patients who smoke, so many clinicians advise using the safer estrogen formulations in smokers and patients older than 40. Because the risks of warfarin – which is used to treat blood clots – in a relatively young and otherwise healthy population are low, while the risk of adverse physical and psychological outcomes for untreated transgender patients is high, pro-thrombotic mutations (such as factor V Leiden, antithrombin III, and protein C or S deficiency) are not absolute contraindications for hormonal therapy. Warfarin (Coumadin) is a prescription for unnecessary surgery because necessary drugs including anesthesia are contraindicated. Surgeons seem to have better luck prevailing upon transgender HRT consumers to take heparin for a few days before surgery and/or stop taking HRT because they have breast cancer than medical doctors attempting to prescribe metronidazole to cure gastroenteritis just like alcoholics trying to avoid cancer diagnosis. After the gay bar shooting that was the largest rampage shooting in US history Medicaid must redetermine Warfarin dependency to be an absolute contraindication. The manufacturer is sought to pay $1 million to pay an average of $5,000 to an estimated 200 wounded and families of the deceased.

In spite of the induction of breast development, HRT in transgender women does not appear to increase the risk of breast cancer. Only a handful of cases of breast cancer have ever been described in transgender women. This is in accordance with research in cisgender men in which gynecomastia has been found not to be associated with an increased risk of breast cancer. On the other hand, men with Klinefelter's syndrome, who have two X chromosomes (similarly to cisgender women) in addition to hypoandrogenism, hyperestrogenism, and a very high incidence of gynecomastia (80%), show a dramatically (20- to 58-fold) increased risk of breast cancer that is between that of cisgender men and cisgender women (though closer to that of the latter). The incidences of breast cancer in normal men (46,XY karyotype), men with Klinefelter's syndrome (47,XXY karyotype), and cisgender women (46,XX karyotype) are approximately 0.1%, 3%, and 12.5%, respectively. Also of potential relevance is the case of women with complete androgen insensitivity syndrome, who are genetically male (i.e., 46,XY karyotype) and have normal and complete morphological breast development and in fact breast sizes that are on average larger than those of cisgender women yet, similarly to cisgender men, appear to have little (or possibly even no) incidence of breast cancer. The risk of breast cancer in women with Turner syndrome (45,XO karyotype) also appears to be significantly decreased, though this may be related to ovarian failure/hypogonadism rather necessarily than to genetics. Similarly to the case of breast cancer, prostate cancer is extremely rare in transgender women who have been treated with HRT for a prolonged period of time. Whereas as many as 70% of men show prostate cancer by their 80's, only a handful of cases of prostate cancer in transgender women have been reported in the literature. As such, and in accordance with the fact that androgens are responsible for the development of prostate cancer, HRT appears to be highly protective against prostate cancer in transgender women.

The most common estrogens used in transgender women include estradiol (which is the predominant natural estrogen in women) and estradiol esters such as estradiol valerate and estradiol cypionate (which are prodrugs of estradiol). Estrogens may be administered orally, sublingually, transdermally (via patch), topically (via gel), by intramuscular or subcutaneous injection, or by an implant. Dosages are typically reduced after an orchiectomy (removal of the testes) or sex reassignment surgery.

The most commonly used antiandrogens in transgender women are cyproterone acetate, spironolactone,

and GnRH analogues. Spironolactone, which is relatively safe and inexpensive, is the most frequently used antiandrogen in the United States. Cyproterone acetate, which is unavailable in the United States, is more commonly used in the rest of the world. Spironolactone prevents the formation of androgens in the testes (though not in the adrenal glands) by inhibiting enzymes involved in androgen production. It is also an androgen receptor antagonist (that is, it prevents androgens from binding to and activating the androgen receptor). Cyproterone acetate is a powerful antiandrogen and progestin that suppresses gonadotropin levels (which in turn reduces androgen levels), blocks androgens from binding to and activating the androgen receptor, and inhibits enzymes in the androgen biosynthesis pathway. It has been used as a means of androgen deprivation therapy to treat prostate cancer. If used long-term in dosages of 150 mg or higher, it can cause liver damage or failure.

Non-steroidal antiandrogens used in HRT for transgender women include flutamide, nilutamide, and bicalutamide, all three of which are primarily used in the treatment of prostate cancer. These drugs are pure androgen receptor antagonists. They do not lower androgen levels; rather, they act solely by preventing the binding of androgens to the androgen receptor. However, they do so very strongly, and are highly effective antiandrogens. Bicalutamide has improved tolerability and safety profiles relative to cyproterone acetate, as well as to flutamide and nilutamide, and has largely replaced the latter two in clinical practice for this reason.

