

23-6414  
No. 23

IN THE  
SUPREME COURT OF THE UNITED STATES

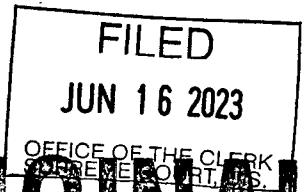
In re: Joseph Raimondo for;

Petitioner

v

United States et al.

Respondents



ORIGINAL

RE: District Case, No. 21-cv-10854, In RE: To Civil Cases, No. 2:01-cv-71352,  
No. 2:01-cv-71353, and No. 2:02-cv-71696.

“For - Fraud on the Court”

**PETITION FOR A WRIT OF MANDAMUS**

Joseph Raimondo In Pro se:  
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Phone Number 586-405-5365  
Email, Josephraimondo426@gmail.com

## QUESTION

Whether the United State Eastern District of MI Court Errored when granting Respondents in civil cases No. 2:01-cv-71353, and Case No. 2:02-cv-71696, Qualified Immunity after voiding, civil case No. 2:01-cv-71352, disregarding facts, and all supporting evidence supporting those complaints with Fraud upon the Court, and Fraud on the Court, Obstruct Justice and Separate Applicants from the Equal Protection Clause, of the 14<sup>th</sup> Amendment establish an act of Corruption?

*To properly answer the question, it calls for this Court to carefully read, and review facts as presented in this signed sworn affidavit “Writ of Mandamus” being supported by evidence, not seen nor heard of since they were voided, 22 years ago by Judge Hood, and Respondents, Attorneys, and their Law Firms.*

## REQUEST OF THE COURT

Under Rule 20.1, this case creates the exceptional circumstances needed for this Court to mandate the Writ sought by Applicants for invalidating the lower Courts mandates of finality of judgements because facts, and evidence shows, Respondents violated the law on, April 6<sup>th</sup> 1998, and the lower court’s closed this case when both never addressed nor reviewed neither the facts, or the evidence of this case that creates exceptional circumstances for granting, Mr. and Mrs. Raimondo, as the Petitioners, our continued request for the return of our extorted real estate properties known as, 74555 Fulton Armada, Mi. 48005, and the monetary relief of 32.5 Million Dollars because the lower Courts closed those options with “mandates”.

The Sixth Circuit Court of Appeals stance against the presented facts, and evidence in support of this Wirt of Mandamus over the twenty two year history of this ongoing litigation over April 6<sup>th</sup> 1998, shows a pattern of practice of defiance for Petitioners civil right as, “White, Evangelical Christians, Conservatives, and Republicans” in its refusal to accept facts and evidence showing Fraud on the Court

over twenty the last two years to wear Petitioners out, with threats of sanctions, which amount to little more than dilatory tactics to “delay and obstruct justice by preventing the law from working equally these pro se litigants over, April 6<sup>th</sup> 1998.

Petitioners were in the prime of life building their twenty year business in the “Auto Restoration, Custom Car, and Muscle Car Industry” having on the morning of, April 6<sup>th</sup> 1998, a promising future in what has become a 18.77 billion U.S. dollar industry, Respondents had no authority to interfere with. Whereby asking for 32.5 Million Dollars for our losses is a modest award when taking into account those twenty years, and adding the following twenty five years, Petitioner has worked tirelessly in the Courts to address how the law was violated on April 6<sup>th</sup> 1998, and how those violations are being covered up in the Courts by officers of the Court.

The United States is the world’s largest market for classic cars with revenue of between 14 and 15 billion U.S. Dollars generated in 2020. Some models from the 1950’s have become cultural icons of America’s post war golden era. The classic car market in the United States is projected to grow to some 18.77 billion U.S. dollars by 2024. Mr. Raimondo was a member of this industry, Respondent took from me!

### **PARTIES TO THE PROCEEDING**

Respondents of Armada Village Government, Macomb County Sheriff Department, County of Macomb, Township of Clinton, Armada Police Department, Jeffrey A. Bahorski, Norman Farver, Stephen Clark, David Coenen, Terrence Rooney, Patricia Major, Ben Delecke, Robin Caruss, Larry Cunningham, Shane Diehl, Roy Kinch, John King, Jerry Poston, Chris Lewis, John Lewis, Jo E. Adair, Sherrie Elliott, , Nancy Parmenter, Paul O. Shoemaker, William Hackel, Carl J. Marling, Lynn. Baumgarten, Kyle Kline, Armada Times, Dennis Lemieux, Linda Jackman, Joseph Golembiewski, Armada Times, Noel L. Lippman, Douglas junior Touma, Mark S. Switalski, Richard L. McLean, , John Hertel, Mark Hackel, and

Frank Krycia are by majority, public elected and appointed servants of Macomb County and the Village of Armada government. Community Planning and Management, P.C., and Stan S.G. Woodhouse were paid by the Village of Armada government that were relied upon for zoning and development advise, Joseph F. Sales was the president and official over, Capac State Bank, Wade Trim was used as a private business that drafted and mapped out the Village of Armada governments master plan that incorporated Appellants' real estate into that government master planning. Delecke Welding, Incorporated a private business that was used by the Village of Armada government to conduct routine Planning Commission business out of that business location with Respondent Ben Delecke as the Village of Armada Planning Commission.

### **CORPORATION DISCLOSURE STATEMENT**

Pursuant to Rule 29.6, Joseph Raimondo states, To my understanding, the parties, Village of Armada, Macomb County, and Clinton Township MI, are incorporated Governments having elected, and appointed officials who conduct the affairs of those respective governments that preform their official duties under the color of law.

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## **THE TABLE OF CASE EXHIBITS ESTABLISHING FRUAD ON THE COURT**

**EXHIBIT (36)** The Original filed, Joseph Raimondo v Village of Armada et al., Case No. 01-71351, which was the first Amended Complaint and became Civil Case No. 01-71352 when filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan on June 26, 2001.

**EXHIBIT (36 A)** Copy of Joseph Raimondo v Village of Armada et al., Case No 02;-60045 filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan on March 5<sup>th</sup> 2002.

**EXHIBIT (37)** Copy of the Courts 2002 requested, Joseph Raimondo v Village of Armada et al., Consolidated amended Complaint, Case No. 01-71353 and 02-71696 filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan on July 24<sup>th</sup> 2002. Case No. 01-71353 and 02-71696 was filed well after the July 9<sup>th</sup> 2001 extortion of Applicants real estate properties and the eviction from that property.

**EXHIBIT (38 A)** Copy of the Original Court case docket from April 6<sup>th</sup> 2001 to Nov. 4, 20032. (NOTICE) The district courts addresses Exhibit (37) as the consolidated complaint Case No. 01-71353 and 02-71696 as the original filing on April 6<sup>th</sup> 2001 and amended on, June 26, 2001 case, and Exhibit (36) as Case No. 01-71351, and No. 01-71352 in Exhibit (A) entered on March 25, 2002 as being Voided along with all Applicants case facts about July 2001 extortion and the Dec. 2001 eviction by Capac State Bank and Macomb County Courts. Yet that voided evidence, never addressed is being presented in these filings to this Court.

**EXHIBIT (A)** Judge Hood's entry of the RAIMONDO v. VILLAGE OF ARMADA 197 F. Supp.2d 833 (2002) 1 Cited 0 times 1 E.D. Michigan 1 March 25, 2002 MEMORANDUM OPINION AND ORDER) showing on, March 25, 2002 Judge Hood voided Civil Case No. 01-71352 shown the orders final top page before the Courts Conclusion of the case.

**EXHIBIT (A1)** The District Courts Conclusion with its final judgment orders accordingly in Civil Case 01-cv-71353; Sept 30 2003.

**EXHIBIT (38 A)** Copy of the Original Court case docket from, April 6<sup>th</sup> 2001 to Nov. 4, 2003 shows; The district courts removed from the Courts record, Civil Case 01-cv-71352 as Exhibit (36) and replaced it with Civil Case 01-cv-71353 being EXHIBIT (37) claiming that was the complaint filed on April 6<sup>th</sup> 2001, and amended on June 26, 2001 well after the fact of the Extortion and Eviction of Applicants from our home and property.

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EXHIBIT (A) Judge Hood's entry of the RAIMONDO v. VILLAGE OF ARMADA 197 F. Supp.2d 833 (2002) 1 Cited 0 times 1 E.D. Michigan 1 March 25, 2002 MEMORANDUM OPINION AND ORDER) showing on, March 25, 2002 Judge Hood voided Civil Case No. 01-71352 shown the orders final top page before the Courts Conclusion of the case.

EXHIBIT (A1) The District Courts Conclusion with its final judgment orders accordingly in Civil Case 01-cv-71353; Sept 30 2003.

EXHIBIT (A2) Copy of Returned Shadow Docket Motion

EXHIBIT (A3) Letter from the Clerk of the Court

EXHIBIT (B) Joseph Raimondo v United States, et al., 2:21-cv-10854 Complaint filed with the Clerk of the U.S. District Courts Eastern District of Michigan on April 5/2021.

EXHIBIT (B 1) CASE EXHIBIT LIST, in support of, Joseph Raimondo v United States, et al., 2:21-cv-10854; EXHIBIT (B) and EXHIBIT (C). Through 50 filed with the Clerk of the U.S. District Courts Eastern District of Michigan on April 5/2021.

EXHIBIT (B 2) Plaintiff's Motion to Order Macomb County et al., Defendants served filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan with prove of service dating Jun 7/2021.

EXHIBIT (B 3) Defendants of Macomb County et al., response to Plaintiff's Motion to Order Macomb County et al., Defendants served, filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan with prove of service dating June 7/14/ 21.

EXHIBIT (C) Plaintiffs Motion to Invalidate Finality of Judgements Pursuant to F.R.C.P. Rule 60 (b) For Fraud on the Court, filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan with prove of service dating June 7/2021.

EXHIBIT (C1) Plaintiffs Motion for Leave to File in Excess of page limits filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan with prove of service dating June 7/2021.

EXHIBIT (D) The U.S. District Courts Eastern District of Michigan Orders filed in review of civil case, Joseph Raimondo v United States, et al., 2:21-cv-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 02/08/23 To Amend and or Reconsider under F.R.C.P. 59 (e). (ECF No. 42).

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**EXHIBIT (E)** The U.S. District Courts Eastern District of Michigan Orders filed in review of civil case, Joseph Raimondo v United States, et al., Case No. 01-71353 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 02/08/23 To Amend and or Reconsider under F.R.C.P. 59 (e). (ECF No. 306).

**EXHIBIT (F )** The U.S. District Courts Eastern District of Michigan Orders filed in review of civil case, Joseph Raimondo v United States, et al., Case No. 02-71696 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 02/08/23 To Amend and or Reconsider under F.R.C.P. 59 (e) (ECF No. 93).

**EXHIBIT (G )** The U.S. District Court Order Denying Petition to Bring Motion Under F.R.C.P. Rule 60 (b) in civil case No. 02-71696, filed through the Clerk of the U.S. District Courts Eastern District of Michigan on Aug. 19 2022.

**EXHIBIT (H )** The U.S. District Court Order Denying of Motion to Invalidate Finality of Judgements and Grant Motion for Leave to file Excess Pages in Case No. 01-71353 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 02/08/23 on Aug. 19 2022.

**EXHIBIT (I)** The U.S. District Court Order Granting Motion to Dismiss all Respondents from Case No. 2:21-cv-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 02/08/23 filed Aug. 18 2022.

**EXHIBIT (J)** The U.S. District Court Judgement issued in Case No. 2:21-cv-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on Aug. 18 2022.

**EXHIBIT (K)** Applicants Motion Under F.R.C.P. Rule 59 (e) To Amend and Reconsider Judgements in civil case Joseph Raimondo v United States, et al., 2:21-cv-10854 filed Sep.14 2022.

**EXHIBIT (L)** United States Respondents Motion to Dismiss Civil Case No. 21-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 12/30/21.

**EXHIBIT (M)** Applicants Motion response to U.S. Respondents Motion to Dismiss Civil Case No. 21-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan filed on 01/24/22.

