

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

Guy M. Neighbors,)

Petitioner,)

Officer Robinson # 1911)

Officer Wech # 9510, V.)

Lawrence police dept,)

City of Lawrence Kansas)

Lawrence Municiple Court)

Scott Miller, Steven M. Lehwald,)

Respondent)

Case No. _____

NOTICE OF CLAIM

Come Now Petitioner Guy M. Neighbors to give "Notice Of Claim" to whom it may concern, and states the following: Municipal employees are generally immune from personal liability for discretionary actions they take, or do not take in the performing their official duties, unless their actions are wanton, willful, or malicious or they act negligently when they could have for seen imminent injury to a specific person. This action is brought forth to address the continued Harassment and "Constitutional" right violations perpetrated on the Neighbors by and through a collective conspiracy by the Lawrence Police, and other officers of the court.

Count One

Lawrence police officer Wech # 9510 wrote a citation to Neighbors for an alleged seat belt violation on 11-24-14 Citation # A121247 see: Exhibit "a". Neighbors explained to officer Wech that unless that citation was signed by a judicial officer of the court prior to issuing it to Neighbors, the officer would be violating Neighbors constitutional right to "due process" the officer replied," he did not know about that and Neighbors would have to take it up with the court. During the trial, Neighbors was allowed to view the officer's dash cam video of the traffic stop. The dash cam video showed the officer could NOT see inside of Neighbors vehicle from the side view due to the tinted windows. The video appears to show the officer doing something in the police vehicle and when the Neighbors approached, even though the officer could not see who was driving the vehicle, he immediately started up his police vehicle and proceeded to perform a traffic stop on the petitioner without "Probable Cause" Neighbors believes officer Wech who had been on the police dept. for 20-yrs knew the petitioner's vehicle and the officer knew that the petitioner beat one seat belt ticket some months earlier.

Also Neighbors believes officer Wech is aware of the many Fraudulent Federal Criminal Cases (See; Exhibit "c" The chronological history of the federal criminal cases) that had been filed against Neighbors and his wife by the Lawrence police dept. in 2005. Officer Wech's action on 11-24-15 were consistent with other corrupt Lawrence Police officers who were responsible for the police misconduct in the federal cases and multiple arrests of the Neighbors.

This petition is to specifically address the lack of "probable Cause" for the traffic stops, and the continued harassment at the hands of officers from the Lawrence Police Department and other officers of the traffic court. The issue of the corrupt Federal Criminal Cases will be addressed in a different action in Federal Court in a few months.

Count Two (due process violations)

Lawrence police officer Robinson performed a traffic stop on petitioner on 4-28-13 citation # A023469 see: Exhibit "b" for a allege seat belt violation and the case was dismissed upon a motion to dismiss due to Neighbors "due process" violation . The officers of this court have trespassed upon Neighbors in that the officers of this court is well aware the Municipal Court receives its jurisdiction from statute and Not the Constitution or Congress, and therefore it has no " Subject Matter Jurisdiction" whereby the police action turns into harassment, violation of Neighbors "right to due process", and a violation of racially profiling.

Count Three (conspiracy against rights)

Officers of the court, Mr. Miller, and Mr. Lehwald are aware of the fact that forcing Neighbors into these unlawful proceedings without his consent or jurisdiction is a violation Neighbors civil rights, and Neighbors, states that Mr. Miller (judge) failed to be impartial and was harsh with Neighbors during the hearing at oue point the judge stated that Neighbors was boarder line contempt of court because Neighbors wrote a letter to the court explaining how the officer had violated Neighbors right to due process, and that if this violation continued Neighbors would be forced to file a tort claim against the officers of the court for redress. Neighbors files several pleading addressing the issues civil rights violation in the 1st citation and the matter was dismissed, now the officers of the court are trespassing on Neighbors again. See Exhibits "d" and "e"

Count Four (lack of jurisdiction)

This Court is defined under FRCP Rule 4 (j) as a FOREIGN STATE as defined under 28 USC, CHAPTER 97—JURISDICTIONAL IMMUNITIES OF FOREIGN STATES, Sec. 1602 -1611. The FOREIGN SOVEREIGN IMMUNITIES ACT (FSIA) allows the Neighbors to challenge jurisdiction, and full disclosure of the true jurisdiction of this Court was ignored. Any failure to disclose the true jurisdiction is a violation of 15 Statutes at Large, Chapter 249 (section 1), enacted July 27, 1868 Chapter 249 (section 1), enacted July 27, 1868 Any MUNICIPAL, COUNTY, OR STATE COURT lacks jurisdiction to hear any case under the FOREIGN STATE definitions. This jurisdiction lies with the UNITED STATES DISTRICT COURT under the FSIA Statutes pursuant to 28 USC sec. 1330.

