

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May 4, 2007, Indictment withdrawn by Government with 2 days left on Speedy trial Act time limitations.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

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.

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

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.

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

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.

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.

(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 AUSA 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.

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

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.

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.

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