

July 25, 2011

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Hon. Douglas P. Woodlock  
United States District Court  
One Courthouse Way  
Boston, MA 02210

**Re      Presentation of CJA Attorney to Defendant Jeffrey Clemens  
         1:10-cr-10124-DPW**

Ref.    *Strickland v. Washington, 466 U.S. 668 (1984)*

Your Honor,

The Court saw fit to present a CJA Attorney, Robert Sinsheimer, to Defendant Jeffrey L. Clemens on June 28, 2011, just prior to a hearing for which the Defendant had no prior notice, except when transported to the court from detention. Not that the coincidences of Mr. Sinsheimer being a Suffolk Law graduate (like victim Pfaff and AUSA Tobin – prosecutor herein), and being a former prosecutor with the Plymouth County DA Office (like AUSA Tobin and ADA Richard Linehan – an alleged colluder with Pfaff), necessarily matter to selection of a CJA Attorney (of a panel of 96 attorneys), but Mr. Sinsheimer's disclosure of his past association with PFAFF, his liking for PFAFF, and his unfounded insistence that Defendant Jeffrey L. Clemens has Mental Health Issues (while admittedly not having reviewed the case) IS relevant to the selection of Mr. Sinsheimer to be Mr. Clemens' potential replacement for Federal Defender Ian Gold upon Motion by the Defendant.

Mr. Sinsheimer would be the last attorney Jeffrey Clemens would want representing him, so his selection as a replacement for Ian Gold is inappropriate, for many reasons.

First, his presence on June 28 offered nothing but intimidation to the Defendant Clemens.

Second, his selection mirrors the disingenuous intent of pursuing a Mental Evaluation of Mr. Clemens, as stated with certainty by Ian Gold to Jeffrey Clemens on or about June 8, 2010. Jeffrey has attempted numerous times to dismiss his federal defender for cause and the Court has repeatedly denied his rightful requests.

Third, in consideration of Ian Gold's suggestion in open court on June 28, 2011 for a Mental Evaluation of Mr. Clemens, and in consideration of the Court's failure to dismiss Ian Gold, and in consideration of a June 9, 2010 complaint submitted to the DOJ Office of Inspector General against AUSA Tobin's witness Rachel Boisselle highlighting abuses of the mental health status of Mr. Clemens in the past by (mainly) the Pre-Trial Services/Probation Department, and in consideration of false statements made by both Boisselle and Tobin to the Court (leading to a prejudice against Mr. Clemens), the presence of Mr. Sinsheimer can be seen as an attempt to subvert and violate Mr. Clemens' right to assistance of counsel and especially his right to able and competent legal representation, as established by the US Constitution and further clarified and affirmed by *Stickland v. Washington*, 466 U.S. 668 (1984).

Do we need to review the derelictions of Federal Defender Ian Gold, as previously included in pleadings in court by Defendant Clemens? The Court apparently believes that (Gold) lying to client (Clemens) – in particular about Discovery in his possession that he told his client he was still waiting on as of June 8, 2010 - is acceptable. Ian Gold came to Jeffrey on April 1, 2010, not the other way around. It would be far more illustrative to review the history of court appointed CJA attorneys that Jeffrey has been presented in the past.