Because the Neighbiors is a non-corporate entity, and is not registered with any Secretary of State as a CORPORATION, the Prosecution has FAILED to state a claim to which relief can be granted under 12(b) (6). Therefore this matter must be dismissed for lack of political, personam, subject matter jurisdiction, and Venue under the 11th Amendment, and damaged granted in full.

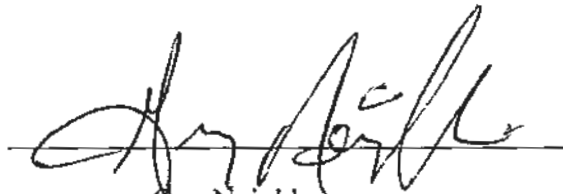
Summary

Municipal employees can be held personally liable for:

1. Negligence in performing a ministerial act.
2. Negligence in executing a governmental act where imminent injury to a specific individual was foreseeable.
3. Wanton, willful, or malicious misconduct(acts manifesting a reckless disregard or the consequences or rights and safety or others.

Kansas courts have ruled that individuals aggrieved by certain violations of State Constitutional

rights may pursue a damaged action in State or Federal Court, whereby Petitioner brings his claim **50,000.00** for violations of his constitutional rights that were violated during the traffic stops that were performed without probable cause and in violation of Neighbors rights and the continued malicious harassment from City of Lawrence employees. The harassment Neighbors has endured has spanned over a 10 year period and it is now time to put an end to the police harassment.



Guy Neighbors

April 1st 2015

1309 Sunchase dr.

Lawrence, Kansas 66044

913-240-0227

CITY OF LAWRENCE, KANSAS - CITATION

In this court designated below the undersigned certifies that he/she has just and reasonable grounds to believe and does believe that on:



Citation #
A121247

County: **DOUGLAS**
City: **LAWRENCE**
Date/Time: **11/24/2014 10:41 AM**
Court Date: **12/10/2014**
Court Time: **9:00 AM**

VIOLATOR

Last Name: **NEIGHBORS** MI: **M**
First Name: **GUY** DOB: **01/12/1959**
Address: **1309 SUNCHASE DRIVE**
City: **LAWRENCE** State: **KS** Zip: **66044**
Phone: Sex: **M**
Race: Weight: **255**
Height: **607**
DL #: **K00181283** DL State: **KS** CDL: **N**

REGISTRATION

Yr Veh: **2000** Veh. Tag: **PPD447**
Make: **FORD** Yr Tag Expires: **2015** State: **KS**
Model: **F250 SUPER DUTY** VIN#: **1FTNW21F3YED82557**
Type: **PK** Color: **WHI** Commercial Vehicle: **N**

LOCATION

Upon a Public Street or Highway or Other Location Namely:
7TH AT CONNECTICUT

Accident: **N** Hazmat: **N**

VIOLATIONS

Did unlawfully commit the following Offense(s), in violation of the Ordinances of the City of Lawrence, Kansas

Speeding: Pace: **N** Speed Limit:
Radar: **N** Watch: **N** Lidar: **N**
Accident Case #: Construction Zone: **N**
Offense Case #: School Zone: **N**

SEAT BELT VIOLATION 182.1A

COURT INFORMATION

MUNICIPAL COURT Fine#1: **10**
3006 NEW HAMPSHIRE, P.O. BOX 1695 Fine#2:
LAWRENCE, KS 66044 Fine#3:
(785) 832-6190 Court Costs:
WWW.LAWRENCEKS.ORG/ATTORNEY Total: **10**

SIGNATURE

Exhibit "A"
19-142

HEREBY PROMISE TO APPEAR AT THE COURT ON OR BEFORE THE APPEARANCE DATE AND TIME DESIGNATED ON THIS CITATION. UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