**EXHIBIT (M1)** Applicants Brief response to U.S. Respondents Motion to Dismiss Civil Case No. 21-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on Jun 24/2022.

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EXHIBIT (M2) Plaintiffs Response to Respondents, Macomb County, et al., Motion to Dismiss Civil Case No. 21-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on Jun 07/2021.

EXHIBIT (M3) Plaintiffs Response to Respondents, Village of Armada et al., Motion to Dismiss Civil Case No. 21-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on Jun 07/2021.

EXHIBIT (O) Respondent United States Reply in Support of Motion to Dismiss Civil Case No. 21-10854 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 01/26/22.

EXHIBIT (P) Notice of Appeal in civil cases, 21:10854, 02:71696, & 01:71353, filed through the Clerk of the U.S. District Courts Eastern District of Michigan filed on 03/01/23.

EXHIBIT (Q) CERTIFICATE OF SERVICE for Appeal in civil case, 21:10854, filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 03/01/23.

EXHIBIT (R) CERTIFICATE OF SERVICE for Appeal in civil case, 02:71696, filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 03/01/23.

EXHIBIT (S) CERTIFICATE OF SERVICE for Appeal in civil cases 01:71353, filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 03/01/23.

EXHIBIT (T) UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT “ORDERS” in Re: of Case No. : 2:14-1298] Joseph Raimondo v Village of Armada, et al., Originating Case NO. :2:13-cv-14773] through the Clerk of the United States Court of Appeals For the Sixth Circuit on Mar 19, 2015.

EXHIBIT (U) Copy for Leave to Bring Motion Under F.R.C.P. Rule 60 (b) for Review of Fraud on the Court in Civil Case No. 2:01-cv- 71353 AND Case No. 2:02-cv- 71696 filed on Dec. 26 2019

EXHIBIT (V) Copy of Macomb County Leave to Bring Motion Under F.R.C.P. Rule 60 (b) for Review of Fraud on the Court.

EXHIBIT (X) Copy for Village of Armada Defendants Pleaded Case Standard to Bar Fraud on the Court Claims and Dismiss and Grant Sanctions.

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EXHIBIT (2) Copy of the Warrant issued on April 3<sup>rd</sup> 1998.

EXHIBIT (3) Copy of the Police Incident Report.

EXHIBIT (4) Copy of Officer Lynn Baumgarten's Sworn Affidavit.

EXHIBIT (5) Civil Complaint, Joseph Raimondo et al., v State of Michigan et al., case No 03-72991 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on Aug. 04/2003 was quickly dismissed by Judge Hood without discovery which proved the officers were lying in Exhibits (3) and engaging in Fraud upon the Court in (4).

EXHIBIT (6) Mr. Raimondo's written notes calls made and calls from the State of Michigan employees Respondent Baumgarten Implicated into his story about April 6<sup>th</sup> 1998 and being ordered by Mi. State employees.

EXHIBIT (7) Copy of Mr. Steven Hazards Sworn Affidavit that never made it on the record.

EXHIBIT (8) Copy of Affidavit of Mr. Philip Osten that never made it on the record.

EXHIBIT (9) Copy of Affidavit of Mr. Raymond W. Mrosewski that never made it on the record.

EXHIBIT (10) Copy of Docket case R980500 showing the Prosecution by Macomb County Prosecutor's Office on police charges there was no supporting evidence of.

EXHIBIT (11) Copy of the Court Transcript, R980500 of the 42-1 Judicial District Court supporting Lt. Baumgarten nor Susan Harper testified.

EXHIBIT (12) Copy of Michigan State Police Investigation Reports investigation following April 6<sup>th</sup> 1998.

EXHIBIT (13) Copy of Plaintiffs January 2000 notes, Ralph Goody tells Plaintiff he told Sheriff's Department to look into the raid. Lt. Lierquest from the Sheriff's Department tells Plaintiff, not aware of it. Ralph Goody on Dec. 27, 2000 tells Plaintiff, it's a WITCH HUNT.

EXHIBIT (14) Copy of Plaintiffs hand written notes from April 6<sup>th</sup> 1998, through May 20, 2002.

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EXHIBIT (15) Copy of Village of Armada closed door litigation meeting headed by Mr. Thomas Meyers as an attorney for Meadow Brooks Insurance Co., presenting defense strategy page 1, and 2 bringing Shadow Woods Towing up as an informant 3,18 1998 addressing, Rule 11 – back at him, and other defenses he will use.

EXHIBIT (16) Copy of Macomb County PIP Committee plans for future county growth.

EXHIBIT (17) Copy of Affidavit of John Hertel Chairman of Macomb County Board of Commissioners.

EXHIBIT (18) Copy of Police officers investigated for stealing evidence article Macomb Daily News Paper Oct. 1998.

EXHIBIT (19) Copy of Police auction probe hits snag article Macomb Daily News Paper Dec. 1998.

EXHIBIT (20) Copy of Quiet agreement to resolve State of Mi. police auction probe before Judge Switalski article Macomb Daily News Paper Dec. 1998.

EXHIBIT (21) Copy of Court Transcript July 9, 2001, Before Judge Switalski. Cast 01-481-cz.

EXHIBIT (22) Copy of Memo drafted by Macomb County Prosecutor Ralph Goode.

EXHIBIT (23) Copy of Letter filed to Judge Switalski, Dated, July 20, 2001.

EXHIBIT (24) Copy of Judgment case No. LTO 10349 42-1<sup>st</sup> Judicial Court Judgement Rental Unit Eviction. The court knew, applicants signatures had been forged by the attorneys of Capac State Bank, when the Judgment was entered on Nov. 13/01.

EXHIBIT (25) Copy of return letter from the U.S. Department of Justice Criminal Division dated, July 19, 2007 in response to request for an Investigation into this case.

EXHIBIT (26) Copy of return letter from the U.S. Department of Justice Federal Bureau of Investigation dated, May 15, 2007 in response to request for an Investigation into this case.

EXHIBIT (27) Copy of master plan development maps showing two roads off Fulton Street through Applicants real estate into the land the housing subdivision was to be built on.

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EXHIBIT (29) Plaintiffs June 21, 1999 notes when talking to Armada Village Police Officer, Paul Shoemaker stating. Armada Police Chief Joe told him about what was going to take place on April 6<sup>th</sup> 1998.

EXHIBIT (30) Armada Police Chief Joe Golembiewski official letter sent to Respondent Steven Clark, as the acting Police Commissioner who sat on the Armada Village Planning Commission and plotted the Village master plan and April 6<sup>th</sup> 1998 out with respondents from the Village of Armada Government.

EXHIBIT (31) Plaintiffs official filed request from Armada Townships official report as lodged in the office governments record relating to Officer Paul Shoemakers duties for April 6<sup>th</sup> 1998.

EXHIBIT (32) The Armada Townships official report as lodged in the office governments record relating to Officer Paul Shoemakers duties which showed he was not on April 6<sup>th</sup> 1998 acting as the Constable for the interest of the Armada Township.

EXHIBIT (33) Copy of the 42-Judicicial District Court noting, officer Shoemaker had testified as a Constable and not as Village police officer. Dated June 20/2000.

EXHIBIT (34) Copy of Pictures showing Plaintiff picketed Macomb County prior to filing the April 6<sup>th</sup> 2001, original complaint.

EXHIBIT (35) Copy of Civil Case, Joseph Raimondo v Thomas Meyers et al., Case No. 2:04-CV-74287 filed through the Clerk of the U.S. District Courts Eastern District of Michigan on 11/02/2004.

EXHIBIT (35 A) Copy of The Raimondo Brief filed in civil case 2:10-cv-15107 filed with the Clerk of the U.S. District Courts Eastern District of Michigan on 12/23/2010.

EXHIBIT(35 B) COPY OF APPEAL BRIEF FILED IN RESPONSE TO Civil Case No. 2:10-cv-15107 BEING DISMISSED

EXHIBIT(35 C) COPY OF FILED Civil Case No. 2:10-cv-15107 EXHIBIT INDEX

EXHIBIT (35 D) Copy of Civil Case, Joseph Raimondo v U.S. Justice; Denise Page Hood et al., Case No. 5:06-cv-15007 filed with the Clerk of the U.S. District Courts Eastern District of Michigan on 11/07/2006.

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EXHIBIT (36) The Original filed, Joseph Raimondo v Village of Armada et al., Case No. 01-71351, which was the first Amended Complaint and became Civil Case No. 01-71352 when filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan on June 26, 2001.

EXHIBIT (36 A) Copy of Joseph Raimondo v Village of Armada et al., Case No 02-60045 filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan on March 5<sup>th</sup> 2002.

EXHIBIT (37) Presented in the Appendix: Copy of the Courts 2002 requested, Joseph Raimondo v Village of Armada et al., Consolidated amended Complaint, Case No. 01-71353 and 02-71696 filed with the Clerk's office of the, U.S. District Courts Eastern District of Michigan on July 24<sup>th</sup> 2002. Case No. 01-71353 and 02-71696 was filed well after the July 9<sup>th</sup> 2001 extortion of Applicants real estate properties and the eviction from that property.

EXHIBIT (38 A) Presented in the Appendix: Copy of the Original Court case docket from April 6<sup>th</sup> 2001 to Nov. 4, 20032. (NOTICE) The district courts addresses Exhibit (37) as the consolidated complaint Case No. 01-71353 and 02-71696 as the original filing on April 6<sup>th</sup> 2001 and amended on, June 26, 2001 case, and Exhibit (36) as Case No. 01-71351, and No. 01-71352 in Exhibit (A) entered on March 25, 2002 as being Voided along with all Applicants case facts about July 2001 extortion and the Dec. 2001 eviction by Capac State Bank and Macomb County Courts. Yet that voided evidence, never addressed is being presented in these filings to this Court.

EXHIBIT (40) Copy of Pictures showing Judge John Russi who signed the warrant having Bill Board signs for his own election displayed on the Informants business properties that housed the Macomb County and Clinton Township Police Auction Officer Baumgarten sold seized property from who was the relied upon informant EXHIBIT (15) shows, Mr. Thomas Meyers as an attorney for Meadow Brooks Insurance Co., addressing Shadow Woods Towing as being, Thomas Tigannali.

EXHIBIT (41) Copies of correspondence letters, and case information supplied to the Armada Village respondents by; Attorney Thomas Meyers on behalf of his employers law firm that was retained by, Meadow Brooks Insurance Co on behalf of the Village of Armada respondents.

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EXHIBIT (42) Copy of the three page headline story published in the Sunday Free Press February 12/2023 Detroit New paper that was supported by the Department of Justice. "Corruption in Macomb County: Just the way it is" noting! It was the political culture and started at the top, federal authorities say!

EXHIBIT (43) Copy of Freedom of Information Act request for the Warrant, responded to July 11, 1999.

EXHIBIT (C) Re: Joseph Raimondo v. Village of Armada Governmental et al., Case No. 21-10854, File No. 519-1297, Defendants Village of Armada, Marvin Wolak, David Coenen, and Ben Delecke's Motion to Dismiss Plaintiff's Notice of appeal to the United States Supreme Court.

EXHIBIT (45) Fraud on the Court case law.

EXHIBIT (46) U.S. Court of Appeals for the Third Circuit's case findings in Civil Case No. 04-4270 that clearly addresses Fraud on the Court and Fraud on the Court.

EXHIBIT (47) Law Firm Garn Lucow Miller P.C. Suggestion of Death in the dismissed case of Case No.: 21-10854 in Re: Joseph Raimondo v. Village of Armada Government, et al.

EXHIBIT (48) Law Firm Garn Lucow Miller P.C. Motion and Brief to Dismiss Plaintiffs Notice of Appeal to the United States Supreme Court to file Shadow Docket Motion for the Finality of Judgement in Joseph Raimondo v. Village of Armada Government et al., Case 21-10854.

EXHIBIT (49) Copy of Joseph Raimondos report of the events from April 6th 1998 that took place until Dec. 7, 1998.

