

# The Independent OBSERVER

April 30, 2012

ATTC-MAGO-R003A

## REPORT

From

<b>Access To The Courts</b>
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### Unwritten Rules by attorneys and judges use prejudice to subvert the law and violate the constitutional rights of citizens!

Unwritten Rules are a direct result of a lack of discipline for persistent non-compliance to professional standards of conduct often condoned by overseers, judges, and judicial counsels. Such unprofessional conduct leads to crimes.

To

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Problem: Lack of Accountability of Civil (Public) Servants – Dereliction of Duty and Substandard Conduct

**Subject: The Los Angeles Matter DETAILS**

Reference: **ATTC-MAGO-R003 (April 25, 2012)**  
**USDC (Northern District of Ohio, Western Division – Toledo)**  
**USDC (Central District of California – Los Angeles)**

As identified in the reference Report R003, a false Arrest Mandate pretext was used to initiate criminal proceedings against a years-long civil plaintiff. An arrest mandate was alleged in the Complaint in order to obtain an arrest warrant on May 24, 2005 from a US Magistrate Judge. The FBI SA Sotelo asserted in her Complaint that Jeffrey L. Clemens was told on April 18, 2005 that if he wrote another letter to a judge, he would be arrested. No such mandate was in the report of a FBI/USMS visit on April 18, 2005. Sotelo also made a number of factual mistakes and misrepresentations, particularly with reference to the civil litigation and to previous communications from Mr. Clemens, as already outlined on the ATTC website in the past and in memos to judges at the time – all ignored. The Los Angeles docket on the case makes a small reference to an attempt by the Defendant's brother to communicate with the Court, communication that was never put on the public docket.

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On May 25, 2005, Mr. Clemens was arrested at the home of his parents in Ohio. Note, there was an expectation that Mr. Clemens would be in Massachusetts at the time of the arrest, as he attended graduate school there. That implies that Mr. Clemens was expected to first appear in USDC Massachusetts District upon his arrest. (The Boston Matter of 2010 – related to The LA Matter – was to occur there after many years of further abuses and injustices. This will be the subject of the next Report, R004.) Instead, Mr. Clemens appeared in Toledo, Ohio. Mr. Clemens was to be assigned a public defender (one for whom he was approached and offered, not whom Mr. Clemens had requested) whose daughter lived in the same city as Sotelo in California. In a further odd coincidence, the assistant DA involved in The Scituate Matter has parents living in the same city in California.

To understand why an FBI agent would falsify a Complaint in the Clemens case, one only has to look at the timeline of events – inquiries by Clemens to authorities – before the May 2005 arrest. Jeffrey had contacted US Attorneys, FBI, and the US Congress on the subject of judicial misconduct, as his civil litigation with Gavin Debecker and Associates (a security and threat management firm with professional ties to the FBI, US Marshals, US Secret Service, and others in government), MGM, and others was settled by December 2002. Jeffrey is accused of threatening Judge Tevrizian in 2005, who has very close ties to MGM, yet Jeffrey never had litigation before Judge Tevrizian. Jeffrey had alleged in 2003 through 2005 that inappropriate moneys had been exchanged, to Tevrizian's benefit, from MGM associated people and that there had been a judge assignment scheme, keeping the case from the proper judge (King) and eventually assigned to a judge (Snyder) who had a history of attorney representation for MGM, one of Mr. Clemens' civil defendants. There was no self-recusal from District Judge Christina Snyder when there should have been. The escalation of motions and such to the Court was prompted by these shenanigans. The consultation with the authorities followed a series of motions to the courts. The letters to Tevrizian followed a series of consultations with authorities. It seems that the only way to stop motions and consultations in pursuit of justice is to shuffle the aggrieved citizen to jail or prison.