Signature of Defendant: _____ x

Signature of Officer: _____

Officer name: WECH

Officer ID: 9510

Agency Name: LAWRENCE POLICE DEPARTMENT

MAIL ALL PAYMENTS TO:
LAWRENCE MUNICIPAL COURT
1628 NEW HAMPSHIRE - P.O. BOX 1895
LAWRENCE, KS 66044
(785) 852-8190
www.lawrenceks.org/attorney

MANDATORY COURT APPEARANCE REQUIRED

If you are charged with a misdemeanor offense and/or the box above has been checked, you MUST APPEAR in the MUNICIPAL COURT of LAWRENCE on the date and time indicated on this summons to answer this charge.

If the box above has not been checked and a fine amount is listed below then:

1. YOU HAVE THE RIGHT TO A TRIAL IN MUNICIPAL COURT TO ANSWER THE CHARGE. To receive a trial date, appear in Municipal Court on the date and time indicated on the front of this summons.

2. IF YOU FEEL YOU ARE GUILTY OR WISH TO PLEAD "NO CONTEST" Sign your name in the area below and return the TOTAL AMOUNT DUE to the LAWRENCE MUNICIPAL COURT before the indicated court date. Fines and Costs may be paid by check made payable to the City of Lawrence. You may pay Fines and Costs by mailing to the address above. Fines and Costs may also be paid by credit card at lawrenceks.org/attorney.

Fine 1: \$ 10 Fine 2: \$ _____ Fine 3: \$ _____ plus costs \$ _____

Total \$ 10

APPEARANCE PLEA OF GUILTY OR NO-CONTEST AND WAIVER

I, the undersigned do hereby enter my appearance on the complaint of the violation of infraction charged on the summons. I have been informed of my right to trial, that my signature to this plea of guilty or no contest will have the same force and effect as a judgment of court, and that this record will be sent to the Licensing Authority of this State (or of the State where I received my license to drive).

I do hereby plea: GUILTY NO CONTEST

To said offense as charged and WAIVE my rights to a hearing by court or jury.

Signature: _____

NOTICE: THE OPERATORS LICENSE MAY BE SUSPENDED and/or THE COURT WILL ISSUE A WARRANT FOR THE ARREST OF ANY DEFENDANT WHO HAS FAILED TO COMPLY WITH A NOTICE TO APPEAR DULY SERVED UPON HIM/HER AND UPON WHICH A COMPLAINT HAS BEEN FILED.

Exhibit "b"
Pg 2 of 2

CITY OF LAWRENCE, KANSAS - CITATION

In the court designated below the undersigned certifies that he/she has just and reasonable grounds to believe and does believe that on:



Citation #: **A023469**

County: **DOUGLAS**

City: **LAWRENCE**

Court Date: **05/22/2013**

Date/Time: **04/28/2013 06:00 PM**

Court Time: **1:00 PM**

VIOLATOR

Last Name: **NEIGHBORS**

MI: **N**

First Name: **GUY**

DOB: **01/12/1959**

Address: **1309 SUNCHASE DRIVE**

City: **LAWRENCE**

State: **KS** Zip: **66044**

Phone: **9132400227**

Sex: **M**

Race: **B**

Weight: **238**

Height: **605**

DL #: **K00181283**

DL State: **KS**

CDL: **N**

REGISTRATION

Yr. Veh: **2000**

Veh. Tag: **PPD447**

Make: **FORD**

Yr. Tag Expires: **2013**

State: **KS**

Model: **F250 SUPER DUTY**

VIN#: **1FTNW21F3YED82557**

Type: **PK**

Color: **WHI**

Commercial Vehicle: **N**

LOCATION

Upon a Public Street or Highway or Other Location Namely:

Riverridge Road INTERSECTION OF Iowa Street

Accident: **N**

Hazmat: **N**

VIOLATIONS

Did unlawfully commit the following Offense(s), in violation of the Ordinances of the City of Lawrence, Kansas

Speeding:

Pace: **N**

Speed Limit:

Radar: **N**

Watch: **N**

Lidar: **N**

Accident Case #:

Construction Zone: **N**

Offense Case #:

School Zone: **N**

NO INSURANCE

200

SEAT BELT VIOLATION

182.1A

TURN SIGNAL NOT USED

64B

Exhibit "b"
PS 2 of 2

2 for P
"2" for 1923

COURT INFORMATION

MUNICIPAL COURT
1006 NEW HAMPSHIRE, P.O. BOX 1696
LAWRENCE, KS 66044
(785) 832-6190
WWW.LAWRENCEKS.ORG/LEGAL

Fine#1:
Fine#2:
Fine#3:
Court Costs:
Total:

SIGNATURE

I HEREBY PROMISE TO APPEAR AT THE COURT ON OR BEFORE THE APPEARANCE DATE AND TIME DESIGNATED ON THIS CITATION. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILTY OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

Signature of Defendant: x

Signature of Officer: [Signature]

Officer name: **ROBINSON** Officer ID: **1119**

Agency Name: **LAWRENCE POLICE DEPARTMENT**

MAIL ALL PAYMENTS TO:
LAWRENCE MUNICIPAL COURT
1006 NEW HAMPSHIRE, P.O. BOX 1696
LAWRENCE, KS 66044
(785) 832-6190
www.lawrenceks.org/legal/

MANDATORY COURT APPEARANCE REQUIRED (x)

If you are charged with a misdemeanor offense and/or the box above has been checked, you MUST APPEAR in the MUNICIPAL COURT of LAWRENCE on the date and time indicated on this summons to answer this charge

If the box above has not been checked and a fine amount is listed below then:

- 1 YOU HAVE THE RIGHT TO A TRIAL IN MUNICIPAL COURT TO ANSWER THE CHARGE. To receive a trial date, appear in Municipal court on the date and time indicated on the front of this summons.
- 2 IF YOU FEEL YOU ARE GUILTY OR WISH TO PLEAD "NO CONTEST" sign your name in the area below and return the fine to the LAWRENCE MUNICIPAL COURT, before the indicated court date. Fines may be paid by check made payable to the City of Lawrence. You may pay these fines by mailing to the address above. Fines may also be paid by credit card. Please call the Municipal Court office for more information.

Fine 1. \$ _____ Fine 2. \$ _____ Fine 3. \$ _____ plus costs \$ _____

Total \$ _____

APPEARANCE PLEA OF GUILTY OR NO-CONTEST AND WAIVER

I, the undersigned do hereby enter my appearance on the complaint of the violation or infraction charged on the summons. I have been informed of my right to trial, that my signature to this plea of guilty or no contest will have the same force and effect as a judgment of court, and that this record will be sent to the Licensing Authority of this State (or of the State where I received my license to drive).

I do hereby plead: GUILTY NO CONTEST

To said offense as charged and WAIVE my rights to a hearing by court or jury

Signature: _____

NOTICE: THE OPERATORS LICENSE MAY BE SUSPENDED and/or THE COURT WILL ISSUE A WARRANT FOR THE ARREST OF ANY DEFENDANT WHO HAS FAILED TO COMPLY WITH A NOTICE TO APPEAR DULY SERVED UPON HIM/HER AND UPON WHICH A COMPLAINT HAS BEEN FILED.

Chronological History of Indictments

1). December 12, 2006: Case no. 06-20171-cm; One count indictment citing: 18 U.S.C. 922(g)(3) and 924(a) "Unlawful user with Firearms".

May 4, 2007, Indictment withdrawn by Government with 2 days left on Speedy trial Act time limitations.

2). June 20, 2007: Case no. 07-20073-01/01-JWL; citing 18u.s.c. 922(g)(3) and 924(a)(2) Count 2, and 2 counts under Title 21 U.S.C. 841(a)(1) and (b)(1)(D) and 18 USC sec. 2; Knowingly and Intentionally Manufacturing marijuana

November 16, 2007 Case no. 07-20073-01/01-JWL, the District court dismissed counts 1 and 2 citing a speedy trial act violation.

April 16, 2012: Remaining 2 counts on Indictment (20073-01/01-JWL) dismissed citing second Speedy Trial Act Violation.