Exhibit (50) Michigan State law on the standard fee for failure to timely transfer a title which clearly states being a \$15.00 fine which wouldn't justify seizing those titles, nor then forfeiting them without notice, when there was no crime.

## PETITION FOR WRIT OF MANDAMUS FOR RELIEF

Petitioner respectfully petitions for a writ of mandamus by the Supreme Court for vacating the lower-courts finality of judgements for "Fraud on the Court" and for its failure to apply Applicants case facts, and case evidence on the Courts record that supported the 1<sup>st</sup> Amended complaint, the District Court admits it voided; being those facts and that evidence overwhelmingly supported; a warrant was violated on, April 6<sup>th</sup> 1998, and the fruits from that poisonous warrant took land, and destroyed lives', and brought poverty upon a law abiding family, who were indeed violating no law. Respondents attorneys through, Judge Hood took the country back, one hundred and twenty six years to the times of, *Plessy v Ferguson* (1897) to the doctrine, separate but equal. The lower Courts close their doors to obtain a remedy for relief for this Constitutional Crisis now separating Applicants, from the guarantee of Equal Protection Clause under the 14<sup>th</sup> Amendment, like the Courts did to the Black Race with *Plessy v Ferguson* making them inferior citizens.

## OPINIONS BELOW

The district court's Aug. 19 2022, opinion order in Joseph Raimondo et al., v Village of Armada et al., RE: Case No. 01-71353 reported as ( ECF No. 306) in reliance on the Sixth Cir. Court of Appeals Judgement affirming the district court's judgement on July 30, 2007, with the **Mandate** issued on Aug. 27, 2007. Reported in (ECF Nos. 294, 295). The district court's Aug. 19 2022, opinion order in Joseph Raimondo et al., v Village of Armada et al., RE: Case No. 02:71696 reported as (ECF No. 93) in reliance on the Sixth Cir. Court of Appeals Judgement affirming the district court's judgement on July 30, 2007, with the **Mandate** issued on Aug. 27, 2007. Reported in ( Case No. 01-71353 ECF Nos. 294, 295). The district court's Aug. 19 2022, opinion order in "**Raimondo v U.S. of America et at., RE: Case No. 21-cv-10854 reported as (ECF No. 42).**"

## JURISDICION

The Jurisdiction is invoked under 28 U.S.C. Sec. 1651.

## RELEVENT LEGAL PROVISIONS

The All Writs Act, 28 U.S.C. sec. 1651 (a), provides: "The Supreme Court and all courts established by Act of Congress may issue all writs necessary or

appropriate in aid of their respective jurisdictions and agreeable to the usage and principles of laws" Guaranteed by the Equal Protection Clause and the Savings Clause through, Fed. R. Civ. P. Rule 60 (b) when "Fraud on the Court" has been perpetrated on the Court, to invalidate all final judgments when a Judge, with officers of the Court perpetrate Fraud on the Court. The filing of this Writ of Mandamus, supported by the docket of recorded Exhibits, is timely filed. *Cheney v. United States District Court for the District of Columbia*, 542 U.S. 367 (2004).

### **OPENING STATEMENT TO THIS COURT**

The Foregoing Record of the lower courts history of orders, judgments, and mandates, finalizing civil case No. 21-cv-10854 rests on a foundation of known "Fraud on the Court," "Social Justice," and "Misinformation" that's deprived Applicants of the "14<sup>th</sup> Amendment Equal Protection Clause, because we are, "White, Evangelical Born Again Christians, Conservatives, and Republicans.

Applicants record of evidence unequivocally shows, the lower courts forgoing record is a covering up. A warrant was violated on, April 6<sup>th</sup> 1998, and the fruits from that poisonous warrant led to Applicants being ordered off their land by, Macomb County's Judges. The facts are, Judge Hood voided Applicants facts, suppressed a vast volume of supporting evidence, and the District Court altered the court's Docket to conceal facts when appealing, Judge Hood's 2003 rulings, and changed the facts of the case. Judge Hood, with the defense attorneys covering up everything about, April 6<sup>th</sup> 1998, questions, the "Integrity of the Court".

*The lower courts officers held the evidence, Respondents violated that warrant, and they're intent was to seize real estate, and private properties, for Development through a civil asset forfeiture knowing there was no evidence those properties were gained, through criminal activity, yet deceived the mechanics of the Courts process by intentionally suppressing the evidence, the warrant was violated. In doing so, Judge Hood corrupted the mechanics of the Court alleging in Exhibit (A), Respondents have not a clue what this case is about which makes the Officers of the Courts coverup of this case a far greater crime, then Respondents cover up.*

Mr. Raimondo followed God's direction when he handed this 4<sup>th</sup> 5<sup>th</sup> and 14<sup>th</sup> amendment crisis over to the Courts in 2001. God never force me to comply to God's way, let alone to our rule of law. My way was to be a lawless animal, no different than Respondents before the Courts have acted. Those that attacked me and my family on April 6<sup>th</sup> 1998 were police officers, acting on behalf of my local village government, seeking to take my land for governments needs for development. I came before the Courts pleading and begging for equal justice for my family's interest foremost. Presented facts & evidence, but Segregated from, Equal Justice by a Democrat, Liberal Judge, acting on behalf of White Liberal Democrats, who like Humas, brought unprecedented evil to the likes of Oct 7, 2023 to Israel, to take land, kill & destroy, on, April 6<sup>th</sup> 1998 "White, Evangelical Born Again Christians, Conservatives, and Republicans" and got the U. S. Courts Blessings!

What is different here from the Segregation in; *Plessy v. Ferguson*, 163 U.S. 537, *Brown v. Board of Education*, *Loving v. Virginia*, 388 U.S. 1, *Obergefell v. Hodges*, 576 U.S. 644, *Griswold v. Connecticut*, 381 U.S. 479, *Dred Scott v. Sandford*, 60 U.S. 393, *Marbury v. Madison*, 5 U.S. 137, *Miranda v. Arizona*, 384 U.S. 436, *Gideon v. Wainwright*, 372 U.S. 335, *Baker v. Carr*, 369 U.S. 186, *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503, *Engel v. Vitale*, 370 U.S. 421, *Regents of the University of California v. Bakke*, 438 U.S. 265, *Sweatt v. Painter*, 339 U.S. 629, *Mapp v. Ohio*, 367 U.S. 643 (1961). Followed by the District Court of, S. D. California, C. D., Federal Case; 71 F. Supp. 769 (1944) *Lopez et al. v. Seccombe et al.* 1<sup>st</sup> Civ. No. 3158-Y. District Court, S. D. California, C. D., case addressing segregation towards, American Mexican or Latin descent citizens?

America's history was been poisoned by White injustice due to segregation, perpetrated by Whites against, native Americans, Blacks, onto the Mexican & Latin descent citizens. That's now ruled as being unacceptable in today's times, yet that very same segregation has been unleashed on, Evangelical Born Again Christians, Conservatives, and Republicans, regardless of race that effects the nation is not ok!

The Applicants are real victims of the same segregation perpetrated now by a Black Judge, evidence proves, voided facts, and suppressed evidence, in effort to shield White Democrats that used, Social Justice against the full Black race now used against, Evangelical Born Again Christians, Conservatives, and Republicans.

America's new growing segregation problem is real, and it must be addressed and put to rest. It is not by coincidence *Raimondo v the U.S. of American et al.*, came before this Court in such dark times. It was in God's plan on April 6<sup>th</sup> 1998.

This Court holds a legal and moral duty in 2023, as it did in 1954 when this Court overturned *“Plessy v Ferguson”* and ended segregation for the complete Black Race, as it holds today to overturn, Judge Hoods finality of judgements that rest on a foundation of created “Fraud on the Court” and “Social Justice” created by Democrats social prejudice, and intolerance for, White, Black, Mexican or Latin’s, for being, Evangelical Born Again Christians, Conservatives, and or Republicans.

Judge Hood’s Politicalized Extremism used in this case, disregarding the Constitution has become the new norm of the Democrat party that’s using Social Justice against, “Evangelicals, Conservatives, and Republicans, citizens because our Christian Faith Religions” threatens, Liberal Democrats immoral values system.

America’s witnessing a total breakdown of the rule of law, due to Democrats Politicalized Extremism witnessing, a growing number of citizens reaction to the darkness America is in brings anger, frustrations, hopelessness, depression, and despair, not to mention repulsive heinous acts of evil, as their only left option. Mr. Raimondo turned to the Courts, and fought back Democrats Politicalized Extremism and when I got beaten down. God sent me back for more, testing my resolve, and my faith in the Courts.

The Court’s decision to grant the Raimondo’s Petition would go a long way in Restoring the American Courts Integrity image in 2024 with sending a strong message across the Country in these dark political times. The Courts Integrity is sacred ground, not intended for the Democrat Party to carry out political schemes in against “Evangelicals, Conservatives, or Republicans without consequences.

Petitioners respectfully Petitions for the return of our real estate properties, and for our damage claim. Judge Hood’s “Fraud on the Court” leaves no other adequate means to attain appropriate relief but by; *Kerr v. United States Dist.*

*Court for Northern Dist. of Cal.*, 403 (1976), under the circumstances as presented.

## **NEW EVIDENCE WILL SHOW THIS COURT**

Petitioners originally filed *Joseph Raimondo v Village of Armada et al.*, civil Case No. 2:01-cv-71351, on April 6<sup>th</sup> 1998, amending that complaint, docketed as, Civil Case No. 2:01-cv-71352 on, June 26 2001. Judge Hood unbeknown to Petitioners voided that complaint, with its case facts, and supporting evidence in a time line from, June 26 2001, to March 25 2002, while discovery was underway arbitrarily stripping Petitioners original Complaint from the Courts record. The evidence is attached in, Exhibit (38A) as the original Court Docket was discovered in June of 2023, as this writ of mandamus was being drafted, following this Court returning, Petitioners "Shadow Docket motion under Rule 23.3, "which is attached as Exhibit (A2), in response to the Clerks of this Courts error", Petitioner failed to comply to this Courts Rule, 23 .3. Definitive evidence show, both lower Courts mandated the District Court final 2003 Judgements were final, based on the facts Judge Hood presented in her summary judgment in, Case No. 2:01-cv-71353 which Definitive evidence proves was not filed on, April 6<sup>th</sup> 2001, nor was it amended on, June 26 2001, or re-docketed as Case No. 2:01-cv-71353, in review of, Exhibit (36)

Exhibit (36) as Case No. 2:01-cv-71351, shows it was time stamped on, April 6, 2001, and amended and docketed as Case No. 2:01-cv-71352. But the Exhibit (38A) shows, Case No. 2:01-cv-71353 as being Exhibit (37) was filed on April 6, 2001 and amended on June 26, 2001 being docketed as Case No. 2:01-cv-71353.

Petitioners discovery of the District Court voiding, Civil Case No. 2:01-cv-71352, and the Docket changed could not of possibly been addressed in Exhibit (C), As the Motion to invalidate under Rule 60 (b). Those discoveries weren't known in June of 2021. Those discoveries became known following, Judge Hood's reported, Aug. 19 2022 claim there was no Fraud on the Court involved in RE: Case

No. 01-71353 reported as ( ECF No. 306) on reliance of the Sixth Cir. Court of Appeals Judgement, affirming the district court's judgement on July 30, 2007, with the **Mandate** issued on Aug. 27, 2007 referring to Case No. 01-71353 was final..

District Judge, Denise Page Hood who by voiding, Civil Case No. 2:01-cv-71352, and stripping Petitioners original case facts and suppressed material case evidence, orchestrated this 22 year elaborate scheme of Fraud on the Court.

Judge Hood reports in order ( ECF No. 306) states, Petitioner was merely presenting the same arguments and issues previously ruled on by the court.

Petitioner, Joseph Raimondo's Civil Case No. 2:01-cv-71352 was my complaint then, it's my complaint to this Court today. And it is my case in prosecution of the Fraud on the Court Judge Hood created with Respondents defense attorneys.

