

1 CRIMINAL ACTS BY A/G NEWCOMB, IN COLLUSION WITH CLERK FALKENBERG HAVE OCCURRED; AS WELL AS
2 PROVEN FRAUDULENT CERTIFICATION OF THE RECORD. [SEE CORRESPONDENCE PAGE WRITTEN BY COUNSEL
3 BACON #]. THESE CRIMINAL ALTERINGS OCCURRED ON 3 SEPARATE OCCASIONS AT EX PARTE
4 HEARINGS [SEE EXHIBITS PACKAGE #] AND OCCURRED 7 YEARS AND 11 YEARS AFTER CONVICTION
5 WHICH BRINGS A QUESTION OF WHY? ONLY ANSWER IS [WRONG DOING BY A/G NEWCOMB].
6 2) PLAINTIFF SUBMITTED A DEMAND IN SETTLEMENT AGREEMENT FOR RESPONSE, ON 4 SEPARATE OCCASIONS
7 TO EITHER DENY OR ADMIT CRIMINAL ALTERING. A/G WAS SERVED THROUGH CERTIFIED MAIL, RECEIPT PROVES -
8 THE FEE SERVICE [SEE EXHIBITS PACKAGE #] SERVICE WAS PURSUANT TO CRIMINAL CODES
9 TITLE 18 USC § 04 AND PURSUANT TO 42 USC § 1997, RIGHTS OF INSTITUTIONALIZED PERSONS, ALL 4
10 SERVICES WERE IGNORED, NO RESPONSE DESPITE RESPONSE BEING [MANDATORY]. PURSUANT TO LAW
11 REFUSAL TO RESPOND IS ADMITTANCE TO ALL CLAIMS BY PLAINTIFF.
12 3) DESPITE ALL OF PLAINTIFF'S VERIFIED DOCUMENTS IN PROOF OF CRIMINAL ACTS, AND A/G NEWCOMB AS
13 WELL AS CLERK FALKENBERG AND A/G BACON AS ADMITTANCE OF CLAIMS BEING TRUE AND CORRECT, BOTH
14 COUNSEL BACON AND ABBINGTON REFUSED TO INCLUDE THESE ISSUES HAVING CLEARLY, WITH BACON
15 CALLING VERIFIED EXHIBITS, "HARMLESS ERROR", AND ABBINGTON CALLING THIS ALL "BULL-SHIT" HIS WORDS
16 NOT MINE. THESE ARE (NOT) THE ACTIONS NOR RESPONSES OF COMPETENT COUNSEL ACTING IN MY
17 BEST INTEREST, CREATING A GROUVEOUS CONFLICT OF INTEREST. [SEE EXHIBITS PACKAGES #
18] ALL SAID ACTS/REFUSALS, OMISSIONS-COMMISSIONS BY COUNSEL MAKE CLEAR, A
19 RECKLESS DISREGARD FOR PLAINTIFF'S BEST INTERESTS, AND (MUST) BE CONSIDERED AS KNOWN CRIMINAL
20 NEGLIGENCE, TO PROLONG AND MAINTAIN CONVICTION TO ENHANCE TIME PERIOD OF APPEAL FOR CAPITAL
21 GAINS. PLAINTIFF ENJOYS BY LAW, AUTHORITY TO DEMAND COUNSEL TO SUBMIT SUCH BENEFICIAL -
22 VITAL CLAIMS TO THE COURT, AS [DUTY] TO CLIENT DEMANDS.

23 -XUV-

24 - DUTY OWED TO CLIENT -

25 1). WHEN REPRESENTING A HABEAS PETITIONER, AN ATTORNEY IS "PETITIONER'S" AGENT NOT
26 THE OTHER WAY AROUND. [SEE MAPLES-V- THOMAS, 132 S. CT. 912, 922 (2010). AN AGENT
27 IS INHERENTLY SOMEONE WHO IS AUTHORIZED TO ACT TO THE PLACE OF ANOTHER. [SEE KAY-V-
28 EHLER, 499 U.S. 432, 436 NB (1991). THUS, [A] GENCY IS THE FIDUCIARY RELATIONSHIP, THAT

