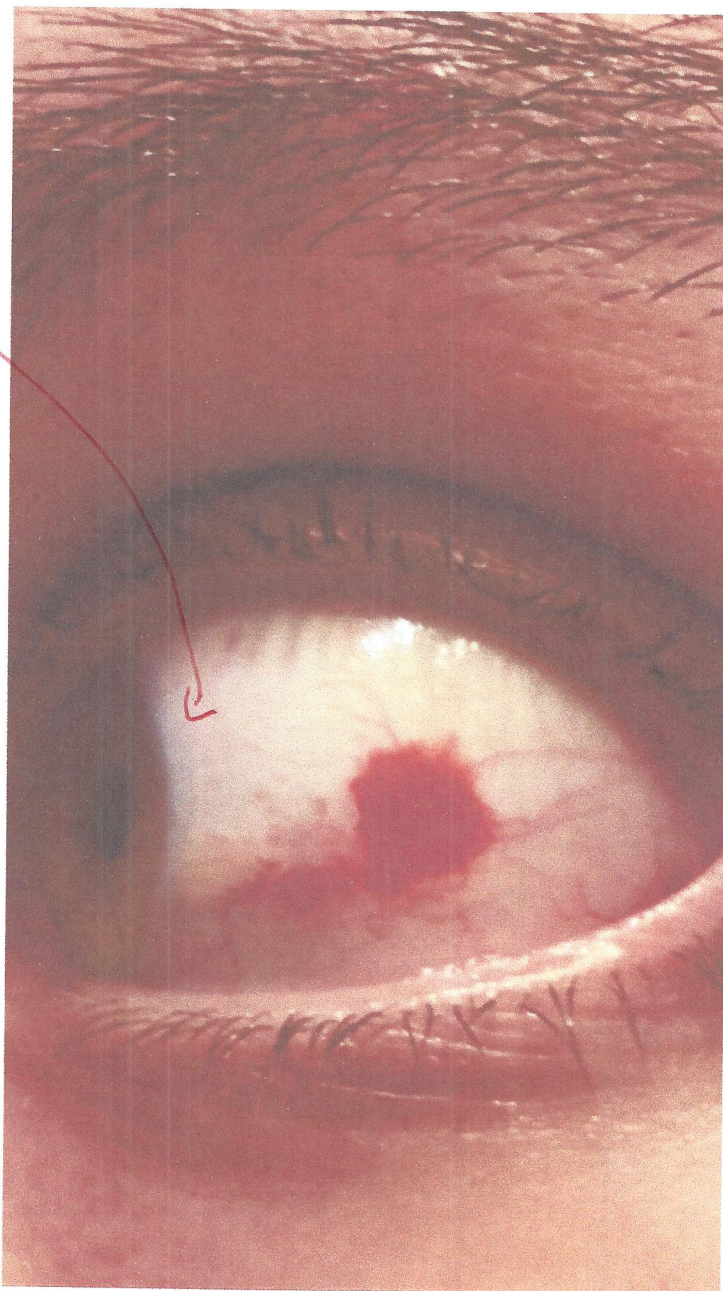


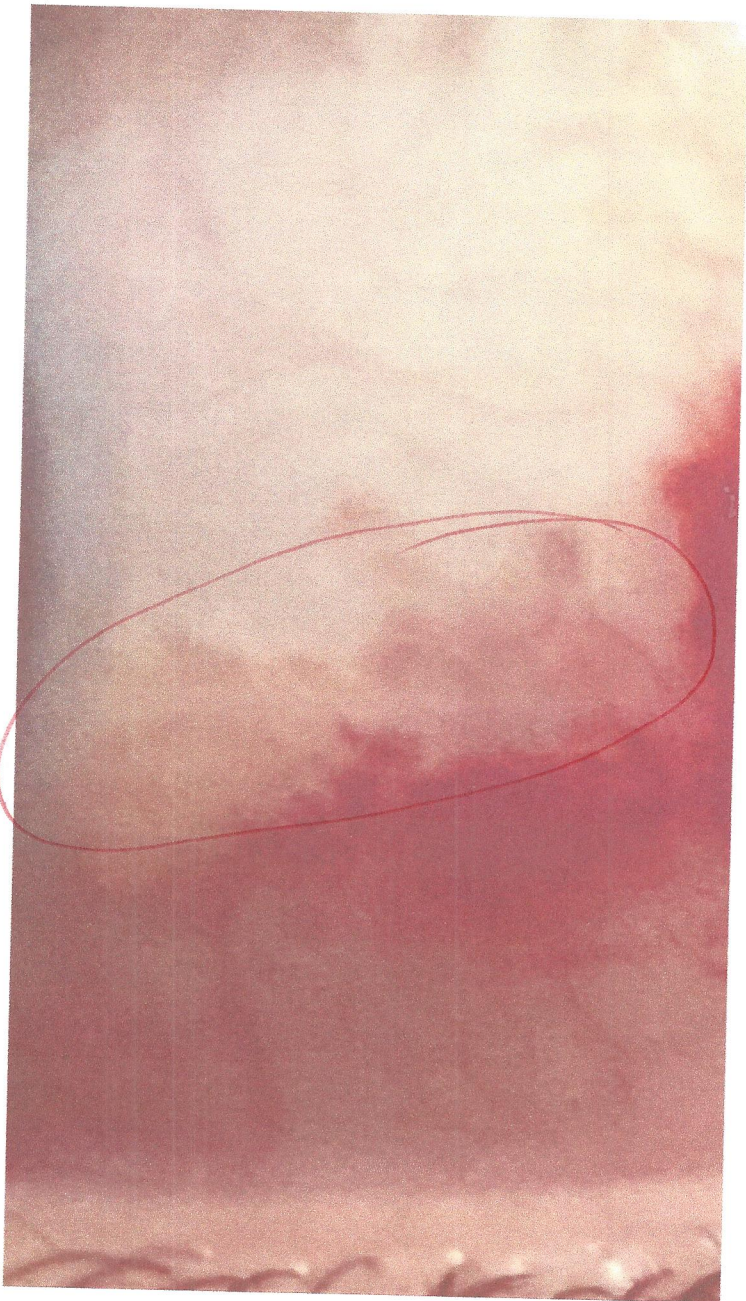
Exhibit A





Blue 15 contact
lens





Rash on
eye ball
→

← Blood
vess broke

Exhibit C

Stockley Center museum looks at history of lobotomies, other treatments

Meredith Newman Delaware News Journal
USA TODAY NETWORK

The doctors at the Delaware Hospital for the Mentally Retarded had exhausted all their options. They tried medicating the 14 patients. They tried every treatment they knew of. The patients still had "uncontrollable" behaviors.

So, in 1964 the state mental institution in Georgetown, now called Stockley Center, wrote to the notorious Dr. Walter Freeman in California for help. They wanted to learn how to do lobotomies.

Freeman, who would perform 7,000 lobotomies in the U.S. in a 40-year period, traveled to Georgetown where, in a six-minute procedure, he inserted an ice pick-like instrument into a patient's brain through his or her eye sockets — without anesthesia.

A handful of doctors and nurses were tasked with holding the patients down. The goal was to cure mental illness.

While the lobotomies in 1964 represent one day of the institution's almost 100-year-old history, the procedure was one of the many practices performed at the institution that are now considered to be cruel and ineffective. And they are all documented in the mental institution's museum.

The Stockley Center museum is preserving the state institution's complicated past, with the hopes of history never repeating itself.

Run by volunteer Linda Fleetwood, whose stepson is a resident of Stockley, the curated items show the evolution of treatment for people with disabilities — and how some of these methods occurred only decades ago.

"It is part of the history," said Adele Wemlinger, the former executive director of Stockley. "And it shows how far we've come. I think time has taught us all a lot over the years. At the time, we thought we were doing the right thing."