So, Jeffrey is not arrested (nor indicted) for writing threatening letters to Judge Tevrizian, but for writing another letter after supposedly being told he would be arrested if he wrote another letter. There is a BIG difference. And, there is a BIG implication – that Jeffrey had been insubordinate to the FBI, suggesting that the Court had no option but to issue an arrest warrant. The inappropriate insubordination implication is highly prejudicial. There is evidence that the false Arrest Mandate was taken to the Grand Jury in June 2005. Jeffrey was not indicted for a letter he had written to Tevrizian in February 2005 (and cc'd to the FBI). Jeffrey was not indicted for a letter he had written to Tevrizian in May 2005 – *two days after being assaulted by Scituate police officer Tim Goyette and falsely charged with disorderly conduct by Scituate police officer Michael O'Hara, for making a civil inquiry related to the civil litigation in California* – but Jeffrey is arrested and later indicted basically for alleged insubordination, a charge NOT supported by facts, documents, or FBI reports. A single indictment had been issued for two absolutely separate (so-called threatening) letters, which would have logically brought two separate indictments, if they had indeed been threatening (which they were not). If anyone can find a stated threat in either one, please inform the US attorneys, FBI, and the courts. Case in point, a single letter in March 2010 to attorney Pfaff and cc'd to the Town of Scituate's Vinchesi

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resulted in two counts against the civil plaintiff Jeffrey Clemens, yet two letters months apart resulted in only one count in 2005...the transcripts of those grand jury hearings – despite several motions (on the Los Angeles court record) – have not been turned over to Mr. Clemens. When Mr. Clemens received grand jury transcripts in 2011 for The Boston Matter, Judge Woodlock merely ignored the improper and prejudicial conduct of the Assistant US Attorney David G. Tobin. Prejudice, not facts, got indictments.

It is a patently ridiculous notion that a man would write a letter knowing that he would be arrested for writing it! The feds (and the Commonwealth) have been doing all they can in the years that followed to imply that Mr. Clemens had done so, without acknowledging an ounce or inch of misconduct on the part of public servants, despite a growing mountain of evidence.

One could write a book about the **abuses** that conspired to keep Jeffrey Clemens detained in federal custody in 2005, 2006, and 2007, detention of which directly benefitted the Scituate Police Department, whose officers and superiors deliberately participated in a criminal cover up. Crimes and cover ups and the Massachusetts Attorney General Office decides to look away. Firstly, though, someone (FBI) thought it would be nice to expunge the website of Access To The Courts – which documented such abuses - just prior to the first ever criminal trial against Jeffrey Clemens in Hingham District Court, thanks to **O’Hara**.

A few other facts go to understanding the state-federal intermingling in the Clemens case. Only after a written request for the FBI criminal history of Jeffrey L. Clemens in 2008 did Mr. Clemens discover that the May 25, 2005 arrest in Ohio was codified as a threat against the President or one of the President’s protectorates, which does NOT include federal judges. A small matter? Not considering that the O’Hara Report (provably falsified) had been faxed to the US Secret Service on May 17, 2005, prior to the federal arrest, AND before the Scituate Police Department charged Mr. Clemens with two additional crimes – Criminal Harassment and Unlicensed Private Investigator – sadly and pathetically not supported by any evidence, but charges none the less used by the feds as a pretext to detain Mr. Clemens for months.

The arresting officer in the May 2005 arrest was US Marshal Rodney Hartzell, thus, the one responsible for the incorrect codification of the arrest of Mr. Clemens. The US Marshals were to again step up to the plate in the prejudicing of Mr. Clemens by deliberately and maliciously assaulting Mr. Clemens repeatedly on January 13, 2012 in Boston, with a second assault involving a verbal utterance by a Marshal of “George W. Bush”, a veiled reference to the earlier Secret Service involvement in the case. After all, Jeffrey had filed an administrative complaint against US Secret Service agent Ralph Sozio in the Fall of 2010, not to mention the civil suit earlier naming Sozio for his suspicious tie to a state case.

Inappropriate Parties (US Secret Service in a matter involving a derelict cop in Scituate, MA)

False Statements (by associates of Mr. Clemens’s former civil defendants)

Forced Detentions (by associates of Mr. Clemens’s former civil defendants)

Withheld Discovery (Lt. Rooney of the Scituate Police Department)

Physical Assaults (by associates of Mr. Clemens’s former civil defendants)

Excessive and unwarranted Sentencing (by a judge attending the same college with George W. Bush)

And so on... Does MAGO realize that they are part of an illicit destruction of a man’s life? Stop It Now.