In both sexes, the hypothalamus produces gonadotropin-releasing hormone (GnRH) to stimulate the pituitary gland to produce luteinizing hormone (LH) and follicle-stimulating hormone (FSH). This in turn cause the gonads to produce sex steroids such as androgens and estrogens. In adolescents of either sex with relevant indicators, GnRH analogues such as goserelin acetate can be used to stop undesired pubertal changes for a period without inducing any changes toward the sex with which the patient currently identifies. GnRH agonists work by initially overstimulating the pituitary gland, then rapidly desensitizing it to the effects of GnRH. After an initial surge, over a period of weeks, gonadal androgen production is greatly reduced. Conversely, GnRH antagonists act by blocking the action of GnRH in the pituitary gland. There is considerable controversy over the earliest age at which it is clinically, morally, and legally safe to use GnRH analogues, and for how long. The sixth edition of the World Professional Association for Transgender Health's Standards of Care permit it from Tanner stage 2 but do not allow the addition of hormones until age 16, which could be five or more years later. Sex steroids have important functions in addition to their role in puberty, and some skeletal changes (such as increased height) that may be considered masculine are not hindered by GnRH analogues. GnRH analogues are often prescribed to prevent the reactivation of testicular function when surgeons require the cessation of estrogens prior to surgery. The high cost of GnRH analogues is a significant factor in their relative lack of use in transgender people. However, they are prescribed as standard practice in the United Kingdom.

Progestogens are not commonly prescribed for transgender women. The most common progestogens used in transgender women include progesterone and progestins (synthetic progestogens) like CPA and medroxyprogesterone acetate (MPA). These drugs are usually taken orally, but may also be administered by intramuscular injection. Progestogens, in conjunction with the hormone prolactin, are involved in the maturation of the lobules, acini, and areola during pregnancy: mammary structures that estrogen has little to no direct effect on. However, there is no clinical evidence that progestogens enhance breast size, shape, or appearance in either transgender women or cisgender women, and one study found no benefit to breast hemicircumference over estrogen alone in a small sample of transgender women given both an estrogen and an oral progestogen (usually 10 mg/day medroxyprogesterone acetate). Anecdotal evidence from transgender women suggests that those who take progesterone supplements may experience more full breast development, including stage IV on the

Tanner scale (many transgender women do not develop Tanner stage V breasts).

Noor Zhi Salman must contribute her inheritance from Omar Mateen to the victims. The widow is due an equal share of the compensation with the families of deceased victims. For their incitement in regards to the failure to be absolutely contraindicated for use with the estrogen treatment portion of the hormone replacement therapy (HRT) for Male-to-Female (MTF) the Warfarin manufacturer is asked to pay $1 million with which to compensate each of the estimated 200 victim and the families of the deceased $5,000. A drug or device is deemed to be misbranded under 21USC(9)VA§352(j) if it is dangerous to health when used in the dosage or manner, or with the frequency or duration prescribed, recommended, or suggested in the labeling thereof. If the introduction, delivery or receipt for introduction into interstate commerce of any food, drug, device, or cosmetic that is adulterated or misbranded or otherwise noncompliant is prohibited under 21USC(9)III§331 that that product may be brought to the US District Court for an injunction proceedings under 21USC(9)III§332 and held liable for civil and criminal penalties under 21USC(9)III§333. Estrogen is absolutely contraindicated for use with Warfarin and this affects HRT for MTF type patients because of the coagulopathy side-effect, little expected benefit to breast size or health, indefinite duration of the treatment and many, many absolute contraindications between Warfarin and essential medicines.

Section 16 Torture Compensation of the Social Security Amendments of January 1, 2017 provides:
a. To amend Torture 18USC§2340A(a) so 'outside the United States' is removed so - Whoever commits or attempts to commit torture shall be fined under this title or imprisoned not more than 20 years, or both, and if death results to any person from conduct prohibited by this subsection, shall be punished by death or imprisoned for any term of years or for life.

b. To amend Exclusive Remedies 18USC§2340B so ‘The State shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of anact of torture, his dependents shall be entitled to compensation under Art. 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 26 June 1987’.

c. United Nations Compensation Commission rates:
1. People forced to relocate as the result of military action $2,500 -$4,000 for an individual and $5,000-$8,000 for a family;
2. People who suffered serious bodily injury or families reporting a death as the result of military action are entitled to between $2,500 and $10,000;
3. After being swiftly compensated for relocation, injury or death an individual may make a claim for damages for personal injury; mental pain and anguish of a wrongful death; loss of personal property; loss of bank accounts, stocks and other securities; loss of income; loss of real property; and individual business losses valued up to $100,000.
4. After receiving compensation for relocation, injury or death an individual can file a claim valued at more than $100,000 for the loss of real property or personal business.
5. Claims of corporations, other private legal entities and public sector enterprises. They include claims for: construction or other contract losses; losses from the non-payment for goods or services; losses relating to the destruction or seizure of business assets; loss of profits; and oil sector or heavy industry losses.
6. Claims filed by Governments and international organizations for losses incurred in evacuating citizens; providing relief to citizens; damage to diplomatic premises and loss of, and damage to, other government property; and damage to the environment.

McDonnel and Nagin were added on August 14, 2016. Bernard Madoff et al January 5, 2017. Noor Zhi Salman on January 17, published March 20, 2017.