Opened in 1921 for "feeble-minded" children, the Stockley Center at one time housed more than 700 people with varying physical and mental disabilities. Stockley now cares for 49 adults, many of whom have severe physical disabilities.

Wemlinger, who retired from Stockley last year, asked Fleetwood to curate a museum about four years ago. As the institution was downsizing and remodeling buildings, staff members and parents were finding items she viewed to be artifacts. Wemlinger didn't want them to be thrown away.

The museum, based in a small recreational room on the campus, has bookshelves of binders filled with old treatment plans, including the sterilization of patients who were as young as 2 years old.

See **LOBOTOMIES**, Page 8



Millville Walk-In Please Pardon O

Millville Walk-In Care will have limited access throughout the awaited renovation project. The Walk-In will remain open during normal hours, but wait times could be impacted. The Millville location will be disrupted.

Patients closer to Millsboro or Rehoboth Walk-In Care can visit either of these locations during our renovation project. We appreciate your understanding and thank you for your patience.

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Visit Beebe's website for more information: beebehealthcare.org

Lobotomies

Continued from Page 7

Photos show how black and white residents were segregated, with black patients receiving the ragged hand-me-downs of their white peers. Reports detail how parents barely visited their children.

Some families, out of embarrassment, instructed nurses to refrain from saying they were with Stockley when they called them about their children. Instead, the nurses had to use code words.

When the 14 Delawareans were lobotomized at Stockley in 1964, the doctors were focused on "curing mental retardation," Fleetwood said. But in reality, it only made the patients worse.

The doctors cut apart the two sides of their brain and then withdrew the ice pick, turning the patients into "placid souls," and made many of them blind, Fleetwood said.

Many of those patients lived at Stockley until they died decades later, she said.

Fleetwood has saved the lobotomy consent forms signed by the patient's family members, which never mentioned blindness as a potential side effect. It also described lobotomies as a noninvasive procedure that would not involve a lot of stitches, Fleetwood said.

The consent form for the sterilizations, which were done to avoid procreation, didn't note that women's Fallopian tubes would be removed or that men would undergo vasectomies.

While finding old photographs and documents, Fleetwood was surprised to learn that many of the residents were required to work while living at Stockley. Some would tend to the farm while others worked in the laundry room. Some people worked 60 hours a week and got paid very little, she said.

"That tells me that they weren't that handicapped if they could work on the farm six days a week," she said.

The residents didn't always have disabilities, Fleetwood said. Sometimes they were homeless people or children with mild behavioral issues.

As group homes became a more popular and suitable option for some residents in the early 2000s, Stockley began transitioning people out of the institution and into the community, said Marie Nonnenmacher, director of the Division of Developmental Disabilities Services.



Linda Fleetwood, volunteer curator of the Stockley Museum, looks through some old photos of the Stockley Center in Georgetown.

JASON MINTO/THE NEWS JOURNAL

Even though other states are closing their institutions, Nonnenmacher said there are no immediate plans to make changes to Stockley. There also isn't a need to grow the number of people at the institution, she said.

Stockley operates on an \$18 million budget, which is a significant decrease from previous decades, Nonnenmacher said. The institution now only cares for adults.

Fleetwood's stepson has lived at Stockley for almost 15 years. Jonathan, 35, is epileptic, nonverbal and non-ambulatory, and he requires 24/7 care, she said. He's also fed through a feeding tube. To Fleetwood, Stockley is the only place that can look after her stepson.

"As long as I have a breath in my body, my stepson will be here," she said. "I'm glad he is a present-day relative and not here in 1950. I have seen all of the pictures from the way the old buildings were ... they were in horrible shape. There was little for them to do."

Fleetwood is still curating the museum, constantly trying to get her hands on anything related to Stockley, from glass doorknobs to wooden wheelchairs. It's not easy. Last Wednesday, the binder containing photos of the lobotomies and documents relating to lobotomies had disappeared, confusing Fleetwood.

She worries that if someone wanted to "clean up" Stockley's history, the binder would be the first to go.

That's why Fleetwood made copies and gave them to the State Archives. She never wants this history to disappear for good.

Contact Meredith Newman at 302-324-2386 or at mnewman@delawareonline.com. Follow her on Twitter at [@merenewman](https://twitter.com/merenewman).

Community

Casapulla celebrates passage of Maggie's Vaccine Protection Act

By Susan Canfora
Staff Reporter

More than three years later, Al Casapulla still gets teary when he talks about his little Shih Tzu, Maggie.

The casket that cradled her when he buried her in the back yard of his Ocean View home. How it was lined in pink. Her favorite toy, a stuffed reindeer, gently tucked beside her.

"She didn't die in vain," he said, adding that he was both thrilled and emotional when the bill he initiated, that resulted from her illness, passed in the Delaware State Legislature last week.

Maggie's Vaccine Protection Act, formally House Bill 214, was approved by unanimous vote. Once law, it will allow veterinarians to complete a blood test to see if an animal is still protected from previous vaccinations before administering more. Maggie died on Dec. 30, 2016, allegedly from over-vaccinating and suffered for 16 months as Casapulla took her to several veterinarians, trying to save her.



told Casapulla he'd notify the chemical companies and have a staff meeting about the situation. Later, Casapulla learned that another dog had reportedly become ill after allegedly being over-vaccinated by the same veterinarian, adding to his frustration and making him more determined to stop the dangerous practice, he said.

In the end, Maggie, who did well on prednisone for a while, died after her liver and kidneys failed.

During the difficult months of her illness, Casapulla learned about, and got to know, Dr. John Robb, a Connecticut veterinarian who insists on vaccinating dogs by dosing according to their size instead of giving every dog, of every weight and breed, the same vaccine. On his Facebook page, he uses the slogan, "Where love is the foundation, with a heart for the pets!"

"Dr. Robb said, 'I'm not killing these dogs.' He has a grassroots movement," Casapulla said.

Last week, Robb posted an interview with Casapulla on Facebook, congratulating him for his tireless

"I had Maggie four years. I have been working on this bill since she died. ... I am extremely excited and very emotional," Casapulla told the Coastal Point on Tuesday, Jan. 28, soon after learning the bill had passed.

"My passion to see this through was more than the passion I had when I started my business, because I knew if this gets passed we would be saving the lives of so many innocent animals and allowing vets to use their discretion on making legal, educated exemptions," Casapulla said.

"Maggie will be saving lives long after I am gone. We've been working hard on this for three years. ... It's a great bill," said Casapulla, whose family owns AI Casapulla's Subs & Steaks in Millville.

"He really is so passionate about this," his wife said, watching as Casapulla picked up their tiny Yorkshire terrier, George. Nicknamed "Peanut," George is one of the couple's five dogs. He was adopted by the Casapullas with his brothers, Henry and Louis, after their owner, Linda Bravo of Bethany Beach, died last summer. Sadly, Louis was very sick and had to be euthanized.

George and Henry also share the Casapullas' home with 18-year-old Wheeler, a beagle, 20-year old Buddy and friendly Bentley. Their four children,



Coastal Point • Susan Canfora
Theresa and Al Casapulla, who worked to get a bill passed so no more dogs die from being over-vaccinated, cuddle their five dogs, from left, Wheeler, Henry, George, Buddy and Bentley.

daughters Kim and Kelley and sons Sonny and Chris, are also dog lovers. "I'm surprised my wife didn't leave me years ago," Casapulla said, smiling slightly and shaking his head. "If we go anywhere, we have to take the dogs with us. Some of them are in diapers. We have a motorhome, and we take them all when we go to Florida," he said.

If she were still alive, Maggie would be going on those trips, too.

"Maggie's story started in 2014. In 12 months, she got 13 vaccinations and she really suffered. I got the card in the mail that she was due for her shots, so I took her to get them. I thought I was doing good, but she got so sick. I ran the roads constantly. Maggie and I were running the roads, going to all different vets to try

to get her well again," he said, a pained look on his face.