3). September 13, 2007; Case No. 07-20124-cm-jpo; Document 1 Indictment citing 18 USC 1343 Wire Fraud, 18 USC 1341 Mail Fraud, 18USC 1956 Money Laundering (a)(1)(A)(i) and 2

I. FORFEITURE UPON CONVICTION PURSUANT TO: 18 USC 982(a)(1) [which is not a forfeiture statute] and

II. WIRE FRAUD FORFEITURE: Pursuant to 18 USC sec. 981(a)(1)(c) and 28 USC sec. 2461(c)..[there is no such thing as a WIRE FRAUD FORFEITURE!]

4). February 27, 2008: Superseding Indictment Document 38: Case No. 07-201248-cm-jpo; this indictment deletes count 20.

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5). June 18, 2008 Second Superseding indictment Doc. 93: Case No. 07-201240-cm-jpo. This Indictment adds the previously deleted count 20, not based on new evidence, changes the element of Money Laundering to "Profits".

May 19, 2014 Document 681: Indictment dismissed with prejudice citing Due process violation-Speedy Trial Act violation.

6). August 8, 2008, Case No. 08-mj-077-01-jpo: citing Obstruction of Justice 18 USC 1512(c)

August 18, 2008 Dismissed by court citing "an absence of an essential element".

7). August 20, 2008, Case No. 2:08-cr-20105: Citing 18 USC 1512(c) Obstruction of Justice Indictment

March 6, 2014 Indictment Dismissed with Prejudice. No federal Proceeding had been obstructed "there was an absence of

Essential element.

History of Each Indictment part 1

1) Two State issued Search Warrants executed on December 2, 2005 and Two Federal Search Warrant obtained by Postal Inspector David Nitz on July 7, 2006.

2). March 06, 2006, Neighbors is informed by witnesses that LKPD officers John Jay Bialek and Micky Rantz are impersonating FBI agents during the course of the investigation.

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3). April 2006, Defense Attorney Sarah Swain hires private investigator Cecilia Woods to investigate the complaints and document interviews with witnesses.

4). April 20, 2006, Defense Attorney Sarah Swain communicates her concerns in emails to the police dept. that 2 Lawrence Police Officers Micky Rantz and John Jay Bialek are violating federal law during the course of the investigation. Ron Olin responds in the April 20th letter that they are not going to reveal the identity of the federal agents in the case, and that he has forwarded the complaint to AUSA Marietta Parker.

5). June 2006, AUSA Marietta Parker directs Special Agent Bob Schaefer (interfering with the Topeka FBI to investigate the matter under their jurisdiction) to act outside of his jurisdiction (which he testified is the Western District of Missouri) to conduct an investigation into the allegations and report back to her.

6). July 7, 2006, FBI Special Agent Bob Schaefer refuses to take phone calls from Swain, he refuses to meet with the private investigator, Absent any interviews, or documentation review, Bob Schaefer through FBI spokesman Jeff Lanza announces to the media he has "cleared the Police of impersonation allegation." The same day AUSA Marietta Parker has the Postal Inspectors office assisted by Lawrence Police and the Internal Revenue Service, Serve two more federal warrants on Neighbors home and business. Even though there was no probable cause, and there had been no new incidents.

7). December 12, 2006, Case No. 06-20171-cm: Neighbors is falsely indicted and arrested without probable cause, for being an "unlawful User with Firearms" by the Postal Service and Internal Revenue Service. He and his wife Carrie Neighbors

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are placed in a holding cell at the Department of Justice and held for 8 hours without food. Other prisoners in the same cells were fed twice in the same time period. Marietta Parker told Neighbors and their attorney Swain "they brought this on themselves for accusing her boys of the FBI impersonations."

Lack of Essential Element and Probable Cause: Citing 27 C.F.R. section 478.11 which states:

"Unlawful User of or addicted to any controlled substance...[to define user] eg., a conviction

for use or possession of a controlled substance within the past year; multiple arrests for such

offenses within the past 5 years if the most recent arrest occurred within the past year; or

persons found through a drug test to use a controlled substance unlawfully, provided that the

test was administered within the past year."

Neighbors had no criminal history, no prior convictions or arrests, and he had never failed or submitted to a drug test prior to his arrest. The government lacked probable cause and an essential element to arrest, indict or convict Neighbors under this statute.