1 ARISES WHEN ONE PERSON (A PRINCIPAL) MANIFEST ASSENT TO ANOTHER PERSON (AN AGENT) THAT,
2 [SHALL] "ACT ON THE PRINCIPAL'S BEHALF AND SUBJECT TO THE [PRINCIPAL'S CONTROL]", AND, THE AGENT
3 MANIFESTS ASSENT OR OTHERWISE CONSENTS TO ACT, RESIGNMENT (THIRD) OF AGENCY, SEC 1801 (2006)
4 (STYLE ATTENDED (FOLLOWS AGENT))

5 2). AN AGENT, [HAS A DUTY] TO TAKE ACTION ONLY WITHIN THE SCOPE OF THE AGENT'S ACTUAL AUTHORITY.
6 IN THIS INSTANT PLAINTIFFS REQUESTS/DEMANDS TO SUBMIT THE AFORE MENTIONED MATTERS/VITAL
7 ISSUES WERE WELL WITHIN SCOPE OF COUNSEL'S DUTIES, AND "TO COMPLY" WITH ALL LAWFUL INSTR-
8 UCTIONS RECEIVED FROM THE PRINCIPAL, I.E. SEC. 8109 (STYLE ATTENDED), ALL PLAINTIFFS REQUESTS -
9 DEMANDS WERE AND DEMAND, WELL WITHIN THE LAW.

10 3). IN FAILING/REFUSING TO ADHERE TO THEIR PRINCIPAL'S LAWFUL WISHES, PLAINTIFFS COUNSEL
11 COUNSEL, ADDINGTON/BACON, HAVE BLATANTLY VIOLATED THESE ELEMENTARY PRINCIPLES OF AGENCY,
12 ESPECIALLY COUNSEL BACON, WHO HAS RUN AMOK FOR NEARLY 2 DECADES WITH THE ONLY MOTIONS
13 GRANTED TO HIM HAVE BEEN EXTENSIONS OF TIME, WHICH ARE UNAPPROSED.

14 4). THE A.P.A. MODEL RULE OF PROFESSIONAL CONDUCT 1.2 (a) (2016) "PROVIDES THAT A LAWYER
15 [SHALL] ABIDE BY A CLIENT'S DECISIONS) CONCERNING THE OBJECTIONS OF THE REPRESENTATION," CALLING
16 KNOWN CRIMINAL ACTS BY A/G NEWCOMB, CLERK FALKENBERG, AND JUDGE OBERHOLZER, "HARMLESSNESS"
17 AND "B-I-L-S-T" AND REFUSING TO BRING SUCH CLAIMS-ISSUES TO THE COURT'S ATTENTION, COUNSEL'S
18 CONDUCT BREACHES THE THRESHOLD OF ALL OBJECTIONS OF REPRESENTATION, AS WELL AS BLATANT VIOLATIONS OF
19 CONTRACTUAL AGREEMENT FOR REASONABLE COMPETENT REPRESENTATION, WHEREFORE, ADDITIONALLY TO AND
20 CULMINATING TO, CLERK CRIMINAL NEGLIGENCE, MALPRACTICE, MISFEASANCE, OBSTRUCTION OF JUSTICE, AND
21 ADMINISTRATION OF LAW, BY DEFECTS AIDING AND ABETTING IN CONCERT WITH PROSECUTION, TO MAINTAIN A
22 CONVICTION, WHICH AS A CLEAR MATTER OF LAW, RENDERED ITSELF "NULL AND VOID" IN SEVERAL ASPECTS
23 OF ESTABLISHED LAW, QUOTE THE CLEAR USE OF FRAUD BY THE PROSECUTION - A/E'S OFFICE, WHICH SUCH
24 NUMEROUS CRIMINAL ACTS, ESPECIALLY FRAUD UPON THE COURT, FOR FLAITS ALL JURISDICTION BY IMPROPER ASSUMPTION
25 OF SUBJECT MATTER AND JURISDICTION OF PERSON. COUNSELOR BACON IS WELL AWARE OF ALL AFORE MENTIONED
26 BAD ACTS BY A/G NEWCOMB, CLERK FALKENBERG AND JUDGE OBERHOLZER, BUT DOES NOTHING BUT SUBMIT THE
27 NUMEROUS KNOWN PUNITORY FILINGS FOR CAPITAL GAINS, PAY CHECKS. ALL THE WHILE PLAINTIFF LINGERS IN
28 PRISON FOR CRIMES HE GUARANTY HAVE COMMITTED, [SEE EXHIBIT H].