A veterinarian at the animal hospital in Wilmington, Del., confirmed that little dog — which Casapulla had rescued from a shelter in Florida when she was 4 or 5, after she was found wandering the streets, severely matted and with her toenails so long they curled under — was ill from too many vaccinations. A section of her brain was inflamed. One vet wanted to schedule the little dog for a brain biopsy, which Casapulla refused.

"They wanted to drill a hole in her head. I wasn't going to do that," he said.

The veterinarian who allegedly over-vaccinated Maggie didn't return Casapulla's calls for some time, but when he did, Casapulla said, he apologized and

Last week, Kobb posted an interview with Casapulla on Facebook, congratulating him for his tireless dedication to the bill.

"I got to be friends with Dr. Robb. What happened to Maggie was for no reason. She was a good healthy dog. I want to educate people. I want to help," Casapulla said.

During discussion about the bill, testimony and voting, Casapulla was in Dover "every step of the way," he said.

"I didn't think it was going to pass unanimously," he noted. "In 2018, it was House Bill 238, and it was tabled. We went to a committee hearing, and the people in the health field fought me. Dr. Robb came, and he spoke. We made a strong presence. Everybody who was in favor of the bill signed up to talk. In the summer of 2019, it got into the House. On the last day of the session, it went through the House. They were on break until January, and that's when it passed," Casapulla said.

"We are now the first state in the United States with a bill like this. We are now the first state to accept a blood test, or a titer. And if your pet is sick, the vet can now write an exemption from the rabies vaccine. Maggie's death is not in vain."

"She was walking the streets when they found her, and then I adopted her. I was not going to let her die in vain. God put her in my life for a reason, and now we're going to save lives."

Exhibit D

**THE RIGHT TO BE TREATED WITH DIGNITY IN THE CONTEXT OF
MEDICAL EXPERIMENTATION IS GUARANTEED BY THE
FOURTEENTH AMENDMENT TO THE UNITED STATES
CONSTITUTION**

Defendants argue that this Federal Court is no place for this litigation because no federal or Constitutional issues are at stake. History and an emerging body of law argue otherwise. What is at stake in this litigation is whether individuals have a Constitutional right to human dignity so as not to be the subjects of an unethical human experiment. Such a right, set forth in the Nuremberg Code and in the federal regulations known as the Common Rule, is a fundamental right of all citizens of the world and, thus, must be a right of the citizens of the United States, a Constitutional right.

The Fourteenth Amendment provides that no State shall “deprive any person of life, liberty, or property, without due process of law.” This clause “guarantees more than fair process, and the ‘liberty’ it protects includes more than the absence of physical restraint.” *Washington v. Glucksberg*, 521 U.S. 702, 719 (1997). Rights are protected under the Due Process Clause of the Fourteenth Amendment if they are “so rooted in the tradition and conscience of our people as to be ranked as fundamental” or if such rights reflect “basic values implicit in the concept of ordered liberty” such that “neither liberty nor justice would exist if they were sacrificed.” See *Moore v. City of East Cleveland Ohio*, 431 U.S. 494, 503 (1977); *Griswold v. Connecticut*, 381 U.S. 479, 500 (1965); *Palko v. Connecticut*, 302 U.S. 319, 325 (1937); *Snyder v. Massachusetts*, 291 U.S. 97, 105 (1934); . The right to bodily integrity has long been recognized as a fundamental right protected by the Constitution. See *Albright v. Oliver*, 510 U.S. 266 (1994) (due process accorded to matters involving marriage, family, procreation and the right to bodily integrity); *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), (Constitutional liberty interest includes right to bodily integrity, a right to control one’s person); *Schmerber v. California*, 384 U.S. 757 (1966) (integrity of an individual’s person is cherished value of our society); *Union Pacific R. Co. v. Botsford*,

141 U.S. 250 (1891) (no right held more sacred or more carefully guarded than right of every individual to be in possession and control of his own person, free from restraint or interference of others). Courts have particularly recognized such Constitutional autonomy rights in the medical context. See, e.g., Cruzan v. Director, Missouri Department of Health, 497 U.S. 261 (1990) (Constitution grants competent person right to refuse lifesaving hydration and nutrition); Roe v Wade, 410 U.S. 113 (1973) (women have Constitutional right to control decision on whether to obtain an abortion); Griswold v. Connecticut, 381 U.S. 479 (1965) (restriction on citizens from receiving contraceptives from their physician an unconstitutional intrusion); Rochin v. California, 342 U.S. 165 (1952) (forcible stomach pumping of accused violates due process and is conduct which “shocks the conscience”); Skinner v. State of Oklahoma, 316 U.S. 535 (1942) (sterilization performed without consent deprives individual of basic liberty). As Justice Cardozo stated in Schloendorff v. The Society of New York Hospital, 211 N.Y. 125, 105 N.E. 92, 93 (1914), a case against a surgeon for performing an operation without consent: “Every human being of adult years and sound mind has a right to determine what shall be done with his own body.” Id., 211 N.Y. at 129-130.

While this Court could easily find that the right at issue here is within the right to bodily integrity, the right to be free from unethical human experimentation, sometimes called the right to human dignity, should be considered a distinct fundamental right of all human beings not just citizens of the United States. To best understand the nature of this right, it is important to understand both the historical context in which the Nuremberg Code arose and the post-Nuremberg controversies involving human subject protection. That understanding is necessary because an examination of “our Nation’s history, legal traditions and practices” is critical in determining the scope of the right to liberty under the Due Process Clause. Washington v. Glucksberg, 521 U.S. 702 (1997); Collins v. Harker Heights, 503 U.S. 115, 125 (1992); Cruzan, *supra*, at 269-70; Moore, *supra*, at 503.

After the Nazi holocaust, a series of twelve unprecedented war crimes trials took place at the Palace of Justice in Nuremberg, Germany. In the first trial, later the subject of numerous books and movies, the allies designated four judges from the United States, Great Britain, the Soviet Union, and France to sit and render judgement under international law on the leaders of the Third Reich. Thereafter, the United States proceeded with the other prosecutions including with what became known as the "Doctors Trial," whose verdict included what is now known as the "Nuremberg Code." See Jay Katz, "*The Nuremberg Code and the Nuremberg Trial*," JAMA 1996; 276:1662-1666, a copy of which is attached as Exhibit "K."

The Doctors Trial, captioned *United States v. Karl Brandt et al.*, was conducted by three United States judges, one of whom was Johnson Crawford who at the time was a United States District Court Judge for the District of Oklahoma. The trial began on December 9, 1946, under the authority of the United States Military pursuant to United States rules of procedure with United States lawyers as prosecutors. Karl Brandt, Hitler's personal physician, and twenty-two other medical doctors were charged with war crimes, membership in criminal organizations, and crimes against humanity. See "*From the Indictment*," United States Holocaust Memorial Museum archives, reprinted at www.ushmm.org/research/doctors/persons.htm, a copy of which is attached as Exhibit "L." The first two charges concerned acts intended to aid the Third Reich's military aims; the third charged the physicians with acts undertaken under the guise of human experimentation either in the reckless pursuit of scientific knowledge or for sadistic torture. The experiments included studies on the tolerance of human beings to adverse conditions such as high altitudes, freezing temperatures and ingestion of sea water, tests involving the inoculation of prisoners with infectious diseases, pathogens and new vaccines, and gruesome physiological studies involving mutilations and transplants. See "*The Brutalities of Nazi Physicians*," JAMA, 1946; 132: 714-715, Editorial, a copy of which is attached as Exhibit "M."