8). May 4, 2007, Government files Motion to Dismiss Indictment 06-20171-CM with 2 days left on the Speedy Trial clock. They falsely allege there is "additional evidence discovered during the ongoing investigation.

9). May 10, 2007, Judge sustained the Motion, Dismissing the indictment without prejudice.

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10.) June 20, 2007, absent any new incidents or evidence, Neighbors is served a Four count Indictment: Case No. 07-20073-01/01 JWL. The first (2 counts) are the original counts from case 07-20171-cm with 2 additional counts of Knowingly and intentionally manufacturing marijuana. This superseding indictment is presented as a new case by the government in a strategic move to circumvent the Speedy Trial Act.

On June 25, 2007 Neighbors is again arrested at his home for being an Unlawful User by the Postal Inspectors led by David Nitz and IRS Agents led by Robert Jackson. Neighbors is not given the opportunity to self-surrender even though he already has appointed counsel. The case is assigned a new case number and new judge. The government continued to prosecute the remaining charges even after the KBI Lab report tests came back "negative for any THC' in the degraded junk the government called "evidence of drugs" that was seized from Neighbors home.

11). FROM 2006-2008 Neighbors is hit with a barrage of frivolous search warrants and arrests lacking probable cause:

Monday May 8, 2006, five Lawrence police officers J. Rozell, T. Haak, J. Bialek, A. Heffley and Sgt. Monroe serve a state issued search warrant on Neighbors business after the Neighbors had already provided a statement and turned over all information and paperwork relating to a \$30. air compressor that was allegedly stolen and sold to Neighbors business.

June 25, 2007, 8am, Postal Inspector David Nitz and his assistant along with IRS Agents Robert Jackson and Osborne, LKPD police officers Matt Sarna and Eric Barkley, serve a federal arrest warrant on Neighbors at his home for being an Unlawful User with Firearms. During the arrest, several incident searches were executed. One sweep search including the basement by Sarna and Barkley, and then a second search by Agent Jackson which included kitchen cabinets, Neighbors bedroom, dressers, Office space including the desk, and enclosed storage area. Agent Osborne searched Mrs. Neighbors purse even though Ms. Neighbors was not allowed to bring her purse, cell phone or money with her. The

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Neighbors were stripped of their shoe laces and belts, and transported to the Department of Justice in Kansas City, Kansas by the Postal Inspector David Nitz in handcuffs. The Postal Inspector laughed and informed the Neighbors this was a one way ride.

After sitting in a cell all day, Neighbors was released at 6pm with no money, vehicle, no contact with family and no way home.

12). July 2006: Neighbors along with his attorney Sarah Swain, is invited by officer to come down to the police station for return of some of the seized property. Also in attendance that day was several uniformed officers and City of Lawrence Attorney Jerry Cooley. It was discovered during this meeting that certain items including at least 3 laptops were missing from the property room.

13). October 19, 2006: Officers Bialek and Rantz stopped in the Yellow House store to question Mrs. Neighbors without her attorney present. They brought along a Sony Cyber-shot DSC-p200 7.2 MP digital camera that they claimed was seized during the execution of the warrants but never logged into the evidence room.

14). December 14, 2006: Neighbors files a formal complaint with Internal Affairs Sgt. Dan Ward alleging various acts of police misconduct, theft of his seized property, and mishandling of evidence.

15). July 9, 2007 Guy Neighbors files a complaint against Jerry Cooley via registered mail #RB430852657US alleging a failure to investigate the seized evidence missing from the LKPD property room.

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16). July 8, 2007: Guy Neighbors filed a complaint (Registered mail # 700702200003015186) with Internal Affairs for Obstruction of Justice for failure to properly investigate his December 14, 2006 Police Misconduct complaint.

17). September 13, 2007: Government files its 3rd Indictment against Neighbors: case No. 2:07-cr-20124-CM-JPO-2 Citing Money Laundering, Mail Fraud and Wire Fraud.

18) September 27, 2007: Government places illegal Lis Pendens against Neighbors residential property at 1104 Andover, Lawrence Kansas, and business property at 1904 Massachusetts, Lawrence, Ks. with the Douglas County Register of Deeds. No certificate of service was attached to the lis pendens, no notification was ever served on Neighbors or his counsel as required by State law. Nothing was entered on the Federal Court Docket regarding the Lis Pendens.