Further Duty of Counsel

1) PLAINTIFF MADE PERFECTLY CLEAR TO BOTH COUNSEL MEMBERS, WHAT ISSUES/CLAIMS HE WANTED AND DID NOT WANT SUBMITTED, AS WELL AS WHAT PRIOR BARRIS ISSUES - CLAIMS, FRAUDULENT, FALSE AND COERCED DOCUMENTS TO BE REMOVED FROM HIS HABEAS CORPUS FILINGS. BOTH COUNSEL MEMBERS, ESPECIALLY BROWN REFUSED TO ENTERTAIN PLAINTIFF'S REQUESTS. ALL REQUESTS WERE MADE ON NUMEROUS OCCASIONS, VERBALLY AND THROUGH VISITS, ALL WERE IGNORED. "[CLEARLY] THE Appeal Belongs To COUNSEL", AND PLAINTIFF IS MERELY A NAME AND LAST NUMBER ON A PAY CHECK STUB.

2) ALL SAID ACTS BREACH CLEAR THRESHOLD OF MALFEASANCE BY ITS DEFINITION. AND, SUCH VERBAL COMMENTS BY COUNSEL CLARIFY OMISSIONS - INSTRUCTIONS WERE BY DESIGN AND AGREED UPON AS MENTION OF MINDS TO DEPRIVE PLAINTIFF OF THE PROCESS OF LAW - DUE ADMINISTRATION OF LAW, EQUAL PROTECTION OF LAW, MEANINGFUL ACCESS TO THE COURTS WHICH ACTING IN CONCERT FOR CAPITAL GUNS. SAID ACTS CLEARLY CONSTITUTE BREACH OF LEGAL MALPRACTICE, CONSISTING OF FAILURE/REFUSAL OF COUNSEL TO USE SUCH SKILL, PRUDENCE AND DILIGENCE AS LAWYERS OF ORDINARY SKILL AND CAPACITY COMMONLY POSSESS AND EXERCISE IN PERFORMANCE OF TASKS WHICH THEY UNDERTAKE, AND "WHEN SUCH FAILURE - REFUSALS CAUSE DAMAGE/HARM TO CLIENT, IT GIVES TO ACTION IN TORT";

A) CALIFORNIA CRIMINAL PROCEDURE AND PRACTICE; SECTION 44.24, "NOTWITHSTANDING, APPELLANT COUNSEL HAS THE FUNDAMENTAL DUTY TO [RAISE EVERY ISSUE] THAT HAS ANY LIKELYHOOD OF SUCCESS, EITHER IN COURT OF APPEALS OR HIGHER COURT AND THAT WOULD BENEFIT THE CLIENT, AND COURTS DEEM THIS DUTY AS A MATTER OF A PETITIONER'S CONSTITUTIONAL RIGHTS." [SEE JONES - V BARRAS, SUPRA, EN RE: SPENS (1984) 157 CA3D 1205, 1210, 204 CA 339]. "PETITIONER/DEFENDANT HAS CONSTITUTIONAL RIGHT TO HAVE APPELLANT COUNSEL RAISE [ALL] CRUCIAL ARGUMENTS OF FACTS WHICH MIGHT ARGUABLY RESULT IN REVERSAL";

A/G NEWCOMB OBTAINED FINAL JUDGMENT AGAINST PLAINTIFF BY AND THROUGH THE USE OF FRAUDULENT INSTITUTIONS, FRAUDULENT IMPROVED RECORD, AND CRIMINALLY ALTERED RECORD PAGES

B) PLAINTIFF CONTENDS FURTHER. PRESIDENT TO [PEOPLE - V - FLEPP (1995) 18 CA7D, 470, 76 CA 24 182]

1 "Appellate Counsel [Duties] include, raising unmeritorious issues that are nonetheless arguable,"
2 "Regardless of this, the constitutional minimum is defined the diligent appellate practitioner will
3 (not) let the client lose any opportunity to obtain a reversal or a favorable modification of the
4 judgment. Therefore, Counsel's statements of, "Harmless Error", and "B-I-S--T", showing of
5 no consequence, and Plaintiff's requests/denials were by law favorable for submission. This
6 denials - refusals to do so must and should be deemed as negligence and by Counsel's use of
7 colorful language, "B-I-S--T", denotes intent of criminal negligence.