Telford Taylor's opening statement for the prosecution underscores the point that the wrongs at issue in the Doctors Trial were breaches of the fundamental rights of all human beings under American jurisprudential principles. Mr. Taylor stated:

The charges against these defendants are brought in the name of the United States of America. They are being tried by a court of American judges. The responsibilities thus imposed upon the representatives of the United States, prosecutors, and judges alike, are grave and unusual. . . . The mere punishment of the defendants, or even of thousands of others equally guilty, can never redress the terrible injuries which the Nazis visited on these unfortunate people. For them it is far more important that these incredible events be established by clear and public proof so that no one can ever doubt that they were fact and not fable; and that this Court as the agent of the United States and as the voice of humanity, stamp these acts, and the ideas which engendered them, as barbarous and criminal.

Trials of War Criminals Before the Nuremberg Military Tribunals Under Control Council Law, Vol. I, No. 10, (Washington D.C.: G.P.O. 1946-1949), reprinted at www.ushmm.org/research/doctors/telford.htm, a copy of which is attached as Exhibit "N."

A principal defense, as articulated by Dr. Brandt's counsel, the eminent jurist Robert Servatius of Cologne, was that the scientific and medical community at large and particularly in the United States had long been conducting human experiments on prisoners, vulnerable populations and uninformed subjects. Sadly, this charge was quite accurate, though certainly never to the extreme as practiced by the Nazis.

After 139 court sessions, 62 witnesses, and 901 written exhibits, Chief Judge Walter B. Beals, who was the Chief Justice of the Supreme Court of the State of Washington, announced the verdict of the court. Sixteen of the defendants were convicted of war crimes against humanity and seven were condemned to death. Though nothing else was required, the court did far more, perhaps because of the troubling

defense testimony with respect to unethical scientific and medical experiments occurring outside of the Third Reich. The court held:

The great weight of the evidence before us is to the effect that certain types of medical experiments on human beings, when kept within reasonably well defined bounds, conform to the ethics of the medical profession generally. The protagonists of the practice of human experimentation justify their views on the basis that such experiments yield results for the good of society that are unprocurable by other means of study. All agree, however, that certain basic principals must be observed in order to satisfy moral and legal concepts:

1. The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the interventions of any elements of force, fraud, deceit, duress, over reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject, there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment.

The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs, or engages in the experiment. It is personal duty and responsibility which may not be delegated to another with impunity.

2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study and not random and unnecessary in nature.

3. The experiment should be so designed and based on the results of animal experimentation . . .

4. The experiment should be conducted so as to avoid all unnecessary physical and mental suffering and injury.

5. No experiment should be conducted where there is a priori reason to believe that death or disabling injury will occur. . .

6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiments.

7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.

8. The experiment should be conducted only by scientifically qualified persons . . .

9. During the course of the experiment the human subject should be at liberty to bring the experiment to an end . . .

10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

Id., reprinted at www.ushmm.org/research/doctors/nuremberg_code.htm, a copy of which is attached as Exhibit “O.”

These ten points constitute what is now known as the Nuremberg Code. They were not promulgated as new legislation to be applied retroactively to the defendants then in the dock. They were an articulation of what these United States judges believed “all agree” were the fundamental rights of every human being. See Affidavit prepared for this case of Michael Grodin, M.D., a leading authority on the Nuremberg Code. A copy of his Affidavit and C.V. is attached as Exhibit “P.” The Code set forth two equally important requirements of ethical human experimentation, both of which are at issue in this case. The first is the requirement of voluntary consent of the subjects after being informed of all material information about the experiment. The second, often overlooked but no less significant, is that such experiments must comport to certain ethical and

scientific standards even if subjects have given their informed consent to participate. The Code did not just look backward at the events that gave rise to the Doctors Trial but looked forward to postwar research on human beings. As stated by Dr. Leo Alexander, one of the prosecution's key expert witnesses and the man many credit as the author of the Code:

. . . it is a useful measure by which to prevent in less blatant settings the consequences of more subtle degrees of contempt for the rights and dignity of certain classes of human beings, such as mental defectives, people presumably dying from incurable illnesses, and other people disenfranchised, such as prisoners or other inarticulate public charges whose rights might be easily disregarded for the apparently compelling reason of an urgent purpose.

Michael Grodin, "*Historical Origins of the Nuremberg Code*," in Annas and Grodin, *The Nazi Doctors and the Nuremberg Code: Human Rights in Human Experimentation* (1992) at p. 139, a copy of which is attached as Exhibit "Q."

The World Medical Association, which includes representatives of the American Medical Association, was founded in 1947 soon after the Doctors Trial. In 1954, the Eighth General Assembly of the World Medical Association adopted a resolution on human experimentation based largely on the Nuremberg Code. The resolution contained the basic principles that "it is the duty of the physician in medical research to protect the life, health, privacy and dignity of the human subject." After several revisions, this document now known as the Declaration of Helsinki was adopted by the 18th World Medical Assembly in Helsinki in 1964. It was revised again in 1975 to include a requirement for ethical review committees, such as Institutional Review Boards and adopted most recently by the 52nd General Assembly of the World Medical Association in Edinburgh Scotland in October 2000.

In the fifty years after Nuremberg, outrage over a series of public scandals involving human experiments in the United States have reaffirmed this Nation's

commitment to human subject protection. The first two public scandals were revealed in a landmark article by Harvard physician and Medical School Professor Henry Beecher in the New England Journal of Medicine. See H. K. Beecher, "*Ethics and Clinical Research*," New England Journal of Medicine, Vol. 274 (June 16, 1966), pp. 1354-60, a copy of which is attached as Exhibit "R." One occurred at New York's Sloan Kettering Institute for Cancer Research where a researcher working on the immune system's ability to fight cancer convinced the director of the Jewish Chronic Disease Hospital in Brooklyn to allow him to inject unwitting patients with live cancer cells. The second was the Willowbrook Study, in which researchers at an institution for mentally disabled children sought to develop a hepatitis vaccine by studying children whom they had deliberately infected with isolated strains of the virus. In the conclusion of Dr. Beecher's article, he cautioned that no research should be conducted without the informed consent of the subject and that the risks in any experiment must be commensurate with the benefits.

It was the third scandal, with racial overtones all too reminiscent of Nazi atrocities, that generated federal action to regulate human subject research. The infamous Tuskegee Syphilis Study conducted by physicians of the U.S. Public Health Service was halted in 1972, nearly 40 years after it began while 200 African-American subjects were allowed to remain untreated despite the availability of therapeutic measures. In 1973, the Ad Hoc Advisory Panel issued its Final Report of Tuskegee Syphilis Study, concluding "society can no longer afford to leave the balancing of individual rights against scientific progress to the scientific community." See Final Report, Department of Health Education and Welfare (Washington, D.C.: G.P.O. 1973), a copy of which is attached as Exhibit "S."

Thereafter, Congress appointed a federal commission to examine the system for protecting human research subjects. The National Commission for the Protection of Research Subjects in Biomedical and Behavioral Research was charged with identifying

the basic ethical principles underlying research on human subjects. In 1979, it issued "*The Belmont Report*," a document all research institutions, including the University of Oklahoma in this case, promise in an Assurance Agreement to uphold in all research studies in order to be eligible for certain grant monies. After acknowledging the influence of the Nuremberg Code, the *Belmont Report* sets forth three principles to guide human subject research: the first is respect for persons, which demands that researchers fully inform their subjects of all material information about the study and only then obtain their voluntary consent; the second is beneficence, which prohibits any experiment where the risks are too great or are outweighed by the benefits; and the third is justice, which requires equitable selection of research subjects. *Belmont Report*, DHEW Pub. No. (05) 78-0012. (Washington D.C.: G.P.O.), a copy of which is attached as Exhibit "T."

Congress passed the National Research Act in 1974 which authorized the implementation of regulations to protect research subjects. In 1991, the regulations were integrated into the Common Rule for 17 departments and agencies, the most familiar of which is the Department of Health and Human Services regulations at 45 C.F.R. Part 46, a copy of which is attached as Exhibit "U." The *Common Rule* is published in the Federal Register at 56 Fed. Reg. 28, 012 (June 18, 1991). These regulations, among other things, detail the conditions required for obtaining informed consent and the information that must be provided under those conditions, restrict experiments to those in which risks are minimized, require the equitable selection of research subjects and establish the requirement for institutional review boards to oversee research at every institution subject to the regulations.