There is no-one that knows this case better then, Joseph Raimondo because I'm the victim of this case. Judge Hood took a (bribe), she voided, Civil Case No. 2:01-cv-71352, and replaced it with a Red Herring Fallacy created from Civil Case No. 01-71353, that covered up the Village of Armada's governments Public Corruption that got Macomb County's government off the hook for being involved in, April 6<sup>th</sup> 1998 with a summary judgment. In turn, Judge Hood was given the opportunity to advance Racial Equality, and Social Justice, on Petitioners as Evangelical Christians, Conservatives, and Republicans.

Judge Hood made a choice in 2022 to stay the course to beat the victims of the Village of Armada's public corruption into submission for a political "Social Justice" cause. The question is. Did District Judge, and the involved Attorneys Corrupt the System, or did the System Corrupt Judge Hood, and the Attorneys, and cause this Current, Constitutional Crisis surrounding Segregation, Social Justice, and Fraud.

#### **PETITIONERS' STANDING ARGUMENT TO THIS COURT**

As set forth in detail below that mandates the issuance of the writ goes as

followed. On April 6<sup>th</sup> 2001, Petitioners—Plaintiff's came to the Detroit, Theodore Levin District Court and filed civil case, *Joseph Raimondo et al., v Village of Armada, et al.*, Case No. 2:01-cv-71351. Exhibit (36) shows that complaint was amended and re-docketed on June 26<sup>th</sup> 2001. As pro se plaintiffs, we had high expectations the Court would be fair, impartial, read and pay attention to our facts and the supporting evidence we presented, and save us as a law abiding family from the destruction that was being cast upon us by the Village of Armada et al defendants who were perpetrating a large scale Organized Enterprise of Public Corruption, as a family, we were helplessly caught up in, while transforming our lives into a Broken Mess.

That Complaint told the District Court, how a search and seizure warrant was used by police officers on, April 6<sup>th</sup> 1998 who came to Respondents property accusing Petitioner of operating a stolen car chop shop, informing Petitioner, my properties were going to be seized. The Complaint told that Mr. Raimondo was not charged with a crime following a day long search, yet the officer seized 25 titles to twenty five of Petitioners personally owned, classic cars, and that those officers refused to present a tabulation list and Petitioner never again saw my titles. The complaint also told the District Court, Plaintiff traveled on, April 8<sup>th</sup> 1998, and complained to the officers Captain, Rick Kalam at the Macomb County Sheriff's Department. That complaint told about the police retaliation that then followed and how it eliminated, Mr. Raimondo's ability to earn income which prevented the ability to pay Petitioners monthly obligation's including to the bank that loaned Petitioners Hundreds of thousands of dollars to establish Michigan Muscle Unlimited. That complaint told how the Village of Armada Governments elected had allowed their appointed servant Ben Delecke going back to 1995, to curtail Plaintiff's, established business, Raimondo's Armada Collision which was formerly

Classic Coach Auto Restoration. The complaint told, Classic Coach Auto Restoration was established in 1978, and that on, April 6<sup>th</sup> 1998, Petitioner was well established with a history of twenty years in business. The complaint told how those businesses were not under the jurisdiction of the, "Village of Armada Government".

That complaint told the Court supported by evidence. The Village of Armada Government influenced the Macomb County Sheriff's Departments Auto Theft Unit to carry out April 6<sup>th</sup> 1998. That complaints supporting facts, and evidence showed the objective for April 6<sup>th</sup> 1998 was under, civil asset forfeiture law it's designed to work. The Village of Armada government was to be turned over the Raimondo family's township real estate properties, which allowed for moving forward, the Village of Armada's master plan for a housing subdivision and how, Macomb County governments highest officials, John Hertel as the County acting executive and William Hackel as the acting Sheriff of the Macomb County Sheriff's Department had formed the Macomb County PIP Committee, and it's function was to work with local governments, bankers and private businesses, and area planning commissioner members to come up with new develop ideals in the North part of Macomb County that included, Respondents, Village of Armada.

Petitioners pro se Complaint and our filed papers with the Clerk of the Court presented all the material evidence needed in a civil case to make it a prima facie case when amended on June 26 2001, docketed as Civil Case No. 2:01-cv-71352.

As the forgoing tells, Civil Case No. 2:01-cv-71352 was voided from the Court's Docket, and what went with it was all the facts and all the supporting evidence. And once that was managed. Summary Judgement's were issued resting on a Red Herring Fallacy, Judge, Denise Page Hood created from made up facts placed in her summary judgments, going back to 2003.

Joseph Raimondo should not be forced by this Court to accept finality of

Judgments when they rest of “Fraud on the Court” used to deceive the mechanics of the Court for suppressing facts and evidence of a crime. Judge Hood’s entry of those 2003 summary judgements were entered on civil case No. 2:01-cv-71353 changing the entry of Petitioners filed Civil Case No. 2:01-cv-71352 complaint for the purpose of concealing material facts and evidence. Regardless how Judge Hood felt personally about Petitioners, our civil right as citizens and whether or not we deserved this under Democrats Social Justice policies. Judge Hood had a legal duty to present all the facts to the Sixth Circuit Court, so the appeals Court could fairly make its ruling base on all the case facts, supported by witnesses affidavits, Petitioners presented to the District Court. What Judge Hood did was assured herself, those summary judgments weren’t going to be over turned, and by applying res judicata. Twenty years later, they’ve never been in good faith, “reviewed”.

### **PROCEEDINGS IN THE DISTRICT COURT**

Exhibit (E) RE: Case No. 2:01-cv-71353 shows the District Courts order denying Motion to amend and reconsider under Fed. R. Civ. P. 59(e) (ECF No. 305) the Court on August 19, 2022 entered an order denying Motion to invalidate finality of judgment. September 14, 2022, plaintiffs filed a motion to amend and reconsider under Fed. R. Civ. P. 59(e) (ECF No. 305). The court noted, on September 30, 2003, the court entered Opinions and Orders granting various motions to dismiss and for summary judgments filed by many defendants in this case and another related cases. (See ECF Nos. 236, 238). The Court notes the Sixth Cir. Court of Appeals affirmed the Courts Judgement on July 30, 2007, with the **Mandate** issued on Aug. 27, 2007. (ECF Nos. 294, 295). The Order moves on to state in Aug. 19 2022, the Plaintiff’s Motion merely presented the same arguments.

Exhibit (F) Re: Case No. 02:71696. The Courts order denying Motion to amend and reconsider under Fed. R. Civ. P. 59(e) (ECF No. 93) stating Petitioner is merely

presents the same argument but directs the argument back to Case No. 2:01-cv-71353, and noted, judgments may be entered if there is a clear error of law, or new discovered evidence. But again reiterates the Six Circuit Court of appeals **Mandate**. Following the filing of, *Raimondo v. Fritz Builders et al.* In. No. 2:03-cv-71972 (E.D) Mich. 2003. *Raimondo v. State of Mich. et al.* No. 2:03-cv- 72991(E.D) Mich. 2003. *Raimondo v. Myers, et al.* No. 2:04-cv- 74287 (E.D) Mich. 2004, and, *Raimondo v. Hood et al.* case No. 5:06-cv- 15007(E.D) Mich. 2006 and appealing many of the District Courts orders dismissal which were created because of the voiding of, *Joseph Raimondo et al., v Village of Armada, et al.*, Case No. 2:01-cv-71351 and Case No. 2:01-cv-71352.

Exhibit (D) RE: 2:21-cv-10854, The Courts order states Petitioner Motion merely presents the same argument in RE to Fraud on the Court, and further states how Plaintiff is “*not entitled to relief under any provision of Fed. R. Civ. P. 60(b)*”, further the order notes, the court found, Plaintiffs “Fraud on the Court argument, was “*without merit*”. The court further noted, Plaintiff has not shown that the court clearly “*erred in dismissing his case*”, and that the motion to amend and reconsider Final judgment will be denied. This was issued by the Chief Judge Hood herself!

If the Court was to review the case appendix, and record of rulings this Court sent back three times since June 16 2023 in RE: to the Shadow Docket Motion, Petitioner complied with Rule 23 3. of this Court. The appendix shows Applicant filed the proper appeals before with the Sixth Circuit Court in both Case No. 2:01-cv-71353, as well as in, Case No. 02:71696. A review of the three above orders show the Sixth Cir. Court of Appeals affirmed those District Court Judgements again in July 30, 2007, that time with **Mandates** issued on Aug. 27, 2007.

Exhibit (I) Order granting Motion to dismiss Case No. 21:-10854 rejecting Fraud on the Court. On page 8, Chief Judge Hood claims, “*Plaintiff has not*

*submitted any evidence, other than his beliefs and allegations*”, to show that defense counsels knew the affidavits submitted in connection with the cases contained Fraud upon the Court. This is coming from a District Judge, who voided, Civil Complaint Case No. 2:01-cv-71352, was aware the docket submitted to the Sixth Circuit Court for appeals was a fraud. Knew, Defense counsels, James Meyerand colluded with officer Baumgarten when he filed his affidavit, after the fact, Judge Hood voided Case No. 2:01-cv-71352. Now as the Chief Judge. Judge Hood’s selling a “Red Herring Fallacy on the Court that gives credibility to the very officers of the Court who obstructed justice in an act of corrupt. *“That’s Blasphemy on the Courts, in a fearless manner, without shame or guilt, showing no remorse.”*

In RE: to Exhibit (A). Joseph Raimondo was not aware the District Judge Hood voided from the courts file, the 1<sup>st</sup> amended complaint, *Joseph Raimondo v Village of Armada et al.*, civil Case No. 2:01-cv-71352, until the District court in Aug. of 2022 dismissed Petitioners Fraud on the Court charges alleged in case, *Raimondo v U.S. of America et al.*, No. 21-cv-10854, 2022, and entered her Judgment. That discovery was founded researching the Judge Hood’s orders looking in the *Joseph Raimondo v Village of Armada et al.*, civil Case No. 2:01-cv-71352. It was only then that discovery was made, as it was noted in Petitioners Supreme Court, Shadow Docket Motion. “The discovery of the Court changing the Court’s docket was only discovered in, June of 2023, following the return of Petitioners Shadow Docket Motion on a violation claim of Rule 23 3.” By the evidence as presented, Judge Hood voided Case No. 2:01-cv-71352, and the Docket was change to conceal, civil rights violations cases a dark shadow over, Judge Hood.

## PROCEEDINGS IN THE SIXTH CIRCUIT COURT

Exhibit (E) RE: Case No. 2:01-cv-71353 shows the Sixth Cir. Court of Appeals affirmed the Courts Judgement on July 30, 2007, with the **Mandate** issued on Aug. 27, 2007.

Exhibit (T) shows, the Sixth Cir. Court of Appeals again affirmed the District Court's rulings in Case No. :2:13-cv-14773 on March 19, 2015, standing on the District Courts summary judgment issued in civil case No. 2:01-cv-71353, where by refusing to put value in the Fraud on the Court presentation Petitioner presented again in 2015 where the Sixth Circuit claimed, Petitioners had fair opportunity to litigate the issues in prior proceedings. Here the Sixth Circuit claims "Raimondo presented, no new evidence or arguments, but simply challenged the court's prior weighing of the evidence, and highlighted facts that he believed were ignored.

Exhibit (F) Re: Case No. 02:71696 shows the Sixth Cir. Court of Appeals affirmed the Courts Judgement on July 30, 2007, with the **Mandate** issued on Aug. 27, 2007.

Petitioner for the last twenty two years has gone to grant lengths to comply with every Court rule, timely filed all needed requests for reconsideration, timely filed all notices of appeals in those cases, timely filed the Appeals, was denied every Appeal by the Sixth Cir. Court. Petitioner then respectfully and timely filed (Four Petitions for Writ of Certiorari) over the last twenty years, everyone was denied, followed by respectfully filing requests for reconsideration, again presenting my argument to this Supreme Court over Sixth Circuit, and denials would come through U.S. Mail Service. Petitioner has not slept on his rights, it's the Courts who's sleeping.