8 C) Counsel's continued negligence has created a grave and irreparable conflict of interest.
9 Counsel Borch's constant lying - false statements - information, and his never-ending of, "Who's
10 going to pay me for this", and "Where's the money coming from to pay me for that", as well as, "I
11 won't get paid for that, it's not my job", clarifies his sole and only purpose, do what he's told
12 and not on his own, professional interest, and client is secondary if at all in any way
13 with exception of pay check. Plaintiff is not against payment in any way for actual services
14 rendered, but, Plaintiff complains in this instant of financial interest controlling and impacting
15 and so limiting services to the level of clear deficient representation, which has and continues
16 to cause harm/damage to my person, and adds light to a conflict of interest.

17 D) The Code of Professional Responsibility and Model Rules of Professional Conduct, set
18 forth standards for actual or potential conflict of interest between attorneys and client. A conflict
19 of interest arises when a government employee's personal or financial interest conflicts or
20 appears to conflict with his official responsibilities [18 USC A, Section 203 (c)(5)] (See Exhibits
21 #1's)

22 E) The same construct applies to statements made by and especially Counsel Borch, and not
23 repeated by Counsel Abington. Statements of not wanting to anger - tick off judges by what
24 issues Counsel submit, or we can't do that, the supervisor of defendant's office won't allow that, is
25 by law to represent client not the court nor office of employment. [MARTINEZ-V-RYAN]
26 Representation by competent counsel is supposed to create a trust and tendered relationship bet-
27 ween counsel and client. In this instant, the exact opposite has well been established, and with
28 Counsel Borch's inability to be truthful and evade questions presented to him, only exacerbates the problem.

1 IN 20 YEARS, PLAINTIFF HAS YET TO CONVINCE COUNSEL BROWN THAT PLAINTIFF HAS THE ABILITY TO
2 READ AND WRITE IN A COHERENT MANNER.

3 XVII

4 - ADDITIONAL DUTIES OWED TO PLAINTIFF -

5 1) PLAINTIFF STRONGLY CONTENDS, REPRESENTATION - COUNSEL [MUST] ADVANCE CASE AND GUSH
6 USING [CLIENT'S] GOALS AS OBJECTIVES:

7 A) RESTATMENT (THIRD) OF LAW GOVERNING LAWYERS (2000) SUPPORTS THIS CONCLUSION. SECTION
8 1.6 STATES; "TO THE EXTENT CONSISTANT WITH THE LAWYER'S OTHER LEGAL DUTIES AND SUBJECT TO THE
9 OTHER PROVISIONS OF THIS RESTATMENT, A LAWYER [MUST], IN CONNECTION WITH THE SCOPE OF THE
10 REPRESENTATION 1) PROCEED IN A MANNER REASONABLY CALCULATED TO ADVANCE [A CLIENT'S] LAWFUL
11 OBJECTIVES, AS DEFINED BY [THE CLIENT], AFTER CONSULTATION."

12 "THERE IS NO COMMUNICATION OF ANY KIND FOR 3 1/2 YEARS AND COUNTING"
13 "THE CLIENT NOT THE LAWYER DETERMINES THE GOALS TO BE PURSUED," SUBJECT TO THE LAWYER'S DUTY TO
14 DO, OR ASSIST AN UNLAWFUL ACT."

15 B). WHEREFORE, THE ATTORNEY [MUST CONSULT] WITH THE CLIENT TO LEARN THE [CLIENT'S DECISION] AND
16 [MUST] CONSULT WITH THE CLIENT'S INSTRUCTIONS (CITATION OMITTED). ORDINARILY THE LAWYER MAY ACT BEYOND
17 THE SCOPE OF CONTINGUATED REPRESENTATION WITHOUT ADDITIONAL AUTHORIZATION FROM THE CLIENT I.D. (CIT
18 OMITTED). THE RESTATMENT ADDRESSES TO THE VIEW THAT, [THE CLIENT DEFINES THE GOALS] OF THE
19 REPRESENTATION AND THE LAWYER IMPLEMENTS THEM. IN THIS INSTANT, IT'S BEEN THE OPPOSITE, COUNSEL
20 ALL HAVE FAILED AND REFUSED ANY TYPE CONSULTATION, HAVE NOT DISCUSSED AND SHOWN PLAINTIFF A
21 SINGLE MOTION [BEFORE] ITS SUBMISSION, AND HAVE NOT SHOWN FOR MANY YEARS THE COURT'S
22 DECISIONS, UNTIL MANY MONTHS AFTER DISMISSALS, AND ONLY WHEN APPELLATE PERSISTED IN RECEIVING
23 AN ANSWER. EVEN THEN, PLAINTIFF ONLY RECEIVED, "IT WAS DISMISSED - DENIED," NO REASONS FOR THE
24 DENIALS.