Public concern over the rights of research subjects has increased within the decade subsequent to the Common Rule, and particularly within the last few years, as media reports detailed the tragic consequences of unethical human experiments, including the one at issue here. See, e.g., "*Ethics and Orphans: The Monster Study*," San

Jose Mercury News, June 7, 2001 (revealing 1939 experiment inducing orphans to stutter); *“Research Volunteer Dies in Hopkins Asthma Study,”* Baltimore Sun, June 14, 2001 (27-year-old volunteer killed in nontherapeutic experiment); *“Uninformed Consent,”* The Seattle Times, March 11-15, 2001 (death of subjects in blood cancer trial at Fred Hutchinson Cancer Research Center); *“Federal Rules for Research on People Often Fail,”* USA Today, Feb. 26, 2001 (corneal transplant experiment conducted without full disclosure); *“Uninformed Consent,”* Salon Magazine, March 27, 2000 (survey article on student research subjects at risk); *“U.S. Halts Cancer Tests in Oklahoma,”* Washington Post, July 11, 2000 (melanoma vaccine trial at University Oklahoma shut down for numerous violations); *“Regulating Dr. Frankenstein: Money, Lax Ethics & Clinical Trials,”* Legal Times, October 16, 2000 (call for stricter standards to protect research subjects); *“The Ethics of Drug Testing: Kids as Guinea Pigs,”* Salon Magazine, May 31, 2000 (nine-month-old killed in propulsid drug trial at Pittsburgh Children’s Hospital); *“The Biotech Death of Jesse Gelsinger,”* New York Times Magazine, Nov. 28, 1999 (18-year-old volunteer killed in gene therapy experiment at University of Pennsylvania); *“Research Volunteers Unwittingly at Risk,”* Washington Post, August 1, 1998 (survey article on research subjects at risk); *“Student Dies at Rochester in MIT Based Study,”* MIT Tech Talk, April 10, 1996 (19-year-old university student volunteer killed in nontherapeutic experiment); *“For the Sake of Science,”* Los Angeles Times Magazine, September 11, 1994 (suicide of 23-year-old UCLA student in schizophrenia experiment). Copies of these articles are attached collectively as Exhibit “V.”

One question for this Court is, in light of this history, whether the principles of the Nuremberg Code have any present day applicability to American law and the rights of American citizens or whether they are simply wartime relics applicable only to understanding the Nazi horrors. Given that the Code emerged from the judgment of United States judges in a United States military tribunal, if any country is bound by the

legal precepts of the Nuremberg Code, it is the United States. As George Annas, one of the leading authorities on the Nuremberg Code, has opined,

The most complete and authoritative statement of the law of informed consent to human experimentation is the Nuremberg Code...This Code is part of international common law and may be applied in both civil and criminal cases covered by state, federal and municipal courts in the United States.

George J. Annas, et al., *Informed Consent to Human Experimentation: The Subject's Dilemma* 21 at 1 (1997). A number of evolving opinions support this view; none has rejected it.

The first opinion to suggest that the Nuremberg Code has a place in American jurisprudence is the dissent in the Kentucky case of *Strunk v. Strunk*, 445 S.W. 2D 145 (Court of Appeals of Kentucky, 1969), in which the court by a vote of four to three authorized the removal of a kidney from a mentally retarded institutionalized adult for transplantation into his ailing mentally sound brother. In an eloquent dissent, Justice Samuel Steinfield wrote:

Apparently because of my indelible recollection of a government which, to the everlasting shame of its citizens, embarked on a program of genocide and experimentation with human bodies, I have been more troubled in reaching a decision in this case than in any other. My sympathies and emotions are torn between a compassion to aid an ailing young man and a duty to fully protect unfortunate members of society.... Regretfully, I must say, no.”

445 S.W.2d at 149.

In *Whitlock v. Duke University*, 637 F. Supp. 1463 (M.D.N.C., 1986), aff'd, 829 F. 2d 1340 (4th Cir. 1987), a subject in a nontherapeutic, deep-diving experiment sustained severe brain damage. In dismissing the action because of a finding that the plaintiff had consented to participate in the experiment with full knowledge of the risks, the court stated that the Nuremberg Code provided persuasive guidance on the standard of care in the context of human experimentation. The court stated:

The United States Military Tribunal at Nuremberg adopted the Nuremberg Code as a proper statement of the law of informed consent in connection with the trials of German scientists for human experimentation after World War II.

Id. at 1471.

One year later, the United States Supreme Court considered the case of James B. Stanley, a Master Sergeant who had been surreptitiously dosed with LSD as part of a mind control experiment conducted by the United States Army. *United States v. Stanley*, 483 U.S. 669 (1987). Mr. Stanley became aware that he had been a guinea pig in such an experiment when he received a letter almost 20 years later soliciting his cooperation in a study of the long-term effects on such “volunteers.” The Supreme Court in a narrow five to four ruling reaffirmed the decision dismissing the plaintiff’s complaint under the Feres Doctrine which holds that a serviceman cannot sue the government for putting him in harm’s way. In so holding, the Court impliedly acknowledged that Stanley would have had a constitutional claim, if not for the Feres Doctrine and Stanley’s status as a serviceman during the experiment.

In dissent, Justice Brennan noted the importance of placing the government’s conduct in historical context:

The medical trials at Nuremberg in 1947 deeply impressed upon the world that experimentation with unknowing human subjects is morally and legally unacceptable. The United States Military Tribunal established the Nuremberg Code as a standard against which to judge German scientists who experimented with human subjects. Its first principle was: the voluntary consent of the human subject is absolutely essential.

Id. at 687. Justice Brennan then concluded that “the United States Military developed the Code which applies to all citizens--soldiers as well as civilians.” Id.

Justice Brennan characterized the government’s experimentation on an unknown human subject as “an intentional Constitutional tort” and ended his opinion with a phrase that would thereafter be associated with the right to be free from unethical

experimentation: “Soldiers ought not be asked to defend a Constitution indifferent to their essential human dignity.” Id.

Justice O’Connor, also dissenting, stated: “No judicially crafted rule should insulate from liability the involuntary and unknowing human experimentation alleged to have occurred in this case.” Id. at 709-10. Justice O’Connor noted that the United States Military played an instrumental role “in the criminal prosecution of Nazi officials who experimented with human subjects during the Second World War...and the standards of the Nuremberg Military Tribunal used to judge the behavior of the defendants stated that the ‘voluntary consent of a human subject is absolutely essential...to satisfy moral, ethical and legal concepts’”. Accordingly, Justice O’Connor reasoned:

If this principle is violated the very least that society can do is to see that the victims are compensated, as best they can be, by the perpetrators. I am prepared to say that our Constitution’s promise of due process of law guarantees this much.

Id. at 711.

In re Cincinnati Radiation Litigation, 874 F. Supp. 796 (S.D. Ohio 1995), is the first case to expressly hold that the Nuremberg Code may be applied in the courts of the United States. Plaintiffs who had been the unknowing subjects in experiments on radiation exposure brought suit against investigators and institutions involved in the study. In rejecting a motion for summary judgment, the court held that such claims were cognizable under the Due Process Clause of the United States Constitution.

In a section titled, “The Nuremberg Code,” the court examined the history of the Doctors Trial, stating:

The judges appointed by President Truman to hear the medical case were all American judges and lawyers...The Nuremberg tribunal was asked to determine culpability . . . under “the principles of the laws of nations as a result from the usages established among civilized people, from the laws of humanity, and from the dictates of public conscience. . . Throughout the trial, the question of what were or should be the universal standards for justifying human experimentation recurred. “The lack of a

universal principle for carrying out human experimentation was the central issue pressed by the defendant physicians throughout their testimony”.