## **PROCEEDINGS ON REMAND**

### ***Fraud on the Court, and Fraud upon the Court***

"Fraud on the Court, or Fraud upon the Court", refers to a situation in which a material misrepresentation has been made to the court. Alternatively, the term could be used to refer to a situation in which a material misrepresentation has been made by the court itself. The overall defining requirement is that the impartiality of the court has been disrupted so significantly that it cannot perform its tasks without bias or prejudice. Fraud on the Court involves court officials, or officers

of the court. "In this case, there were no court appointed attorneys and the request was denied by Judge Hood herself whereby Judge Hoods Fraud on the Court was a service for Respondents Attorneys, for their clients." "The most obvious examples of Fraud on the Court is bribery of a judge, and bribery comes in many forms. "In this case, the bribe was Judge Hood was the ability to judge the Raimondo v Village of Armada case on the principles of social justice for applying those social principles for dismissing a 4<sup>th</sup> amendment civil rights case involving police abuse, retaliation, and public corruption being the victims were pro se, Evangelical Christian, Conservative, Republicans, without financial resources to retain notable civil rights attorneys. "In such a case, a reasonable Judge wouldn't void a civil rights attorneys, complaint facts, and suppress Plaintiff's evidence, especially if the Plaintiff was an African American, alleging these very same charges against White police officers and public servants". Fraud on the Court is considered to be the most serious violation that could occur within a court of law. "When Fraud on the Court occurs, the entire case is voided or cancelled". *"This means that any ruling or judgment that the court has issued will be rendered void. Additionally, the case will need to be retried, and with different court officials. This is often done in an entirely different venue in order to avoid further instances of Fraud on the Court".*

If Fraud on the Court resulted in civil damages, such as lost wages, the fraud on the court claim can also include a request for those civil damages. There is no time bar for asserting a fraud on the court claim. In this case, Petitioner has been presenting a fraud claim since respondents attorneys began their defense for their clients and clearly once respondent Lynn Baumgarten filed his sworn affidavit in Dec. of 2002 after discovery was closed informing Judge Hood the officer was lying in his sworn affidavit. Judge Hood refused to accept that fact as being possible.

**THE WARRANT AS VIODED ATTACHED THROUGH  
EXHIBIT (2)**

This warrant was never been addressed prior to Judge Hood voiding it with civil case, No. 2:01-cv-71352, nor was it addressed in District Cases No. 21-cv-10854 Judge Hood dismissed when the full complaint surrounded this Warrant.

State of Michigan }

County of Macomb }

TO THE SHERIFF OR ANY PEACE OFFICER:

1. The person, place, or thing to be searched is described as and located at: 74555 Fulton, Armada, Macomb County, Michigan, known as Raimondo's Armada Collision;
2. The PROPERTY to be searched for and seized, if found, is specifically described as:

Records and inventory to be inspected as provided for in M.C.L. 257.213,M.C.L. 257.1318 and M.C.L. 257.1317;

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: I have found that probable cause exists and you are commanded to make the search and seize the described property. Leave a copy of this warrant with the affidavit attached and a tabulation (written inventory) of all property taken with the person from whom the property was taken or at the premises. You are further commanded to properly return this warrant and tabulation to the Court.

Issued 4/3/98 1:00 PM

Judge Magistrate

John P. RUSSI 41 B DIST MAG.

**LEGAL ARGUMENT**

The decree of the Court that issued that warrant reads by review of the warrant; Leave a copy of this warrant with the affidavit attached and a tabulation (written inventory) of all property taken with the person from whom the property was taken or at the premises. You are further commanded to properly return this warrant and

tabulation to the Court. Not one of those decree commands were followed, Judge Hood, knew that but she voided that fact!

**THE STANDARD REVIEW OF MICHIGAN LAW GOVERNING  
SEARCH AND SEIZURE (EXCERPT) Is Act 189 of 1966.**

**780.655 Property seized upon search; tabulation; filing; suppression order; custody; restoration to owner; disposition of other property under Sec. 5.**

(1) When an officer in the execution of a search warrant finds any property or seizes any of the other things for which a search warrant is allowed by this act, the officer, in the presence of the person from whose possession or premises the property or thing was taken, if present, or in the presence of at least 1 other person, shall make a complete and accurate tabulation of the property and things that were seized. The officer taking property or other things under the warrant shall give to the person from whom or from whose premises the property was taken a copy of the warrant and shall give to the person a copy of the tabulation upon completion, or shall leave a copy of the warrant and tabulation at the place from which the property or thing was taken. The officer is not required to give a copy of the affidavit to that person or to leave a copy of the affidavit at the place from which the property or thing was taken.

(2) The officer shall file the tabulation promptly with the judge or district court magistrate. The tabulation may be suppressed by order of the judge or district court magistrate until the final disposition of the case unless otherwise ordered. The property and things that were seized shall be safely kept by the officer so long as necessary for the purpose of being produced or used as evidence in any trial.

(3) As soon as practicable, stolen or embezzled property shall be restored to the owner of the property. Other things seized under the warrant shall be disposed of under direction of the judge or district court magistrate, except that money and other useful property shall be turned over to the state, county or municipality, the officers of which seized the property under the warrant. Money turned over to the state, county, or municipality shall be credited to the general fund of the state, county, or municipality.

If the decrees of the Court weren't followed, that warrant falls as an unlawful Warrant, making that seizure of Petitioners private legal papers an unlawful seizure, making the forfeiture of those legal papers unlawful because it was done without due process.

Had Judge Hood applied the 4<sup>th</sup> Amendment Due Process Clause in response to police officer Baumgarten's refusal to written out a tabulation list of what the police took. That warrant by law was declared an unlawful search and seizure of Applicants "*legal papers*". When addressing the taking of Applicants real estate that then later took place and how that was made to happen, that taking was fruits from that poisonous warrant creating under law, a 5<sup>th</sup> Amendment violation of the "Taking Clause". Taking into account those acts took place under the color of law, created a 14<sup>th</sup> Amendment, Equal Protection Clause violation.

By Judge Hood voiding docketed case, No. 2:01-cv-71352 from the Courts record, it took with it the 4<sup>th</sup> Amendment violations, the 5<sup>th</sup> as well as the 14<sup>th</sup>.

The Law addresses that warrant as being a violated warrant, yet Judge Denise Page Hood by Exhibit (A) clearly shows this Court. Judge Hood voided docketed case, No. 2:01-cv-71352 from the case docket, and Exhibit (38 A) clearly shows the Court's docket was changed to civil case, No. 2:01-cv-71353 being the amended case.

If this Court would look as Exhibit (38 A) from page one, to page 18 of the Courts issued Docket to the Sixth Circuit Court, every date starting from April 6<sup>th</sup> 2001 was changed too civil case, No. 2:01-cv-71353. In doing so, the District Court engaged on Fraud on the Court and tapered with the appeal process by making it appear for the appeal of case, No. 2:01-cv-71353 and civil case No. 2:02-cv-71696 were originally filed in 2001. But Exhibit (A) being Judge Hood's memorandum filed in March 2002 stated Capac State Bank was not a defendant in civil case, No. 2:01-cv-71353 when Exhibit (38 A) unequivocally shows on the very top page listing defendants, Capac State Bank was a Defendant in civil case, No. 2:01-cv-71353.

How is this justified other than by being: (1) an intentional fraud; (2) by an officers of the court, (3) which was directed at the court itself; and (4) in fact deceived the Machinery of the Court which created this twenty year old extraordinary scheme of Fraud on the Court.

Judge Hood knew, Lt. Lynn Baumgarten violated that warrant supported by his own words used in his own sworn Affidavit that his defense attorney wrote for him to sign, and further was supported by his own police report. Judge Hood concealed all that evidence of fact by voiding docketed case, No. 2:01-cv-71352. Therefore, Judge Hood by suppressing Petitioners facts, as well as Petitioners case evidence, the Sixth Circuit Courts on appeal appeals refused to take into account the evidence Petitioners was presenting, due to the fact, Judge Hood voided that evidence that factual showed Baumgarten violated his warrant with, Kline and they covered it up.

What was also voided was the supporting evidence, that supported the facts that respondents retaliation resulting from Joseph Raimondo refusal to go along with respondents extortion scheme and respondents development ideals led to that extortion, which led to the eviction, that led to that sale of the Raimondo family's Home, and Real Estate, which Judge Hood not only knew about, but allowed it to take place while this case was before Judge Hoods Court.

Judge Denise Page Hood ruling stated in her March 2002 MEMORANDUM the 1<sup>st</sup> Amended complaint is void of any allegations against the Village of Armada respondents that these defendants were evicting Plaintiff's from their home. Judge Hood denies Plaintiffs Motion to Grant an Estoppel Stop Action on the Sale of Plaintiff's Home. Judge notes as fact in Exhibit (A) that Capac State Bank was not at this time a party in this suit. Those facts are found in Exhibit (A) on the final page starting at the top with 3. "Plaintiffs Motion to Grant an Estoppel Stop Action on the Sale of Plaintiff's Home", followed by, G. "Plaintiff's request for Sanctions" followed by, H. "Plaintiffs Request for Court appointed Attorney", followed by, IV. "The Courts Conclusion" presenting the Court rulings as of March 2002.

Then following that Memorandum being entered on March of 2002, following that statement, it was is July of 2002, Capac State Bank actually sold Applicants real estate to, "Armada Village Respondents" named in case, No. 2:01-cv-71353.

When that sale of Applicants, Home and Real Estate was brought to Judge Hoods Court Room attention, at that motion hearing in July of 2002. Respondents attorneys denied the sale. When Judge Hood questioned that sale, and the attorneys informed Judge, Hood of that business transaction carried out days prior to Applicants Motion hearing date on "Plaintiffs Motion to Grant an Estoppel Stop Action on the Sale of Plaintiff's Home". In response to that discovery transaction. "Judge Hood, simply warned Respondents attorneys, if the Raimondo's can ever prove, your clients violated the law. The U.S. Government would returned that land to the Raimondos regardless of what development your clients make.

If the Court would turn to Exhibit (A1) Exhibit (A1) focuses on the District Courts IX. CONCLUSION as it was written.

The lower Court notes, Plaintiffs are acting pro se and have done a fine job in representing themselves through their oral presentations in open court and in their papers. Inasmuch as Plaintiffs believe there is a conspiracy against them resulting in the unfortunate circumstances they have gone through, the Court notes that the law provides precise definition of the claims set forth in the Courts analysis, and, for the reasons set forth above, Plaintiffs have failed to show such violations by the above-noted Defendants.

It is noted for this Court, 2.01-cv-71353-DPH Doc. #238p Filed 09/30/03 named Capac State Bank as a defendant. But, Exhibit (38A) as the copy of the Original Court Docket. The Court notes very clearly, Exhibit (37) was the original complaint filed on April 6<sup>th</sup> 2001, and that it was amended on June 26/01. But as this Court can see from Exhibit (A), The District Court states, Capac State Bank was not a party in this suit. Emotional Empathy for the Raimondo's doesn't exist in this case.

In *Pumphrey v. Thompson Tool Co.* 62 F.3d 1128, 1130 (Ninth Cir. 1995); see also *Weese v. Schukman*, 98 F3d 542, 553 (Tenth Cir. 1996) (noting that "fraud on the court should embrace only that species of fraud which does or attempts to,

subvert the integrity of the Court itself, or is a fraud perpetrated by officers of the court" (citation omitted., 616 F.2d 833, 837 (11<sup>th</sup> Cir. 1980).

There is no legitimate defense for Judge Hoods deceit nor open bias for the Plaintiff's to justify her corrupted actions in is litigation.

Judge Hood failed to up hold her official oath of office to the U.S. Constitution by simply ignoring the facts and the evidence that warrant was clearly violated by law!