19). February 25, 2008: Document 37: Counsel for Carrie Neighbors file a Motion to Release the Lis Pendens which was discovered at the closing of the sale of the residential property, thus blocking the sale. The court ordered the defense to submit a proposed order. See document 40.

20). February 27, 2008: Document 38: The AUSA Marietta Parker quickly file a Superseding Indictment adding count 20s to Guy Neighbors charges and changing the fraudulent Lis Pendens to an "Amended Lis Pendens" forfeiture.(However something procured in fraud cannot be amended). See Document 44: Notice of Lis Pendens filed March 6, 2008.

21). May 01, 2008: AUSA Marietta Parker file "Motion TO REVOKE BOND". Document 65-66. The Motion includes exhibits of Guy Neighbors internet Blog.

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(Exhibit 8g) specifically shows the editing icons which only appear to a logged in user that has made changes to the blog. (See page 4 of 4).

Parker served a subpoena on Neighbors internet provider Sunflower Cable and obtained his user name and passwords for all his internet accounts. Using this information, Marietta Parker edited the blog, then inadvertently printed the pages off prior to logging out. This act constitutes manufacturing and submission of false evidence and violates the Federal Computer Fraud and Abuse act.

22). June 02, 2008: Document 89: Neighbors notified his legal counsel Cheryl Pilate of the issues with the governments Motion re 65. Counsel files Motion to continue and assure Neighbors it will be taken care of.

23). June 02, 2008: Document 90: Magistrate Judge David J. Waxse sets defendant's response to document 65 Motion To Revoke Bond due on 6/23/08. Bond Revoke hearing set for /7/15/2008.

24). June 18, 2008 Document 93: Without probable cause or any new incidents AU5A Marietta Parker files Second Superseding Indictment. Charging the same counts as the first indictment but redacting count 20s, adding "profits" in light of the recent Supreme Court decision in U.S. v. Santos, 533 U.S. 507 (June 2, 08).

25). July 18, 2008: Document 104: Arraignment hearing on the Second Superseding Indictment held before Magistrate Judge James P. O'Hara. Motion to Revoke Bond Re-65 hearing continued to 7/21/08.

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26). July 21, 2008: Document 101: Closed [off the record] In Chambers Conference held before Magistrate Judge James P. O'Hara regarding Motion to Revoke Bond (Document 65) (Neighbors was not allowed to attend the hearing.)

27). July 23, 2008: Document 107: Telephone Conference hearing (counsel only) before Judge James P. O'hara regarding the Motion to Revoke Bond Re-65.

28). July 30, 2008: Document 117: Order by Magistrate Judge O'Hara denying as moot without prejudice Document 65 Motion To Revoke Bond.

29). August 8, 2008: Case no. 2:08-Mj-08077-JPO: Neighbors is falsely arrested in a Federal Arrest Warrant signed by Judge O'hara, obtained by Postal Inspector David Nitz (acting outside of his jurisdiction over the US Mail) at the direction of Marietta parker and held in the Douglas County Jail. Parker files criminal Complaint for "Obstruction of Justice". The case was filed without presentment to a grand jury. (see doc. 24 pg. 120 lines 9-12)

The obstruction case originated when Carrie Neighbors unknowingly purchased a stolen computer from a customer at the Lawrence store. The original owner saw it advertised and called police. Mrs. Neighbors returned the computer to the police and provided them with the sellers form. This incident did not involve Guy Neighbors or the United States Mail.

30). August 12, 2008: Document 128: AUSA Marietta Parker files Motion to Revoke Bond. As to Guy Neighbors ("second motion"), case 2:07-cr-20124-cm

31). August 11, 2008: Neighbors picked up from the county jail and is illegally transported (designated as a federal prisoner in custody 4 days) by the arresting

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officer Postal Inspector David Nitz without benefit legal counsel, to the Department of Justice in Kansas City. August 11, 2008: Document 10: Obstruction Case: Neighbors remanded to Federal Detention Center in Leavenworth Kansas.

32). August 13, 2008: Document 20: Obstruction Case: Warrant for Arrest of Guy Neighbors executed 8/08/08.