Id., quoting, *United States of America v. Karl Brandt, et al.*, *I Trials of War Criminals*, Vo., II at 181 (1947).

After quoting the first principle of the Nuremberg Code, the court concluded: “The Nuremberg Code is part of the law of humanity. It may be applied in both civil and criminal cases by the federal courts in the United States.” The court thus held:

If the Constitution has not clearly established a right under which these clients may attempt to prove their case, then a gaping hole in that document has been exposed. The subject of experimentation who has not volunteered is merely an object. The plaintiffs in this case must be afforded at least the opportunity to present their case.

Id.

The next case to invoke Nuremberg was *Stadt v. University of Rochester*, 921 F.Supp. 1023 (W.D.N.Y. 1996). In this case, plaintiff brought an action under the Federal Tort Claims Act claiming she had been the subject of testing by physicians who had injected her with plutonium without her informed consent. In rejecting a motion that the Constitutional claims should be dismissed, the court stated: “This case does not involve the right to refuse medical treatment, but instead the right to be free from non-consensual experimentation on one’s body...the right to bodily integrity...a right which has been recognized throughout this nation’s history.” Id. In support, the court reviewed the long line of cases holding that the right to bodily integrity, which would include the right to be free from unethical human experimentation, was a fundamental right under the United States Constitution. Id., citing *Albright v. Oliver*, 510 U.S. 266 (1994); *Schmerber v. California*, 384 U.S. 757 (1966); *Skinner v. State of Oklahoma*, 316 U.S. 535 (1942); *Union Pacific R. Co. v. Botsford*, 141 U.S. 250 (1891). The court thus held:

“The Constitution and, more specifically, the due process clause of the Fifth Amendment, clearly established the right to be free from non-consensual government experimentation on one’s body.” Id.

The last case and the one most similar to the factual issues here is Heinrich v. Sweet, 62 F. Supp. 2d 282 (D. Mass., 1999), where family members brought an action based on allegations that various government doctors conspired to conduct extensive, unproven, and dangerous medical experimentation on 140 terminally ill patients without their informed consent. The court stated that the issues presented must be understood in their historical context and then proceeded to describe the background of the Doctors Trial and the Nuremberg Code. The court then adopted the reasoning and holding of In re Cincinnati Radiation Litigation that a breach of the principles of the Nuremberg Code by a government actor would violate the Due Process Clause of the United States Constitution. In language particularly relevant here, the court stated: “Similar conduct that “shocks the conscience” includes the use of false promises of therapeutic hope to terminally ill patients in order to lure them into becoming human subjects...for the benefit of curious scientists rather than the health of test subjects.” 62 F. Supp. 2d at 287.

As these cases and history make clear, and as “all agree” in the words of the Nuremberg judges, the right to essential human dignity in the context of medical experimentation as expressed in the Nuremberg Code is a fundamental right rooted in the conscience and history of the people of the world, in general, and of the United States, in particular. It is a right reflecting basic human values essential to any “concept of ordered liberty” and, if it is sacrificed, neither liberty nor justice can exist. It is, thus, a right guaranteed by the Fourteenth Amendment to the United States Constitution and its violation will give rise to liability under 42 §U.S.C. 1983.

Exhibit E

MEGHAN KELLY, ESQ.

34012 Shawnee Drive

Dagsboro, DE 19939

Meghankellyesq@yahoo.com

Attention Jury Administration

Delaware District Court

United States District Court

844 North King St Unit 18

Wilmington, DE 19801-3570

Via Email: delaware_ejuror@ded.uscourts.gov

RE: /Exemption from Jury Duty/ participation number No. 101124569/Exemption from state compelled violation of my religious belief by affirming/swearing or declaring by entering electronic information on web site under the threat of penalty of law/

April 19, 2023

Dear Honorable Jury Administrator:

I write to request to be excused from jury duty under participation number No. 101124569. I also request an excuse from filling out the electronic questionnaire. I was not able to complete the questionnaire due to compelled violation against my religious belief against declaring or swearing in under penalty of law.

I received the notice of jury duty on April 19, 2023, attached hereto as Exhibit 1. I immediately attempted to adhere to the instructions contained in the attached letter by going to the web site as directed.

After entering the initial information, the web site asked me to confirm “I declare under penalty of perjury that all answers I will provide are true to the best of my knowledge and belief.” (Exhibit 2)

I have religious objections to swearing, affirming, declaring or stating under penalty of perjury. I believe swearing in and declaring serves Satan, by exchanging our souls to loyalty to God to loyalty to those we swear to under the threat of perjury.

I am a Christian. I read the bible for guidance. In The Bible in *Matthew* 5:34-37 Jesus Christ commands:

“Again, you have heard that it was said to the people long ago, ‘Do not break your oath, but fulfill to the Lord the vows you have made.’ 34But I tell you, do not swear an oath at all: either by heaven, for it is God’s throne; 35or by the earth, for it is his footstool; or by Jerusalem, for it is the city of the Great King. 36And do not swear by your head, for you cannot make even one hair white or black. 37All you need to say is simply ‘Yes’ or ‘No’; anything beyond this comes from the evil one.”

In the Old testament two dad’s got into trouble for swearing or making an oath, agreement, declaration or promise to God.

In *Judges* 11:30-40,

One dad, “Jephthah made a promise to the LORD. He said, “If you will let me defeat the Ammonites, **I will give you the first thing that comes out of my house when I come back from the victory. I will give it to the LORD as a burnt offering.**” Then Jephthah went to the land of the Ammonites. He fought the Ammonites, and the LORD helped him defeat them. He defeated them from the city of Aroer to the city of Minnith. Jephthah captured 20 cities. Then he fought the Ammonites to the city of Abel Keramim. The Israelites defeated them. It was a very great defeat for the Ammonites.

Jephthah went back to Mizpah. He went to his house, **and his daughter came out to meet him.** She was playing a tambourine and dancing. She was his only daughter, and Jephthah loved her very much. He did not have any other sons or daughters. When Jephthah saw that his daughter was the first thing to come out of his house, he tore his clothes to show his sadness. Then he said, "Oh, my daughter! You have ruined me! You have made me very sad! **I made a promise to the LORD, and I cannot change it!**" Then his daughter said to Jephthah, "Father, you have made a promise to the LORD, so keep your promise. Do what you said you would do. After all, the LORD did help you defeat your enemies, the Ammonites." Then Jephthah's daughter said to her father, "But do this one thing for me first. Let me be alone for two months. Let me go to the mountains. I will not marry and have children, so let me and my friends go and cry together." Jephthah said, "Go." He sent her away for two months. Jephthah's daughter and her friends stayed in the mountains. They cried for her because she would not marry and have children. At the end of two months, Jephthah's daughter returned to her father, and Jephthah did what he had promised. His daughter never had sexual relations with anyone. So this became a custom in Israel. Every year the young women of Israel would go out for four days to remember the daughter of Jephthah from Gilead and to cry for her."

Jephthah made an oath to sacrifice the first thing he met, expecting it to be a farm animal. It was his daughter. It would have been better for this dad to violate his oath to God than to disobey God's instruction by sacrificing precious people for material gain. Other people's free souls are not ours to sell, barter with or sacrifice by forcing our will upon them under the guise of the common good.

Promises, declarations, agreements, even treaties with entities like the UN, tie our leaders' hands from thinking things out to impartially do what is right by compelled conformity to collective agreements, to be controlled, not free by those who entice the desire of the group through temptations of reward or threats of harm

to control their collective no longer free, but controlled will. Leaders are unnaturally bound to compromise good for evil to the partial lusts of the collective group by oaths, making them no longer free. I believe oaths and bound agreements by government leaders bind those without ability to have a meeting of minds the people. Such oaths may cause harm, and courts should be empowered to overturn them should they enslave the people in violation of the First and Thirteenth Amendment. I desire the courts to exercise more authority by placing checks on the other two branches to protect the American people and their individual liberties from substantial burdens.