Jeffrey Clemens' first court-appointed CJA attorney Jane Randall betrayed her client within days of being assigned to Mr. Clemens. Of note, Jane Randall came to Jeffrey on May 26, 2005, not the other way around. An initial appearance on May 26, 2005 resulted in Magistrate Judge Armstrong ordering a mental evaluation, for which Jeffrey welcomed, and for which a hearing was set for a few days later. Jane Randall, without informing her client Clemens, continued the hearing (via a motion on or before May 30, 2005) and thwarted a mental evaluation. The same Jane Randall hung up on the undersigned within about 3 minutes on or about June 3, 2005, when the undersigned had called (the first time ever) to get status of Jeffrey's detention. The undersigned had previously faxed two documents to Ms. Randall...an analysis proving perjury on the part of officer Dennis Richards in a speeding matter (a complaint against Richards for which Jeffrey Clemens was disingenuously "arrested" for criminal harassment!) AND a letter by Gavin Debecker Threat Manager **Chris(opher) Alverson** to the Beverly Hills police in the Fall of 1997 insisting that Mr. Clemens has a Mental Disorder, coming just days after a fellow Gavin Debecker employee, William Michaelis, assaulted and falsely arrested Mr. Clemens for trespassing in a public lobby. The Beverly Hills police had been petitioned by Mr. Clemens to charge Mr. Michaelis with assault, but a trespassing charge against Mr. Clemens would be far more effective in covering up official misconduct – albeit with Jeffrey Clemens' eventual exoneration in court, but not without thwarting a trial that would have proved Jeffrey's innocence, especially if the jury had been presented with the lobby video (another withheld discovery item) and such.

We should mention that Jeffrey's first mental evaluation arranged by court-appointed Hilary Potashner in August 2005 found no mental health disorders on the part of Mr. Clemens. As Potashner had self-recused herself, the report was apparently shelved. No worry, the newly assigned Shereen Charlick – subject of the important Document 52 issue in Los Angeles (*whereby new court-appointed counsel was assigned BEFORE a motion concerning a change of venue and such issues had been decided...in any case, a matter of denied-bail-then-offer-plea-deal-all-without-a-mental-evaluation*) – agreed to seek a mental

evaluation of Jeffrey – for the purpose of seeking bail to get out of an extended detention, but Ms. Charlick found it more beneficial to use Dr. Yanofsky’s mental evaluation results – Delusional Disorder – as part of another scheme, which did not involve seeking bail and release pre-trial. Another betrayal.

Fast forward over a year to the August 2006, where Jane Randall was again to involve herself in artful shenanigans in court...the aforementioned MJ Armstrong had assigned Jane Randall to Jeffrey in August 2006 BEFORE a violation report had been submitted to the court – that does not look good, but perhaps due process does not apply in the federal system. Jane was to soon push for and obtain an order for Jeffrey to receive a mental evaluation – one that needed over 4 months to perform! – in all places, Chicago, IL. The PhD in that evaluation – Dr. Ron Nieberding – hailed from Palatine, IL, the same hometown of the bride and wife of one **Christopher Alverson**, former threat manager with Gavin Debecker and initial accuser of mental disorders on the part of Mr. Clemens. Of note, Gavin Debecker was to later be a co-defendant with the Town of Scituate (PFAFF’s client) in civil litigation in Boston.

Was the idea of a mental disorder used in the state case in 1997, almost 8 years before the first federal detention of Jeffrey Clemens, for the purpose of subverting the truth? We know this, that the prosecutor that eventually charged (and unsuccessfully tried) Mr. Clemens had in her possession a letter from Christopher Alverson alleging a mental disorder (without substantiation) AND had in her possession an FBI Crime Report with a lone arrest (no charge or conviction) – criminal harassment in Bellevue, WA in September 1995 – we know to be in direct response to a complaint against a police officer, as phone calls for status about the complaint were ascribed as criminal harassment by a fellow, investigating officer (Mr. Thompson). Genius, except for the civic dereliction it portrays.

The undersigned requests that the Court take notice of the improprieties in the recent presentation of CJA Attorney Robert Sinsheimer to the Defendant Clemens – sheer intimidation – and take care in assuring that Defendants have access to good faith, competent defense counsel who follow an established standard of care – which coincides with what the Defendant Clemens had repeatedly asked of FD Ian Gold, as documented in motions to dismiss Mr. Gold. The undersigned also requests that the Court take notice that Jeffrey’s requests of his attorney and Federal Defender Ian Gold are substantially the same as the established standard of care – and duty – of Mr. Gold, thus failure to comply with Mr. Clemens’ requests are possible violations of the standard of care, not mere wishes of a client.

DATED this 25<sup>th</sup> Day of July 2011

Jonathan A. Clemens

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