**EVIDENCE OF THE POLICE REPORT THAT WAS VIODED  
ATTACHED AS EXHIBIT (3)**

**The Macomb Auto Theft Squad General Incident Report  
3-26-98 Incident# 98-M-23888.**

INCIDENT TYPE ADMINISTRATIVE INSPECTION SUSPECT JOSEPH RAIMONDO W/M DOB 1-5-54 74555 FULTON, ARMADA, MI

**LEGAL ARGUMENT SHOWING THE DAMAGE FRAUD IN  
THAT REPORT CAUSED JUDGE HOOD VIODED**

That report is an admission of guilt by the two police officers who signed it on a fabrication of fraud statements, in retaliation for Petitioner traveling to the Macomb County Sheriff's department on, April 8th 1998 and telling officer Baumgarten's, and Kline Captain, Rick Kalam what took place on April 6<sup>th</sup> 1998. Exhibit (3) was started on April 13<sup>th</sup> 1998, not April 6<sup>th</sup> 1998, and following Applicants visit on April 8<sup>th</sup> 1998 to senior officers, and was a written to cover up.

Judge Hood voided the facts that Petitioner traveled to the, Macomb County Sheriff's Department on, April 8<sup>th</sup> 1998, following Petitioners stop at the Secretary of State office in Richmond MI., where I was instructed to meet officer Baumgarten. What Judge Hood voided. Officer, Baumgarten had arrived ahead of the scheduled time of 9:00 on April 8<sup>th</sup> 1998 set for 9:00 am and left what then was 24 out of the 25 titles he and officer Kline seized on April 6<sup>th</sup> 1998. Respondent Baumgarten handed

over the titles to an employee known as Angie. When I learned Baumgarten had already been there and the employee informed Petitioner she was expecting me. Petitioner asked Angie if it was possible to return Monday on April 13<sup>th</sup> 1998 and explaining I had to raise the needed tax money to transfer those titles. Angie stated, it's not a problem. I agreed to be back on April 13<sup>th</sup> 1998 being a Monday.

Petitioner then traveled to the Sheriff's Department. It was not that I was interested in filing a complaint.. Moreso, I felt violated. Officer Baumgarten was informed of that visit by his boss. On the morning of April 13<sup>th</sup> 1998, Petitioner traveled back to Secretary of State office in Richmond and met with Angie. Angie though informed me the Lieutenant Baumgarten had just left and requested the titles back and told Angie to call him. Officer Baumgarten states in his report, Sue Harper from the Bureau of Automotive Regulations called him early on the morning of April 13 1998 and requested him to go pick up those titles at the Secretary of State, claiming. "Sue Harper's wanted then taken because Petitioner did not transfer those titles on April 7<sup>th</sup> 1998. Yet Sue Harper had left the scene once her investigation was completed an did not even know, Baumgarten seized those titles.

When Petitioner returned home, Petitioner called officer Baumgarten asking, where are my titles. Baumgarten responded with, "you went and seen my boss last week didn't you?" Responding, I did, explaining why I did. Baumgarten informed Petitioner how I shouldn't have gone to his boss and then, informed me how many others have tried to get his ass before, informing Mr. Raimondo how he was now going to get my ass, ten times worse for going to his boss.

Judge Hood voided the facts that when Lt. Baumgarten then in mid-1998 charged, and had Petitioner prosecuted, convicted, and sentenced. Neither Baumgarten nor Susan Harper attended that trial and never gave testimony in support of Baumgarten's requested prosecution. Those that testified were officer Kline who pulled the warrant at Baumgarten's request, and Armada's officer Shoemaker, acting on behalf of the Village of Armada Police department.

Lt. Lynn Baumgarten, in the administrative inspection of Raimondo's Armada Collision stated, he and Kline took possession of twenty-four titles, then Baumgarten turned them over to the Secretary of State office in Richmond MI for proper transfer, and that Petitioner was instructed by Lt. Baumgarten to meet him at that office on 4-7-98 at 9:00 am, according to Exhibit (3). If the Court will notice in Exhibit (3), officer Kline did not sign his initials in support of Lt. Lynn Baumgarten signed statement.

Officer Kline did not place his initials on Lt. Baumgarten's statement because officer Kline knew 1st. Steven Hazard eye witnessed officer Kline's presence with another officer on the morning of April 7<sup>th</sup> 1998 at Petitioner's home, and Mr. Hazard knew that officer Kline on the morning of April 7<sup>th</sup> 1998 at 9:00 am returning one of those 25 titles seized to a 1969, Plymouth Road Runner. And 2<sup>nd</sup>. that trip would be in the sheriff's daily registry. Mr. Steven Hazard signed a sworn affidavit with three others, Judge Hood personally requested at the summary judgment hearing were to be delivered to her, and not the Clerk's office. Then suppressed all four presented in this docket evidence report, from the lower court.

That Police reports Signed by: Detective K Kline, Badge # Reviewed by: 8/10/ 98  
L/L/B states.

TRIAL 8-4-98 On this date, defendant Raimondo was found guilty of Operating Without A License. He was sentenced to thirty days or \$370 court cost. Based on the fact the defendant has been found guilty and been sentenced, I respectfully request to close this investigation. But Kline & Shoemakers presented, "Fraud on the Court" in their sworn testimony and I have pleaded that fact for twenty two years. There was motive to cover up, April 6<sup>th</sup> 1998, and the opportunity served them well.

Officer Kline claims on 4-3-98 he conducted a drive by investigation of 74555 Fulton, and past a building arriving in town, 74130 South Fulton, and observed masking areas of the vehicles parked inside that building. Susan Harper had no knowledge of that building. The only parties that knew of that building was the Village of Armada government, its police department, and Respondent, Delecke.

Officer Kline report claims in his investigation, when he drove by 74555 Fulton, he saw on the property many old cars, much of the same body style, he also alleged he saw a sign on the property that read, "Raimondo's Armada Collision with a phone number". Office Kline alleges he then later telephoned that number and talked to a man called Joe. Officer Kline alleges he called asking to bring his vehicle by for an estimate for repairs. Never stated he was a police officer doing an official investigation into a crime. Officer Kline alleged, he was told to bring the car by, and ask for "Joe or Steve".

Petitioner admits, I had classic vehicles inside the building Kline claimed . But officer Kline in a drive by investigation, never saw through those closed and locked doors that had no windows. There were no cars masked in various areas being. Mr.

Raimondo had no occupancy permit work in the building until Petitioners occupancy primate was approve by Respondent Delecke which was not permitting.

That build was as well searched on, April 6<sup>th</sup> 1998, by the Macomb Sheriff's Department Auto Theft Unit which found no stolen cars there either. Likewise, the officers found no masked cars, no air compressor, or evidence of freshly painted cars. That drive by investigation was April 3/98, that raid was on April 6/98. Petitioner having no advanced notice what was going to happen on Monday 4/6/98. So what happened to all those masked up cars being painted officer Kline saw?

Petitioner admits someone call asking if I would write an estimated to repair their car. But the Petitioner clearly told that someone, he was out of business. Kline, never presented evidence he got his estimate! What Kline was doing was an act of entrapment, gone bad, under the color of law to get a warrant to find a crime.

Officer Kline did police raids routinely, with the Lt. Baumgarten for the Macomb County Sheriff's Department, seizing property, under civil asset forfeiture law. But What Officer Kline was doing with Petitioner was engaging in entrapment because Officer Kline was told, Petitioner was out of business, yet with persistence tried to get Petitioner to violate Michigan State Law by writing him his estimate to an undamaged car, he never intended on having work do on, to get his warrant.

Officer Kline used that drive by investigation, that phone call, and that sign as probable cause to get a Clinton Township Magistrate judge from Clinton Townships his own police Departments jurisdiction, Officer Kline was on loan from, to pull that raid in a jurisdiction some twenty mile away being Armada Mi.

Judge Hood voided the forgoing facts when she voided civil case, No. 2:01-cv-71353, and suppressed the evidence supporting, Officer Kline, and officer Baumgarten violated their warrant. In doing so, voided the facts, and the evidence that in an unannounced morning raid of closed business evidence supported, there was no supporting evidence Judge Hood had showing, Petitioner was operating, and repairing customer cars. Or that the officers presented any evidence they found a stolen car chop shop, as Officer Kline accused Petitioner of doing when he arrived.

#### **LEGAL ARGUMENT BASED ON FACTS THAT WERE VOIDED**

That police Report shows on 3-26-98, An administrative inspection of Raimondo's Armada Collision was being scheduled for 4-6-1998 by the Macomb County Sheriff's Department's Auto Theft Unit with, the Bureau of Automotive Regulations inspecting officer, Sue Harper which has the elements of a conspiracy to carry out 4/6/98. "**Mr. Raimondo knew Sue Harper**," and her testimony does not concur with that the officers report, nor with Respondent, Baumgarten's sworn affidavit attached as Exhibit (4). Judge Hood by ignoring the facts as presented in Case No. 01-71532. Petitioner was forced into filing a civil case against the State of MI to expose the officers Fraud in that police report as well as in Baumgarten's sworn affidavit. That case was, *Raimondo v. State of Mich. et al.* No. 2:03-cv- 72991 which Judge Hood dismissed without discovery which prevented all means to prove to Judge Hood the officers were lying, both to the Court as well in their police report. Mr. Raimondo was not allowed to prove Sue Harper had any knowledge of the Building 74130 South Fulton which brings this back to the Village of Armada.

When Petitioner filed the, *Raimondo v. Fritz Builders et al.* In. No. 2:03-cv-

71972, Judge Hood dismissed that case as well, again preventing Petitioner from proving to the court record, Respondent Robin Caruss, as developer, with Jeffery Fritz himself that helped plan the Village of Armada's master plan, were the recipients of the Petitioners extorted real estate properties, when Judge Hood knew that to be fact in about July of 2002. Judge, Denise Page Hood witnessed that sale from defendant to defendant take place, right before her Court. Again as stated in the forgoing, did nothing to hold Defendants accountable for what they were doing in the presence of the court. Supporting *Plessy v Ferguson* separate but equal.

As the voided complaint, and facts in pleadings told the Courts over the last 22 years. Attached to this Wirt as Exhibit (7) is Mr. Steven Hazard's 2<sup>nd</sup> signed sworn affidavit, Judge Hood again ignored in District Cases No. 21-cv-10854 as his sworn statement as Petitioners been presenting for two decades. When Officer Baumgarten arrived, as officer Kline was conducting with fellow officers their search and seizure raid, the very first words out of Lieutenant Baumgarten's mouth was, "call my F-----g tow trucks, alleging, every F-----g car here is now my F-----g car". Those are Baumgarten's factual words used when he arrived, not even knowing if there was a stolen car on the property. Regardless how much Judge Hood's Court and the Sixth Circuit Court claims this was impossible or implausible. There has only been one side of this story being heard. Those that violated their warrant! Mr. Raimondo, and Mr. Hazard side has been suppressed, and being the officers did not have on body cameras, those claiming the victims side of the story is impossible or implausible, are drawing a conclusions, while giving the officers who

violated their warrant complete credibility making Applicants inferior citizens.

The facts are as stated. Lt. Baumgarten arrived acting like an animal, and his temperament, mannerism and his arrogance profiled him as being a dirty bad cop. Baumgarten was an animal, and his fellow officers knew he was dirty, and knew as well that he was an out of control senior officer, who was a loose cannon that was put in retirement in Dec. of 1998 because his bosses lost control of him, forcing them into damage control because of what Baumgarten pulled off on April 6<sup>th</sup> 1998 on a law abiding man, and his family which finally shook Macomb County's public corruption enterprise up, whereby, Baumgarten had to go. Yet his damage wasn't.

As for officer Kline mentioning, there was a Corvette on the premises that he Claimed, justifying his, and Baumgarten's criminal prosecution claiming, Petitioner was repairing that car. The facts are, that car was restored years before I closed my business. Petitioner agreed to put the car in storage for several years free of charge for a gentleman known as, Don Schmitt who owned, Michigan Marine Salvage Company located in Macomb County who was very well known, and held in high standing with the Macomb County Sheriff's Department and with Baumgarten.