In 1 *Samuel* 14:24-46, another dad, Saul promised to kill anyone who broke a fast in exchange for a benefit from God. His son, Jonathon ate honey. Saul sought to kill his son to save face. Saul served the evil one Satan by making an agreement bound to men's will in place of God's. Yet, the soldier's dissuaded Saul from killing Jonathan and succeeded. It is great sin to make promises.¹

¹ 1 *Samuel* 14:24-46, provides: "But Saul made a big mistake that day. He made this oath: "If any man eats food before evening comes, before I finish defeating my enemies, he will be under a curse." He made the soldiers promise not to eat. So none of them ate anything. Because of the fighting, the people went into some woods. Then they saw a honeycomb on the ground. The Israelites went up to the honeycomb, but they didn't eat any of it. They were afraid to break the promise. But Jonathan didn't know about the oath. He didn't hear his father make the soldiers promise not to eat. Jonathan had a stick in his hand, so he dipped the end of the stick into the honeycomb and pulled out some honey. He ate the honey and began to feel much better. One of the soldiers told Jonathan, "Your father forced the soldiers to make a special promise. He said that any man who eats today will be under a curse. So the men have not eaten anything. That's why they are weak." Jonathan said, "My father has brought a lot of trouble to the land. See how much better I feel after tasting just a little of this honey. It would have been much better for the men to eat the food that they took from their enemies today. We could have killed more

While I am declaring under religious protest in law suits to defend my faith in Jesus, in order not to disobey God as justice in the courts is “a greater [superceding] command per *Amos* 5:15, a greater command in *Matthew* 2:23, as applied I believe declaring under penalty of perjury serves Satan and the vanities of mere men while violating God’s law potentially compromising my soul to hell.

Philistines.” That day the Israelites defeated the Philistines. They fought them all the way from Micmash to Aijalon. So the people were very tired and hungry. They had taken sheep, cattle, and calves from the Philistines. Now they were so hungry that they killed the animals on the ground and ate them. And the blood was still in the animals. Someone said to Saul, “Look, the men are sinning against the LORD. They’re eating meat that still has blood in it!” Saul said, “You have sinned. Roll a large stone over here now!” Then Saul said, “Go to the men and tell them that each one must bring his bull and sheep to me. Then the men must kill their bulls and sheep here. Don’t sin against the LORD! Don’t eat meat that still has blood in it.” That night everyone brought their animals and killed them there. Then Saul built an altar for the LORD. Saul himself began building that altar for the . Saul himself began building that altar for the LORD. Saul said, “Let’s go after the Philistines tonight. We will take everything from them. We will kill them all!” The army answered, “Do whatever you think is best.” But the priest said, “Let’s ask God.” So Saul asked God, “Should I go chase the Philistines? Will you let us defeat the Philistines?” But God did not answer Saul that day. So Saul said, “Bring all the leaders to me! Let’s find who committed the sin today. I swear by the LORD who saves Israel, that even if my own son Jonathan sinned, he must die.” None of the people said a word. Then Saul said to all the Israelites, “You stand on this side. I and my son Jonathan will stand on the other side.” The soldiers answered, “As you wish, sir.” Then Saul prayed, “LORD, God of Israel, why haven’t you answered me today? Show us who sinned. If it was I or my son Jonathan, give Urim. But if it was your people Israel who sinned, give Thummim.” Saul and Jonathan were shown to be the ones who sinned, and the people went free. Saul said, “Throw them again to show the guilty one—me or my son Jonathan.” Jonathan was shown to be the one. Saul said to Jonathan, “Tell me what you have done.” Jonathan told Saul, “I only tasted a little honey from the end of my stick. Should I die for doing that?” Saul said, “I made an oath and asked God to punish me if I didn’t keep it. Jonathan, you must die.” But the soldiers said to Saul, “Jonathan led Israel to a great victory today. Must Jonathan die? Never! As surely as the LORD lives, not one hair of Jonathan’s head will fall to the ground! God helped Jonathan fight against the Philistines today.” So the people saved Jonathan from death. Saul did not chase the Philistines. The Philistines went back to their place.”

I borrowed a phone and called your number. I listened to the answering machine which indicated I could send you a letter by email or fax to request an exemption from jury duty.

In addition, I called the court with regards to my inability to electronically respond per this Court's request under the threat of compelled religious violations. The staff kindly indicated sending you an email concerning why I could not electronically should be sufficient. Please excuse me from compromising my belief in Jesus please by requiring the forms be completed online against my will.

I request an exemption from jury duty for a number of reasons.

I am in the middle of law suits based on the State of Delaware's attacks against me in *Kelly v Trump* where I sued former President Donald Trump to dissolve the establishment of government religion which created a substantial burden upon my free exercise of religious belief by government incited attacks.

I brought a law suit in this Delaware District Court for First Amendment violations, violations of Equal protections, and procedural Due process, emotional distress, economic harm, harm to reputation and witness tampering, and with regards to threats of discipline in retaliation for the exercise of private First Amendment rights.

More than a week after I brought a Civil rights suit in the Delaware District Court, about 9 days, the State sought probable cause to discipline me while

concealing evidence in my favor by sealing it from the eyes of the fact finders. Then the Chancery Court with the assistance of the Delaware Supreme Court terminated two material witnesses in my civil rights case, appointing counsel in violation of my 1st and 6th Amendment right to self-represent and refused to give me records in the separate case, with a separate number regarding appointment of counsel I am entitled to, while denying me meaningful opportunity to be heard, prepare, perform discovery or call witnesses to conceal the Delaware Supreme Court's dirty hands in covering up the elimination of evidence in my favor.

Around February 2022, I discovered additional evidence to confirm the entire Delaware Supreme Court colluded in the 42 USC Sections 1985 and 1983 violations against me by inciting the disciplinary proceeding by colluding prosecutor, judge, and jury.

This suit resulted in an unjust order placing my Delaware state license to practice law on inactive disabled based on the state's disagreement with my belief in Jesus Christ.

Other jurisdictions reciprocated by suing me to place my license to practice law on inactive/disable based on the Delaware Order, including the Delaware District court.

I am not permitted to work as an attorney, since I am labeled as disabled for my religious beliefs in Jesus in this court too. I filed a motion to stay the

proceedings in the Delaware District Court disciplinary reciprocal law suit, but it is rather uncomfortable to be placed in a position to serve as a juror under the eyes of the Court that is suing me as too disabled to be an attorney.

The lawsuits prevent me from working as a lawyer. They have caused emotional distress, resulting in physical harm to my body. I require time to care for my health, life, loved ones and to petition in other courts.

I do not have resources to travel in my own law suits. I do not understand how I have been able to make it this far with the high costs of postage, ink, paper, food and other basic needs. At one point, I turned in my vehicle's tags because I could not afford gas or car insurance.

My poverty creates a substantial burden to my access to the courts in my own case. I have petitioned to plead on the papers and not to travel as unaffordable.

I do not have time to shower, change my clothes every day. I requested time in my other cases since my health has worsened.

I request an exemption to prevent a substantial burden jury service would cause to my access to the courts in my own law suits due to poverty being a substantial burden, my religious beliefs against debt, my invocation against the 13th Amendment and due to the conflict of interest I have as a party being sued by this court, with the reciprocal disciplinary case in this court.

The law suits against me prevent me from working at my former firm under penalty of punishment by the law, causing an economic, physical, and economic strain not only upon my but my family too.

My mom is upset and has a hard time sleeping because she is embarrassed. It makes her unhappy when others ask about me. She is embarrassed to admit to others that I am not okay. I am not working as a lawyer. I am being sued as disabled for her faith in Jesus. Her faith in Jesus is different than mine.