25 C). A LAWYER SHOULD NOT NECESSARILY ASSUME THAT A CLIENT WISHES TO PLESS ALL THE CLIENTS
26 RIGHTS TO THE LIMIT, REGARDLESS OF COST TO IMPACT ON OTHERS. E.D. SEC. 20, CONT. C, GIVEN THE
27 NATURE OF THE RELATIONSHIP, [A] CLIENT MAY INSTRUCT A LAWYER DURING THIS REPRESENTATION
28 SUBJECT TO THE REQUIREMENTS STATED IN [SUB SEC. 22-23, ATTORNEY] ALTHOUGH AN ATTORNEY BEGINS

1 WITH BROAD AUTHORITY TO MAKE CHOICES (ADVANCING THE CLIENT'S INTEREST), THE [CLIENT] MAY LIMIT
2 THE LAWYER'S AUTHORITY BY CONTRARY OR INSTRUCTION (E.O. OMITTED).

3 D) ALTHOUGH THE LAWYER MIGHT NOT CARRY OUT AN INSTRUCTION THAT A LAWYER REASONABLY BELIEVES
4 TO BE UNETHICAL OR OBJECTIONABLE (E.O.), [A LAWYER HAS NO RIGHT] TO REMAIN IN A REPRESENTATION
5 AND INSIST [CONTRARY] TO A [CLIENT'S INSTRUCTIONS] THAT THE CLIENT COMPLY WITH THE LAWYER'S
6 VIEWS ON THE CLIENT'S INTENDED AND LAWFUL COURSE OF ACTION, (E.O. SEC. 23 OMITTED).

7 E) PLAINTIFF AT VISITS AND IN CORRESPONDENCE, HAS VOICED HIS REQUESTS/DEMANDS AS WELL AS
8 COMPLAINTS, AND MADE PERFECTLY CLEAR, A SHOWING OF CRIMINALLY ALTERED RECORDS, AS WELL AS A
9 FRAUDULENT CERTIFICATION OF THE RECORD IN ALL ASPECTS, AND HAS REQUESTED THE REGIONAL AND
10 STOPPING OF SUBMITTING FALSE - FRAUDULENT AND COERCED INFORMATION TO THE COURTS, AS WELL AS
11 CANCEL/DISMISS SUBMISSIONS BEFORE ENTRY TO THE COURTS. I DISMISSED THE SUBMISSIONS
12 FRAUDULENT CERTIFICATION OF TRIAL RECORD, CRIMINALLY ALTERED RECORD BY THE ATTORNEY, AND FIRST JUDGMENT
13 AGAINST PLAINTIFF BY AND THROUGH THE USE OF FRAUDULENT/ALTERED RECORD TO DECEIVE THE COURT, FROM
14 OPEN THE COURT. "ON WITHDRAWAL FROM CLIENT'S APPEAL, DUE TO INCOMPETENCE - CRIMINAL NEGLIGENCE
15 AND BLATANTLY NOT ACTING IN MY BEST INTEREST". NO CONTACT NOR COMMUNICATIONS, NO VISITS FROM
16 THAT POINT ON, 3 1/2 YEARS AGO.

17 - XVIII -

18 - COMPLAINT ISSUES/CLAIMS OF BAD - UNLAWFUL ACTS BY COUNSEL -

19 1) AS CLAIMED ABOVE, COUNSEL'S OBVIOUSLY NOT ACTING LAWFULLY NOR IN THE BEST INTEREST OF
20 PLAINTIFF, AND MOREOVER IN UNETHICAL, CRIMINALLY NEGLIGENT ADVERSE AND MISUSE OF, MY CHECK
21 ONLY INTEREST, AND IN SUPPORT OF EMPLOYERS, FEDERAL DEFENDERS' OFFICE LIMITED DEFENSE POLICY WHICH
22 SEVERELY LIMITS CLAIMS - ISSUES TO BE PRESENTED TO THE COURT (SEE EXHIBITS #9)