Officer Baumgarten as he went from car to car claiming each car, his F----- car, yelling to officer Kline to call for his F----- tow trucks even when the offices informed Baumgarten, it was not stolen. Baumgarten would yelled at them, ordering them to go back and fine the car stolen claiming he wanted it. When Baumgarten stumbled on that 1967 restored beautiful Blue Corvette, demanding the story on that car. Petitioner told Baumgarten how I was storing the car for a friend. Mr. Raimondo

had not a clue the owner of that car was buddies to Baumgarten on a business level.

Officer Baumgarten started forcefully claiming that Corrette was stolen, as the officers started being very careless around that car, as Baumgarten was ordering then to find it stolen, telling Officer Kline to call for his tow truck, yelling the car was now his F----- car. Petitioner started to panic, whereby telling officer Baumgarten. You don't want to mess with that man's car. Baumgarten yelled out. Who the F---k is this guy. I told him who he was, and what he owned. Baumgarten retreated and made a phone call. When Baumgarten returned, the Corvette was no long an issue. Sworn Statement of Fact Judge Hood voided.

The next day, Don Schmitt who owned the Corvette called Petitioner and was laughing on the phone. I asked him what's so funny? He Responded, "I heard you had visitors yesterday". I responded, how did you hear that? His response was. "I held the annual Fish Fry Party last night for the, Macomb County Sheriff's department, and you were the talk of the party". Don Schmitt informed me, Baumgarten had called him asking about his car, informing him, Petitioner was dirty. Wanting to know why his car was here. Don informed him, it was in storage.

**L.T. BAUMGARTEN'S AFFIDAVIT**  
**ATTACHED AS EXHIBIT (4)**

Judge Hood claim is in Civil Case No. 21-cv-10854 was that the attorney's had no knowledge Baumgarten's affidavit was presented as a Fraud upon the Court so Applicant can't prove Fraud on the Court claim Applicants have no claim.

LYNN BAUMGARTEN, being first duly sworn, deposes and says:

1. I was a Macomb County Sheriff's Deputy assigned to the Macomb Auto Theft Squad ("MASTS"), at all times pertinent to this lawsuit.
2. I have personal knowledge of the information contained in this Affidavit.
3. On April 6<sup>th</sup> 1998, I assisted Detective Kline in an administrative inspection of Raimondo's Armada Collision.
4. During the aforementioned inspection, I took possession of twenty-four (24) titles from Michigan, Ohio, Indiana, Oklahoma, and Missouri.
5. All twenty-four titles were open, unsigned by the purchaser, Mr. Raimondo, in violation of Michigan law.
6. Mr. Raimondo was informed that he would not be charged with the crime of not transferring the titles, but he would be required to transfer the titles as required by Michigan law.
7. Mr. Raimondo was informed that he was to meet me at the office of the Secretary of State in the City of Richmond, Michigan on April 7, 1998, at 9:00 a.m.
8. On April 7, 1998, Mr. Raimondo failed to appear at the Richmond Secretary of State, and the titles were left with the Secretary of State for Mr. Raimondo to transfer same.
9. On or about April 13, 1998, I received a call from the Bureau of Automotive Regulations to pick up the titles left at the Richmond Secretary of State due to Mr. Raimondo's failure to transfer the titles.

10. Due to Mr. Raimondo's failure to transfer the titles in a timely fashion. I again contacted the Bureau of Automotive Regulations and was told to return the titles to the states of origin.

11. That, accordingly, I returned the titles to the states of origin.

Further, affiant sayeth not.

Signed by LYNN BAUGARTEN

Dated and notarized; 4<sup>th</sup> Dec. 2002.

Mr. Raimondo has argued to the Court since that Affidavit was filed and given to Judge Hood after discovery was closed. Baumgarten lied to the Court. Judge Hood simply would not hear it, and refused to accept that as fact, as did the 6<sup>th</sup> Cir. Court. Mr. Raimondo has never changed my case facts, I have never present false allegations, fraudulent statements to the court, and clearly, Judge Hood noted in Exhibit (A1) in her conclusion:

Plaintiffs acted pro se and did done a fine job in representing themselves through their oral presentations in "open court, and in their papers". Inasmuch as Plaintiffs believe there is a conspiracy against them resulting in the "unfortunate circumstances they have gone through", the Court notes that the law provides precise definition of the claims set forth in the Courts analysis, and, for the reasons set forth above, Plaintiffs have failed to show such violations by the above-noted Defendants!

Allow a pro se to presented a different prospective on this case, through this sworn affidavit, and this 25 year coverup for of what officer Baumgarten did. Let's see this case as, Applicant is Black, presenting the same facts, who's been in prison for the last 25 years, convicted without a trial, by a White Judge, who voided facts, and evidence who relied upon was a sworn Affidavit, signed by a White Police officers, who violated their warrant and presented that police report. And that Black man was factually innocent, victimized by White Republicans who had no criminal past history, not even a driving record.

Twenty Five Years later it's discovered. That White Judge, Voided that Black man's defense story, and suppressed his evidence, and suppressed the facts, the police violated the Black Mans civil rights. But as that Judge was doing that, placed on the Courts record. This was just unfortunate circumstances, that Black family has gone through informing that family. The Court notes that the law provides precise definition of the claims set forth in the Courts analysis, and, for the reasons set forth above, Defendants failed to show the police violated the law. How long would it take for a civil uprisen take place and that make national headlines for political gain for Democrats? Yet the Courts have been silent and there are no headlines being, Applicants happen to be White, Evangelical Born Again Chirstian's, that are Conservatives, and Republicans! And even the Republicans stood silent on this case for twenty five years!! It's no wonder the Country is freefall.

### **A BLACK MANS CURRENT CASE**

It was reported by CNN on August 4<sup>th</sup> 2023, In the Theodore Levin U.S. District Court, Judge Hood, was the Chief Judge over in, 2020," US District Court Judge, Stephen J. Murphy, a White Judge, for telling a Black man, "Leron Liggins", you look like a criminal to me. The Sixth Circuit Court vacated the man's 10 year federal prison conviction according to a federal appellate court ruling.

The appellate court's ruling vacates Liggins' conviction and sentence and orders a new trial in the case, which will be assigned to a different judge.

"Among the many disparaging remarks about Liggins that the district judge made, the most troubling is that Liggins 'looks like a criminal to me,'" the appellate court opinion said.

Regardless of Murphy's "intended meaning, we must consider the interpretation that a reasonable observer of this public hearing could have made, for we must guard against not only actual bias but also the appearance of bias, which 'demeans the reputation and integrity' of the court of which the district judge is a part," the appellate court said.

At another hearing after the remarks were made, the judge apologized to Liggins for losing his temper, saying he was frustrated with the many delays in the case, which had been pending since 2018, and was not prejudiced against Liggins.

Hearings for Liggins' case were delayed multiple times, the opinion said. "The complexity or long duration of a criminal case gives no license to a district court to prejudge the defendant's guilt or otherwise dispose of the case in any manner except through fair proceedings," the appellate court said.

Liggins' attorney, Wade Fink, told CNN. "The Sixth Circuit sent a pretty strong message today that no matter who you are, what you look like, or what you're accused of, you are entitled to be treated with dignity, respect, and, above all, actual fairness."

Petitioners are Evangelical Born Again Christians, Conservatives, as well as Republicans who on April 6<sup>th</sup> 1998 weren't drug dealers, had no criminal past record, operated a twenty year old business, contributed to society in a lawful manner to service others in need of a lawful service who did not deserve this. Yet Applicants by the Courts are treated inferior and without credibility.

### **COMPLAINT HISTORY SUMMARY**

In the history of this pro se, twenty two year litigation create by April 6<sup>th</sup> 1998, the Courts' have refused to address the original facts of the case, and rejected the evidence supporting those facts. The Writ of Mandamus while it limits what Petitioner can present due to page limits presents only some of the basics material facts for granting this Writ of Mandamus supported under Rule 60 (b), Yet does not allow to opportunity to address the case law cases for Fraud on the Court as

presented in the authorities of this appendix for granting this Petition for Writ of Mandamus.

No Judge, knows this case better than, Mr. Raimondo, and respondents Attorneys, as to what really went on in Judge Hood's Court. Being there were no cameras allowed behind those closed wooded doors, only respondents, Attorneys, Judge Hood, her staff, and Mr. and Mrs. Raimondo as pro se litigants really know the facts of what really went on! Yet the Sixth Circuit Court, with fellow District Democrat Judges that dismissed related complaints claim the complaints are frivolous, and filed without merit, claiming it's simply rambling, and incoherent allegations that's implausible to believe. But the facts are as well. Never was Mr. Raimondo as a pro se been, counter sued for libel or slander, nor sanctioned for filings those labeled, frivolous law suits, presented as.

*Raimondo v. Vill. of Armada et al.* No. 2:01-cv- 71351, Voided

*Raimondo v. Vill. of Armada et al.* No. 2:01-cv- 71352, Voided

*Raimondo v. Vill. of Armada et al.* No. 2:02-cv- 71696-DT (E.D) Mich. 2002, Dismissed

*Raimondo v. Fritz Builders et al.* In. No. 2:03-cv- 71972 (E.D) Mich. 2003, Dismissed

*Raimondo v. State of Mich. et al.* No. 2:03-cv- 72991(E.D) Mich. 2003, Dismissed

*Raimondo v. Myers, et al.* No. 2:04-cv- 74287 (E.D) Mich. 2004, Dismissed

*Raimondo v. Hood et al.* No. 5:06-cv- 15007(E.D) Mich. 2006, Dismissed

*Raimondo v. Hood et al.* No. 2:10-cv- 15107(E.D) Mich. 2010, Dismissed

*Raimondo v. Armada*, No. 2:12-cv-14773 (E.D. Mich. 2013, Dismissed

*Raimondo v U.S. District Chief Judge Denise Page Hood, et al.*, (217-cv-04254-NKL, Missouri 2019, Dismissed

*Raimondo v U.S. of America et at.,* No. 21-cv-10854, 2022. Dismissed.

If they truly were frivolous law suits without merit, the Court had the power to punish Mr. Raimondo as a vexatious litigant and severely sanction as punishment Mr. Raimondo for filing the same fraudulent charges over and over again since April 6<sup>th</sup> 2001. It is time to confront the reasoning why the Court allowed this to continue, and whether those complaints have merit, and ask if Judge

Hood and the Respondents Defense are running a scam of, "Fraud on the Court" and their motives have always been to obstruct justice, through corrupt acts?

### **REASONS FOR GRANTING THE PETITION**

1. The evidence shows, a warrant was violated. 2. The Police Report contained Fraud. 3. Lt. Baumgarten's sworn affidavit contained Fraud. 4. Judge Hood voided those Frauds, and suppressed the evidence that supported those Frauds. 5. Judge Hood, concealed every fact that exposed, the Village of Armada Governments Public Corruption, and Macomb County's "Enterprise of Organized Racketeering, and its Public Corruption.

In law, "No White Judge" in 2023 would be allowed to void such a case of facts and suppress such a of case evidence filed against police offices, and/or public servants of white color as presented in CIVIL CASE 01-71352 if this was a Black man's complaint, a White Judge, voided for White Attorneys, for White Defendants.

The law under the savings clause for "Fraud on the Court" is straight forward and very clear. There is no time limit precedence that bars this Court, from voiding Judge Hood's Summary Judgements. Further, under *Cheney v. United States District Court for the District of Columbia*, 542 U.S. 367 (2004) there's no established set time limits as to when a Petition for Writ of Mandamus can be filed seeking relief. The same goes for Fraud on the Court. What Judge Hood did in 2003 is today a nationwide pandemic of out of control Democrats manipulation of the legal system in 2023 that is destroying American Democracy and the Rule of Law.

Macomb County's Enterprise of Organized Racketeering simply walked into a Federal Court and without fear, or remorse, influenced, Chief Judge, Larence Zatkoff, a formed Macomb County Circuit Democrat Judge, that Influenced Judge, Hood with a bribe of "Social Justice" to dismiss everything about April 6<sup>th</sup> 1998.

What's lost in this case is, the Raimondo family weren't found violating any

laws, for the Police, and Government destruction that came to our door step and destroyed our twenty year old established business to take are land.