33). August 15, 2008: Document 23: Joint motion to dismiss on failure to establish probable cause. No "Official Proceeding" was pending, thus there was an absence of an essential element under 18 USC 1512(c).

34). August 18, 2008: Document 27: Joint motion dismissed with prejudice, governments (8) motions for detention denied. It was established no obstruction of an official proceeding took place. Neighbors was released on the stipulation he sign an agreement not blog or discuss his case on the internet, and he agree to undergo a mental evaluation.

35). August 20, 2008: Case No. 2:08-cr-20105-cm-jpo document 28: AUSA Marietta Parker file 1 count indictment for Obstruction Of Justice Title 18 USC 1512(c) based on the same incident that was dismissed. Absent probable cause.

36). September 22, 2008: Document 31: Arraignment/Discovery hearing on Obstruction indictment case no. 20105-cm-jpo.

37). September 25, 2008: document 34: AUSA Marietta Parker file Motion to REVOKE BOND as to Guy Neighbors.

38). October 29, 2008: Document 147 case No. 20124-cm (Doc. 34 Obstruction case): Magistrate Judge O'hara denies Motion to Revoke Bond re-34.

39). April 27, 2009: Document 165 Case no. 20124: Motion to REVOKE BOND by Marietta Parker as to Guy Neighbors. USA alleges that Neighbors sent an email to the FBI requesting an investigation into the prosecutorial misconduct in the prosecution of his case.

40). April 27, 2009: Doc. 164: Neighbors Legal Counsel has had enough and responds to the motion for revocation with a motion to withdraw as attorney.
May 11, 2009: Doc. 170: Motion to withdraw denied.

41) May 20, 2009: Document 174: Motion before Judge O'hara, for pretrial detention granted (on ground he sent the email) as to guy Neighbors.

42). May 21, 2009: Document 175: Order of Detention as to Guy Neighbors.

43). June 1, 2009: Document 176: Neighbors counsel files motion for order Reinstatement of pretrial release.

August 7, 2009 Document 199: (day of hearing) Counsel files Notice of withdrawal of 176 Motion for Reinstatement of Pretrial Release. Claiming that the motion will piss off the judge and make him rule against Neighbors in the other pending motions.

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44). August 10, 2009: Document 204: (Neighbors has maxed out the time for the contempt of court charge and is about to be released). AUSA Parker files Motion For Order Mental Exam as to Guy Neighbors.

45) August 11, 2009: Document 206: Court grants Motion and Neighbors is sent to a federal Prison in Colorado.

46). December 8, 2009: Document 219: Neighbors is transferred from federal prison to the federal detention center in Leavenworth Kansas, for competency hearing. The exam in Colorado comes back inconclusive. The court finds Neighbors incompetent and orders further evaluation.

47). December 9, 2009: Document 220: Order for Mental Exam. Neighbors is shipped off to federal prison in Butner North Carolina.

48). June 23, 2010: Document 247: Competency hearing. Doctor Lucking in North Carolina prison finds Neighbors incompetent in a bogus report that includes a finding that Neighbors Wife is also incompetent based on monitored phone calls and intercepted letters. The doctor recommends Neighbors be submitted to involuntary medication treatment.

49). July 28, 2010: Document 315: Competency hearing. Defendant remanded to custody without completed Sell hearing. Neighbors returned to detention center in Leavenworth. Then shipped back to Federal Prison in Butner North Carolina.

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50). August 9, 2010: Document 329: Neighbors files interlocutory Notice of Appeal (pro se) to Appeal the forced medication and continued detention based on the fraudulent mental evaluation.

51). August 10, 2010: Document 337: Appeal Docketed in 10CCA: Appeal No. 10-3202

52). August 12, 2010: Document 341: Order by District Judge Carlos Murguia certifying appeal as frivolous.

53). September 22, 2010: Document 382: Order of 10CCA as to Guy Neighbors: Notice of Appeal by Appellant Guy Neighbors...is granted. Neighbors is appointed appellate counsel on September 27, 2010, document 394

54). November 2, 2010: Document 403: Order of 10CCA Appointment of Substitute counsel to assist with appeals granted.

Neighbors is found competent and released from prison.

55). May 19, 2014: document 681: Indictment case no. 20124-cr-cm dismissed with prejudice.

All cases are dismissed

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