23 2) PURSUING A CLIENT'S BEST INTEREST MOST NECESSARILY OCCUR WITHIN THE SCOPE OF THE
24 REPRESENTATION OF MAKING HIS OWN DECISIONS ABOUT HIS LEGAL AFFAIRS, ACTING AGAINST A
25 CLIENT'S EXPRESSED DECISIONS IS, FUNDAMENTALLY AT ODDS WITH ATTORNEY - CLIENT VIEW. EVEN
26 A INCOMPETENT HABEAS PETITIONER WOULD HAVE SOME ONE DECIDE THE SCOPE OF THE REPRESENTATION.
27 BECAUSE THE INCOMPETENT PETITIONER WOULD EITHER HAVE REPRESENTATION TO MAINTAIN THE ACTION
28 OR WOULD PROCEED THROUGH A NEXT FRIEND OR GUARDIAN APPOINTED BY THE COURT (SEE FRE 17).

3). DISPUTE NONE OF THE ABOVE BEING NECESSARY, NOR APPLICABLE, EVEN THOUGH C.I.P.'S

SUPERVISOR CLAIMING 86-87% OF ALL CAPITAL CASE PRISONERS HAVING BRAIN DANGERS, AND HAVING (NO PROOF) OF HIS CLAIMS, AND MOST IF NOT ALL ATTORNEYS CLAIMING A SYMPTOM OF FRONTAL LOBE DAMAGE, AGAIN WITHOUT TESTING NOR A SHOWING OF PROOF. CLAIMS OF FRONTAL LOBE DAMAGE MADE BY PLAINTIFF'S MOTHER WORKING IN ELECTRICAL PLATING SHOP WHILE PREGNANT (MOTHER WORKED IN ENTIRELY DIFFERENT PLATE DISFACTORY WHERE MURDERERS WERE PRODUCED), AND, FRONTAL LOBE DAMAGE OF ANOTHER MOM WORKING AS HOUSE CLEANER WHILE USING COMMON CLEANING AGENTS TO SCRUB FLOORS ON HER HANDS AND KNEES, AS WELL AS MANY OTHER PRISONERS FOR RIDICULOUS REASONS, ALL NONSENSICAL CLAIMS WERE USED BY ATTORNEYS TO COAST ON LAZINESS, INCOMPETENCE, AS WELL AS OPEN LIES AGAINST THEIR CLIENTS, CAPITAL CASE PRISONERS.

4). PLAINTIFF WAS CAREER MILITARY, ADVANCING IN RANK TO SENIOR NONCOMMISSIONED OFFICER, 3 HONORABLE ENLISTMENTS, AND COMMANDING UP TO 20-30-35 SUBORDINATES. DURING A TOUR AS SENIOR ADVISOR TO SOUTH VIETNAMESE MILITARY PERSONNEL, IN VIETNAM (INDOCHINA), PLAINTIFF WAS AWARDED SMALL CRAFT INSIGNIA (COMMONLY CALLED ENLISTED COMMANDANT STAR AWARD/PATROL OFFICER). THIS AWARD ENTITLED PLAINTIFF TO ACT AS SQUADRON COMMANDER OF UP TO 6-8 HEAVY ARMED PATROL CRAFT, WITH ALL VIETNAMESE CREW MEMBERS (PLAINTIFF SPEAKS VIETNAMESE, MILITARY LANGUAGE SCHOOL) IF, IN FACT PLAINTIFF WAS BRAIN DAMAGED/FRONTAL LOBE DAMAGE, IT WOULD BE HIGHLY DOUBTFUL PLAINTIFF COULD FUNCTION IN ANY SUCH POSITION OR AT ALL. ONE CLIENT SAID TO HAVE THE EXACT FRONTAL LOBE DAMAGE SUFFERED HIS COUNTRY HONORABLY FOR 7 YEARS, AS VITAL CREW MEMBER WHILE ABOARD STRATEGIC B-52 BOMBERS CARRYING NUCLEAR WEAPONS. SO, CLAIMS OF FRONTAL LOBE DAMAGE FOR LACK OF BETTER WORDS IS, HORSE MANURE.