*The Courts for twenty two years, evaded every piece of evidence, supporting our facts, while claiming, the case is lacks merit, denied a trial to place Respondent under oath, and the federal respondents claim they have no duty to investigate. The evidence shows a warrant was violated. A police report and a sworn affidavit has Fraud in both, and the Government of the U.S. is covering those three facts up.*

For Those Reasons And Below, This Court Has a Duty To Grant This Petition.

**VOIDED FACTS FROM CIVIL CASE No. 01-71352**

On the morning of, April 6<sup>th</sup> 1998, Macomb County Sheriff's Department, Clinton Township, and the Village of Armada police officers arrived at Petitioners home at 74555 Fulton Ave, in Armada, Michigan unannounced. Once on the property Officer Kyle Kline approached Joseph Raimondo, in the presence of Mr. Steven Hazard and asked for Joseph Raimondo. Petitioner identified myself asking, if I could help the officers. Officer Kyle Kline announced, "they were there to search and seize my properties", accusing Petitioner of running a stolen car chop shop. Petitioner responded, "is this a joke" and officer Kline responded; " this is not a joke".

The police officers dispersed on a search which lasted, seven and a half hours. Included was an investigator from the, Michigan Bureau of Automotive Regulations, was Susan Harper who Plaintiff knew. Her duties were to perform an Administrative Inspection of records, of Raimondo's Armada Collision consisting of work orders, and customer files, yet none were found, finding Raimondo's Armada Collision was officially out of business, whereby, Petitioner was not operating Raimondo Armada Collision without a current license. Yet as attached, Exhibit (3) claims following, April 13 1998, the officers charged Plaintiff claim they found

Plaintiff conducting repairs on customers cars, and the Macomb County Prosecutors office prosecuted, and convicted Petitioner on those charges. But Susan Harper hadn't discovered any evidence, that support that prosecution.

While Susan Harpers administration investigation was underway. The police officers were conducting their own search for stolen cars, and parts, that would have allowed for seizing the restate and my private properties under Mi. civil asset forfeiture which was the intent for, April 6<sup>th</sup> 1998.

Thereto, No evidence was discovered to support what officer Kline based probable cause stated for his warrant or his accusing statement I was operating a stolen car chop shop. Those facts were voided by Judge Hood. "What was also voided was the Warrant was not left with Petitioner" nor was a tabulation list as ordered by the Court wrote out. Petitioner in about, July of 1999, through a MI freedom of information act request, to the Macomb County Sheriff's Department fifteen months following April 6<sup>th</sup> 1998 received my copy of that warrant, with the affidavit. A tabulation list couldn't be present because there was not one in the file. But Police tell the Court, they seized, 24 titles and then forfeited them because an employee of the state of Michigan told them to do so.

Respondents of the, Village of Armada Government, and its police department officers, led Macomb County Sheriff's Auto Theft Unit into believing, Petitioner would be discovered, operating a stolen car chop shop which under civil asset forfeiture law, allowed for the police to seize both, the real estate properties, as well as the private properties, which included a vast collection of 1960 highly valuable

Chrysler Muscle Cars, bought with bank borrowed money, Petitioners home, real estate properties, and all Petitioners family's personal properties, and business properties were the collateral used to buy that vast collection.

Judge Hood voided those facts supported by real evidence, Respondent, Ben Delecke since early 1995, as a public servant, was curtailing and harassing Petitioners, Raimondo's Armada Collision which by late 1997. Forced Petitioner into closing, Raimondo's Armada Collision and moving my business career into different direction, those classic cars were bought for and had a major role in.

Judge Hood voided the fact, Respondent, Delecke was with the police officers on the morning of, April 6<sup>th</sup> 1998, traveling to Mr. Raimondo's properties. And the fact Respondent, Steven Clark, was the "Police Commissioner" for the "Village of Armada" acting under the color of law was the liaison appointed to the Armada Planning commission who was in on, April 6<sup>th</sup> 1998, who influenced the Armada Police Department become involved in April 6<sup>th</sup> 1998. Judge Hood had not a clue what went on in the Village of Armada. And she shows she never cared.

Judge Hood voided everything that informed her Court of Respondent, Delecke's nonstop harassment, and bulling, Petitioners, township business, which occurred over the prior three year time line that led up to April 6<sup>th</sup> 1998. Including the fact Delecke in March of 1998 personally threatened Petitioner, I would never open, Michigan Muscle Unlimited as the new business, replacing Raimondo's Armada Collision. Judge Hood voided those facts and the evidence how, Respondent Delecke objected to, and was prohibiting Petitioner of getting his dealers license,

and occupancy permit to open that new location in the Village of Armada, Officer Kline alleges he drove by investigating in his drive by. Yet Susan Harper, knew nothing about that new building. Yet Judge Hood assured those facts as well, never got to a jury by simply voiding those facts and dismissing the case.

**A WRIT OF MANDAMUS IS WARRANTED GIVEN THE EXTRAORDINARY CIRCUMSTANCES OF THIS CASE**

The Raimondo v Village of Armada Civil Case, No. 02:71696 was filed following, July 9, 2001 extortion of Petitioners real state in, Macomb County's Circuit, and District Courts, while civil case No. 01- 71352 was underway. It was Judge Hood who requested at the direction of Chief Judge, Lawrence P. Zatkoff, as a former, "Macomb County Circuit Judge", who requested, Petitioner consolidate, Civil Case No. 01- 71352 with Civil Case, No. 02:71696 following the property extortion in July Of 2001. It is in fact, Judge Hood never informed Petition's as pro se litigants, in doing so that was going to void Civil Case No. 01- 71352. Judge Hood gave strict instructions that the new complaint was to be condensed, whereby filed within a short timeline. That is how, civil case No. 01- 71353 came into existence, so it could then be dismissed on the motion filings for summary judgments which was Judge Hood's way of Obstructing Justice through a Corrupt Act to deprive equal justice.

**THERE ARE NO OTHER ADEQUATE MEANS TO OBTAIN RELIEF**

The only possible means that prevents, "Fraud on the Court" and "Fraud upon the Court" from prevailing in the Courts to get the relief Petitioners request, as a family is through this Petition for Writ of Mandamus. All other means have been exhausted.

**CLOSING STATEMENT TO THE COURT**

Petitioners in this Court (plaintiffs-appellants are, Joseph and Janet L. Raimondo, a husband and wife who are, Evangelical Born Again Christians, Conservatives, and Republicans who've been married for 48 years who have two

Sons, & four grandsons. Joseph Raimondo is a 1973 Honorably Discharged, United States Marine. Appellant Joseph Raimondo's from 1973 to 1978 was employed at Ford Motor Company who worked in the steel division who as selected Americans do, wanted to be an entrepreneur and established a business career. Mine was the Auto Restoration industry. Leaving Fords in 1978, over the following twenty years, Joseph Raimondo established a self-tough profession and became an Automotive Craftsmen. Throughout those twenty years, Petitioner built a promising career in the Auto Restoration, Custom Car, and Collision Industry and on the morning of April 6<sup>th</sup> 1998, was in the prime of life working in a field that in 2023 has grown in size, popularity, and demand that generates jobs, and high wages. The United States is the world's largest market for classic cars with revenue of between 14 and 15 billion U.S. Dollars generated in 2020. Some models from the 1950's have become cultural icons of America's post war golden era. The classic car market in the United States is projected to grow to some 18.77 billion U.S. dollars by 2024.

On April 6<sup>th</sup> 1998, the Village of Armada government took that from me and in doing so took my home, land, dreams, passion, and right to be a part of that growing market. I've asked the Courts "respectfully" for over twenty two years to give me back what the Village of Armada took from me unlawfully, as a law abiding man and the Courts have mocked me without shame or remorse to this date.

The record would show a jury of my peers, Mr. Joseph Raimondo respectfully, acted lawfully, dedicating the last twenty five years of my life pleading to the FBI, , the Department of Justice, to investigate this case. The record would also show Petitioner did the same before his local village, and county government official who claiming, they have not a clue what this case is about!

The record would show, Applicant Joseph Raimondo since April 6, 2001 dedicated twenty years before, U. S. District Courts of Michigan, an Missouri, Courts, the Sixth and Eighth Appellate Courts, filed three Petitions for Writ of

Certiorari, against the Sixth Circuit Court, and the fourth on Sept. 10, 2019 titled, Joseph Raimondo v Denise Page Hood, against the Eighth Circuit Court of Appeal presenting Fraud on the Court Charges related to this case matter over April 6<sup>th</sup> 1998 and showing how this targeted Evangelicals, Conservatives and Republicans.

The record shows; The Defendants of the Village of Armada et al., named in litigation case NO 2:01-cv-71352 unequivocally violated a police warrant on April 6<sup>th</sup> 1998, and the fruits from that poisonous warrant led to the extortion of Appellants real estate properties in 2001 while civil case, NO 2:01-cv-71352 was before Judge Hood and Judge Hood segregated the Raimondo family from Equal Protection under the law and manage that through Fraud on the Court.

The record shows, Judge Hood voided civil case, NO 2:01-cv-71352, in a deceitful manner replacing it with civil case NO 2:01-cv-71353 on the District Court's Docket then ignored those facts, along with changing the facts in, civil case NO 2:02-cv-71696 for deceiving the mechanics of the court with, "Fraud on the Court" at the request of, Chief Judge, Zatkoff, following the extortion of Applicant's real estate in July of 2001. Those facts and that evidence of how that extortion went down in Respondents, Macomb County Court is now on this Court's docket, filed with this Writ of Mandamus that's taken Mr. Raimondo, twenty two years for the world to now see. Judge Hoods, and Respondents defense of "Res Judicata" and Statute of Limitations for a Rule 60 (b), claim against officers of the Courts for "Fraud on the Court" has been challenged through this Writ of Mandamus for the world to see.

#### **LEGAL ARGUMENT IN DEFENSE OF LACHES**

**Petitioner "has not slept upon his rights, and the filing of this Petition of writ of mandamus follows the returned, June 16, 2023 Shadow Docket Motion by this Court, and a timely notice of appeal was made, so it's not prejudicial to the [other party], and to their rights. Applicants Shadow Docket Motion was returned twice for rules. The Writ of Mandamus was returned twice over rules. Respondents, Attorney's with**

the Lower Court's placed this litigant in a position to where there is no remedies to confront "Fraud on the Court" but through a petitioning for writ of mandamus which has no set time line for invalidating judgments, resting on "Fraud on the Court" which prevents a laches defense from prevailing in this case; *Chapman v. County of Douglas*, 107 U.S. 348, 355.

## CONCLUSION

The vast volume of case exhibits supporting this Writ of Mandamus Applicants Manifesto road map of events that brought about, April 6<sup>th</sup> 1998, that brings the U.S. of America et al., Respondents before this Court. While page limits prevents, Mr. Raimondo from addressing all exhibits, and the events over the last 25 years. It connects Macomb County's, Enterprise of Organized Public Corruption to Obstruction of Justice, through Corrupt Acts, that Influenced an Elaborate Scheme of Fraud on the Court to corruptly deceive the machinery of the Court that made Mr. Raimondo appear on the record. Uncredible and as a Criminal who can't support his claims for relief with evidence, labeled as a; "A Vexatious Litigant!"

What does, Judge Hood, Respondents, and their attorneys expect from this unwavering, U.S. Marine for voiding my case facts, and suppressing my volume of evidence now packaged, supporting of this "Writ of Mandamus," who's titled as a Vexatious Litigant? A free pass? The function of this Court is to rule on the facts, supported by evidence, measured by the law. Judge Hood's prejudice made her incapable of functioning as a Court, leaving that tasks to this Court to fix her mess!

THEREFORE; Applicant Respectfully Prays this Writ persuades this Court to order, the land taken known as 74555 Fulton Armada MI., be turned by the U.S. Government, followed by granting Applicants their original damage claim as it was requested of, 32.5 Million Dollars, with any other appropriate damages this law of the land allows.

Dated: September, 8, 2023,

Respectfully Summitt by;  
40      Joseph Raimondo