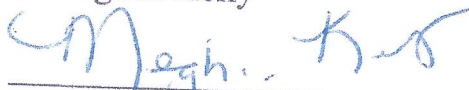
I love my mom, and my family. Please do not create more hardship towards me and my loved ones. Please grant me an exemption from jury service.

Thank you.

Respectfully Submitted,

April 19, 2023

/s/Meghan Kelly



Meghan Kelly, Esquire
34012 Shawnee Drive
Dagsboro, DE 19939,
(302) 493-6693, meghankellyesq@yahoo.com,
No 4968, Inactive, pro se

Exhibit 1



JOHN A. CERINO
CLERK OF COURT

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Unit 18
844 N. King Street
WILMINGTON, DE 19801

KELLY MEGHAN M
34012 SHAWNEE DR
DAGSBORO, DE 19939
Participant#: 101124569

eJuror Qualification Questionnaire

Your name has been drawn by random selection for consideration to serve as a federal juror in the United States District Court for the District of Delaware.

Pursuant to federal law, you are required to complete a Qualification Questionnaire **within ten (10) days** of receipt of this letter. Please submit your answers on-line through eJUROR, the Court's electronic jury system (instructions below). If you do not have access to the internet, please see reverse page for further instructions.

You are NOT being summoned to appear at this time, but the court requires that you provide additional information to determine your qualification as a juror. You may request to be excused from future potential service only if: (1) you are age 70 or older; (2) you have served on a grand or petit jury in state or federal court within 2 years of the date you submit your Qualification Questionnaire; (3) you have custody of a child under 10 years of age whose health/safety would be jeopardized by your absence for jury service or a person who is essential to the care of aged or infirm persons; or, (4) you are an actively practicing physician. Even if you are eligible to request an excuse, you must still complete the eJUROR Qualification Questionnaire which includes answer fields that will allow you to indicate that you are eligible to be excused from future jury service. Please do not telephone or send letters requesting to be excused in lieu of completing the Qualification Questionnaire as such excuses will not be processed.

Completion of the Qualification Questionnaire is required by law and should only take a short period of time. **Failure to complete the Qualification Questionnaire could result in you being summoned to report at your own expense for the completion of the questionnaire at this office.**

ON-LINE STEPS TO ACCESS eJUROR

- STEP 1: Visit the court's website at: www.ded.uscourts.gov
- STEP 2: Click the E-Juror icon on the top left of the screen
- STEP 3: Enter your 9-digit participant number located below your name/address
- STEP 4: Follow the screen prompts and answer each question.

eJUROR TIPS

1. Please read each screen thoroughly before filling in the answer fields, making sure to enter answers into every field that is marked with a red asterisk (*).
2. Once you complete the Login Page, DO NOT use the browser back and forward buttons; doing so will eject you out of eJUROR, and you will be unable to return to the login screen for at least twenty (20) minutes. Only use the buttons on the bottom of the screen you are completing.
3. Additional questions? Call the jury questionnaire helpline at 877-806-6276 or send an email to eJuror@ded.uscourts.gov
Please note: Excuse requests must be submitted by completing the questionnaire.

FREQUENTLY ASKED QUESTIONS

Why did I receive this?

The names of prospective jurors are selected at random from all registered voters, licensed drivers and individuals who are issued a state identification card from all three counties with the State of Delaware every two years. The questionnaire is a form used only to determine if you qualify for federal jury service; it is not a summons to appear for jury service.

Is eJUROR secure?

The court follows current best practices for database and server security, maintained by highly skilled Information Technology court staff, and supported by a dedicated national security group.

Who will see the information?

The Qualification Questionnaire is used only by court staff to determine your eligibility to serve as a juror sometime in the future. Except by judicial order for extraordinary circumstances, only court staff will be able to review the information you provide to the federal court on the Qualification Questionnaire.

How will I know if my Qualification Questionnaire is received by the court?

The last page of the eJUROR process is called a confirmation page. Reviewing this page is important for two reasons: (1) it allows you to review your final answers and make edits on those you wish to change; and, (2) once you have submitted this page, you will receive verification that you have successfully completed the eJUROR process. If you do not receive this verification, the court will not receive your Qualification Questionnaire, which could result in you being summoned to report to the court to complete the questionnaire in person.

What if I do not have access to a computer?

Please call 1-877-806-6276 and select option #1. Your request will be recorded, and a paper Qualification Questionnaire will be sent to you as soon as possible.

Where can I send a physician's statement for medical excuse?

Statements for medical excuse can be emailed to eJuror@ded.uscourts.gov, faxed to 302-573-6189, or mailed to Jury Administrator, 844 N. King St. Unit 18, Wilmington, DE 19801.

What if I no longer live in Delaware?

When you respond to the questionnaire, you can update your out-of-state address which will disqualify you from federal jury service in Delaware.

What if I have questions relating to COVID-19 and serving as a juror?

Information regarding COVID-19 and jury service will be addressed if you are summoned to appear for jury service.

Exhibit 2

[Help](#)



UNITED STATES DISTRICT COURT District of Delaware

Welcome

Your name has been drawn by random selection and you are being considered for jury service in the United States District Court. Trial by jury is a keystone of our system of justice. Jury service is, therefore, both an opportunity and an obligation of every American. Jurors will receive mileage and, unless they are federal government employees, an attendance fee for each day of service.

In order for us to obtain some information about you from which we can objectively determine whether you are qualified to serve pursuant to federal law, please complete the following questionnaire by answering each question. **You must answer all questions.**

If you do not submit this questionnaire fully completed within ten days you can be legally required to report at your expense for completion of the questionnaire at this office.

If your address changes after you have submitted this questionnaire, you should promptly notify the Court.

When available, use only the Back or Next buttons on the bottom of the screen to navigate the site. At the end of the program, you will have an opportunity to review your answers and make corrections before you submit the Questionnaire.

If you are unable to fill out this form, someone else may do it for you provided that person indicates his or her name and address and the reason why it was necessary for him or her to do so instead of you.

Are you, MEGHAN M KELLY, filling out this form?

Yes:

No:

I declare under penalty of perjury that all answers I will provide are true to the best of my knowledge and belief.

Confirm

Logout Contact Us

Do not use the browser back and forward buttons.

Version: 2.16.4

Religious objection to confirming

Exhibit F

Frankford Chapel

William C. Jones, Sr.

(June 20, 1945 - April 07, 2023)

William "Bill" Creighton Jones, Sr., age 77, of Dagsboro, DE formerly of Baltimore, MD passed away Friday, April 7, 2023 at Coastal Hospice on the Lake in Salisbury, MD.



He was born June 20, 1945 in Baltimore, MD a son of the late Leonard Brandt Jones, Sr. and Katherine Claudia (Creighten) Jones. Bill was a decorated Vietnam Veteran serving in the U. S. Marine Corp.

He received his Bachelor's Degree from Loyola College and worked as an accountant. His family meant everything to him and he was proud of all that his children and grandchildren have accomplished.

In addition to his parents, he was preceded in death by a brother Leonard Brandt "Sonny" Jones, Jr. He is survived by his loving wife of 55 years, Naomi Grace (Nash) Jones; two children, Bill Jones, Jr. and his wife Pam and Laura Jean Jones; four grandchildren, Tamara Devlin, Brynn Devlin, Nathan Jones and Joelle Jones; a brother, Robert Jones and sister-in-law, Elizabeth Jones.

A chapel service will be held at 1 PM on Tuesday, June 20, 2023 at the Delaware Veterans Memorial Cemetery, 26669 Patriots Way, Millsboro, DE 19966.

In lieu of flowers the family suggests memorial contributions be made to Millville Volunteer Fire Company, 35554 Atlantic Ave., Millville, DE 19967 or the Wounded Warrior Project by visiting www.woundedwarriorproject.org