5). ITS CLEAR, COUNSEL IS CLEARLY BY DE FACTO REPRESENTING PLAINTIFF IN AN UNAUTHORIZED AND UNLAWFUL MANNER, TO OBFUSCATE THE COURT, AS WELL AS USE LIES AND SUBTERFUGE TO DISFRANCHISE PLAINTIFF FROM HIS OWN APPEAL AS PAY CHECK ADVISORIES. AND, IN THIS PROCESS VIOLATES PLAINTIFF'S STATE CREATED AND US CONSTITUTIONAL RIGHTS, ABA MODEL RULES OF PROFESSIONAL CONDUCT, 1.26 (2016) CAL. BUSINESS AND PROFESSIONAL CODE § 6068. BY THE MERE FACT OF THIS MARRSOM COMPLAINT TO THIS HONORABLE COURT SHOULD BE PROOF ENOUGH THERE IS NO BRAIN DAMAGE OF ANY KIND, AND COUNSEL IS AND OR MAY BE USING THIS OBFUSCATED NONSENSE FOR OTHER THAN LEGITIMATE PURPOSES, WITH INTENT TO DEPRIVE PLAINTIFF OF MINIMIZED ACCESS TO THE COURTS FOR APPEAL PROCESS.

-XVIX-

- COMPLAINTS FILED TO A/G OFFICE AND COURT

AS WELL AS BOTH COUNCIL MEMBERS -

1) PLAINTIFF HAS MANY COUNSEL ADVISORS OF PLAINTIFF SUBMISSION TO THE COURTS, A MOTION OF CONSTITUTIONAL SETTLEMENT AGREEMENT OF THE FACTS PRESENT TO TITLE 18 USC CRIMINAL CODES § 4, AND PRESENT TO 42 USC § 1997, RIGHTS OF INSTITUTIONALIZED PERSONS ON (4) SEPARATE OCCASIONS BY CERTIFIED MAIL, TO A/L BACONA, NAWKOMA, AND CLARK FALKENBERG. ALL DEMANDING OF RESPONSE, REQUIRED BY LAW AND DEMAND INVESTIGATION PRESENT TO 42 USC § 1997, TITLE 18 USC § 4 (SEE EXHIBITS).

2) BOTH A/L BACONA, A/L NAWKOMA AND CLARK FALKENBERG HAVE FAILED AND REFUSED A RESPONSE, AND HAVE ANY INVESTIGATIONS TAKEN PLACE, BY LAW SIGNED / AGREES TO RESPOND, ANY OR COURT, CONSTITUTES ADMISSION OF ALL CLAIMS AS TRUE AND CORRECT. DESPITE THESE FACTS, OF ALL ALLEGATIONS BEING ADMITTED, BOTH ABBINGTON AND BACON HAVE REFUSED TO PICK UP THE MAIL AND PURSUE THESE PROVEN FACTS TO THE COURT ON BEHALF OF PLAINTIFF. ONE CALLING SUCH SERIOUS ISSUES, "HUMANISS EROGO", THE OTHER, "B - - - S - - - T", THEIR WORDS NOT MIND.

3) SUCH CRIMINAL ACTS BY A/L NAWKOMA IN COLLUSION WITH CLARK FALKENBERG, WITH AGREEMENT OF COLLEGE, IN ALLOWING SUCH BAD ACTS TO OCCUR ON 3 SEPARATE EXPEDITE HEARINGS, DID FOR A FACT ACCOMPLISH THEIR INTENT. PLAINTIFF'S ISSUES OF APPEAL WERE UNLAWFULLY BY FRAUD DENIED / TAKEN AWAY, AND FINAL JUDGMENT WAS ACHIEVED BY CRIMINAL ACTS AND FRAUD, WHICH FRAUD VIOLATES JUDGMENT AND FORFEITS JURISDICTION OF SUBJECT MATTER AND OF PERSON, RECORDS IMPROVED. ALL UNLAWFUL ACTS WITHIN REACH KNOWN TO BOTH COUNCIL PRESENT TO TITLE 18 USC § 4, AND PRESENT TO § 4, COUNCIL / INDIVIDUAL IS OBLIGATED TO IMMEDIATELY NOTIFY THE COURT ON OTHER LEGAL ENTITIES. WITH THAT, BOTH COUNCIL MEMBERS ARE GUILTY OF MISFEASANCE FELONY PRESENT TO § 4, AND MUST DO SO NOW AND CONTINUE TO AID AND ABET, PRESENT TO § 03 OF TITLE 18 USC.

4) BOTH COUNCIL AGREE WITH AND SUPPORT A SIM CHAM BEE SYSTEM, AND AGREE WITH HUMANITY WITH A SYSTEM OF MINDFULNESS TO SUPPORT, SUPPORT INDIVIDUALITY STRATEGY - SENSITIVE FOR PROPER / MONETARY GAINS, AND ARE NOTHING MORE THAN PAY CHECK ADVOCATES OF THE WORST KIND.

- CONCLUSIONS -

PLAINTIFF, HAVING SIGNED GOV (MUSE, BY AFFIDAVIT, VERIFIED STATEMENTS, VERIFIED DOCUMENTS / EXHIBITS

1) EVIDENCE (ATTACHED) FURTHER STATES AND CLARIFIES FOR THE RECORD:

1) EVEN MORE DISCOURAGING THAN ALL STATED (CRIMINAL ACTS HADIN, IS THE FACT THAT, THE CALIFORNIA SUPREME COURT AGREED WITH AND SUPPORTED B, ALLOWING ON 3 SEPARATE OCCASIONS, AT EXPENSIVE HEARINGS, A/H. NICKERSON TO CRIMINALLY ALTER NUMEROUS DOCUMENTS, AND THE USE OF OBVIOUS FRAUDULENT CERTIFICATIONS AND USA FRAUD UPON DEFENSE/ APPELLANT B, OBTAINING FINAL JUDGMENT B, USE OF KNOWN FRAUDULENT INSTRUMENTS - THIS RECORD. THIS IS MOST DISCOURAGING DUE TO THE CAL. SUP. CT. OBVIOUSLY IN FULL KNOWLEDGE SUCH ACTS ARE/ WERE DIMENSIONABLY UNLAWFUL (AND IN) COMPLETE CONTRADICTION TO STATE AND US CONSTITUTIONS B, OATH OF OFFICE, SWORN TO UPHOLD AND PROTECT. ALL SUCH ACTIONS KNOWN TO THEM AND, ARGUABLY TO BARELY WITH THE U.S. CONSTITUTION, AND B, LEADS TO BE CONSIDERED AS FORESWORN AGAINST THE SOVEREIGNTY OF THE UNITED STATE OF AMERICA (SEE EXHIBITS PACKING).

2). ALL VIOLATIONS OF ABA RULES OF PROFESSIONAL CONDUCT AND CALIF. PROFESSIONAL BUSINESS CODES & LAWS HAVE AND CONTINUE TO EXIST, AS SHOWN AND CLARIFIED BY SECTIONS (31) OF THIS MANDAMUS COMPLAINT FOR DAMAGES/ PUNISHMENT TO BE DETERMINED BY THIS HONORABLE COURT, AN APPELLANT - NO - CONDUCTORS, OF ABA/ JUDICIAL - ABA/NO - WILLIAMS. PLAINTIFF DEMANDS COORDINATION

- XX -

1) PLAINTIFF REQUESTS PERSONAL APPEARANCE AT HEARING, SUCH APPEARANCE WILL ALLOW ISSUES/ CLAIMS TO BE PROPERLY DISCUSSED IN TERMINATION OF COUNSEL, OR POSSIBLE WAIVER/ DISCONTINUATION OF PLAINTIFFS APPEAR IF SUCH DRASTIC MEASURES NEED TO BE TAKEN, ["NO APPEAR, NO NEED FOR WORTHLESS - SENSELESS - INCOMPETENT REPRESENTATION BY PAY CHECK MOUNTAINERS"]

- RELIEF SECTION - RELIEF REQUESTED -

1) Grant Hearing present to mandamus complaint which is mandatory, and physical appearance of plaintiff at such hearing to present issues, OR DISCUSS CIVILIZED AND POSSIBLE WITHDRAWAL OF APPEAL IN ORDER TO TERMINATE COUNSEL.

2) Grant Termination, with damages mandatory and so suspension to practice, determined by this Honorable Court, all monetary damages to be donated to children's welfare organizations.

3). For this Honorable Court to Grant any and all further relief deemed necessary, proper and in the interest of fair play and justice, and defendants to pay any and all court costs required by this Honorable Court.

- VERIFICATION -

I, Paul C. Bolin, declare under penalty of perjury that, all the above to be true and correct to the best of my knowledge, and all exhibits and attached documents to be true and correct copies, pursuant to 28 USC 1746.

ON THIS DAY OF 1/3 2024 AT
SAN JOSE STATE PRISON, SAN
JOSE, CA. 94974

Respectfully Submitted

Paul C. Bolin

PAUL C. BOLIN

PLAINTIFF PRO. SR.

**Additional material
from this filing is
available in the
Clerk's Office.**