

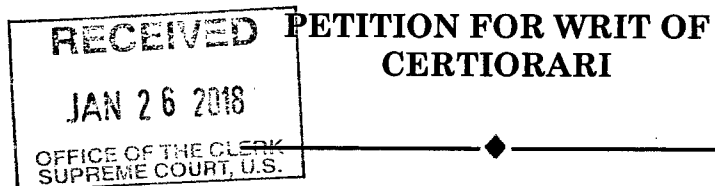
BS
No. _____

In The
Supreme Court of the United States

Brian Alexis aka Blagoy Petrov Alexiev
Petitioner,
v.

FEDERAL BUREAU OF
INVESTIGATION, The United States,
Official capacity; et al.,
Respondent.

On Petition for a Writ of Certiorari to the
United States
Court of Appeals for the Ninth Circuit



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QUESTIONS PRESENTED

1. Did the Ninth Circuit err by its unprecedented holding, in conflict with decisions and the consistent teaching of this Court, that the Fourteenth Amendment and statute 1983 cases permits issuance of an injunction restraining the federal laws of undisputed and legitimate public interest for massive cover up by FBI of use by Russian- Ukrainian KGB agents- terrorists of Russian made high military grade radioactive poisons and toxic elements for assassinations of US citizens on the US territory?
2. Does the Ninth Circuit's application of the "abuse of discretion" standard on appeal in a case involving restriction on Fourteenth Amendment and section 1983 rights merit summary reversal?
3. Does the Ninth Circuit's application of the "abuse of discretion" standard on appeal in a case involving restriction on Fourteenth Amendment and section 1983 cases for violations of US federal laws for use of radioactive weapons, use of weapons of mass destruction, use of chemical weapons on US soil, US patriot act statute for first responds to nuclear terrorism and for refusal to arrest, prosecuted and destroy Russian – Ukrainian nuclear terrorist organization operating on the US territory?
4. Does the Ninth Circuit application of the "abuse of discretion" standard of appeal in a case involving restriction on Fourteenth Amendment and section 1983 cases , were Section 1983 does not provide a specific Statute of Limitation, and when a section 1983 claims accrues is a matter of federal law?

**PARTIES AND RULE 29.6
STATEMENTS**

The following list provides the names of all parties to the present petition for certiorari and the proceedings below:

Petitioner is BRIAN ALEXIS aka Blagoy Petrov Alexiev and Plaintiff in the U.S. District Court for the Central District of California and were Appellant in the U.S. Court of Appeals for the Ninth Circuit.

All Defendants in the U.S. District Court for the Central District of California were are Federal Bureau of Investigation, the City of Santa Monica, the County of Los Angeles, the United States, official capacity. The Defendants - Appellees in the U.S. Court of Appeals for the Ninth Circuit. Respondents are Federal Bureau of Investigation, the City of Santa Monica, the County of Los Angeles, the United States, official capacity

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At issue in this appeal is for the purpose of hiding information from the public precisely because the information is of such significant public interest and concern ,regarding massive cover up by U.S. federal , municipal and local government agencies of nuclear terrorism with use of Russian made	

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DECISIONS BELOW

All decisions in this case in the lower courts are styled Brian Alexis aka Blagoy Petrov Alexiev v. Federal Bureau of Investigation , the City of Santa Monica , the County of Los Angeles, the United States official capacity; et al. The district court decision dismissing the case to the FBI is unpublished. The opinion of the U.S. Court of Appeals for the Ninth Circuit affirming the district court decision is unpublished.

JURISDICTION

The panel decision of the Ninth Circuit is issued on October 03, 2017. This Court has jurisdiction under 28 U.S.C. § 1254(1).

CONSTITUTIONAL PROVISIONS

The Fourteenth Amendment provides: equal protection by laws; due process;42 U.S.C. § 1983, commonly referred to as "section 1983" provides: Every person who under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, Suit in equity, or other proper proceeding

INTRODUCTION

The Ninth Circuit has become the first federal appeals court ever to award on Fourteenth

Amendment and section 1983 and 1985 and ADA cases with state of California statutes of limitations to federal agency F.B.I. for violations of U.S. federal laws, as 18 U.S.C. 831(nuclear materials offenses), 18 U.S.C. 2339 A (providing material support to terrorists), 18 U.S.C. 2339 B (providing material support to terrorist organizations), 18 U.S.C. 2332a (use of weapons of mass destruction) on U.S. soil, 42 U.S.C. 2122 (use of atomic weapons) on U.S. soil, and for violations of U.S. patriot act 2001 Section 1005 First Responders Assistance Act , which was granted by the U.S. Senate in 2001 to protect U.S. citizens from the foreign terrorists acts. En route to this novel inroad on Fourteenth Amendment and section 1983 cases, the Ninth Circuit invoked the deferential “abuse of discretion” standard, despite this Court’s repeated admonition that, in the Fourteenth Amendment and section 1983 cases, where the facts may be decisive *de novo* review is mandatory. This Court should either grant plenary review to examine this new exception to the doctrine of prior restraints, or in the alternative summarily reverse and remand with instructions for the Ninth Circuit to reconsider the case under the “de novo” standard of review mandated by this Court’s precedents for Fourteenth Amendment and section 1983 cases.

STATEMENT OF THE CASE

On November 24, 2014 Plaintiff- Appellant file in the US District Court Central District of California Complaint for damages with attachment of 570 pages of documents against Defendants Federal Bureau of Investigations official capacity , the United States,

the City of Santa Monica official capacity and the County of Los Angeles official capacity.

Plaintiff – Appellant asserts ten claims against Federal Bureau of Investigation [“FBI”], the City of Santa Monica, and the County of Los Angeles arising from alleged failure to investigate and prosecute the attempted murder of Plaintiff – Appellant by Soviet nuclear terrorist and confirmed KGB agent Anna Lvovna Kilimnik aka Anna May Alexis using Russian made radioactive poisons weapons of mass destruction and toxic elements for assassination of the Plaintiff- Appellant.

Plaintiff asserts violations of his Fourteenth Amendment / 42 U.S.C. §§ 1983 and 1985, Title II ADA, 42 U.S.C. 12101 (a) (8) rights, refusal to investigate, prosecute and arrest, malicious abuse of due process, neglecting to prevent terrorism with use of Russian made radioactive poisons used on US territory for assassination of the Plaintiff- Appellant, purposely creation of intentional infliction of physical and emotional distress to accelerate Plaintiff- Appellant death, torture and conspiracy to torture, for protecting and supporting Soviet origin terrorists for use of Russian made radioactive poisons and toxic elements for assassination of Plaintiff- Appellant who is US citizen on US territory, for refusing to investigate, prosecute and arrest Soviet terrorist group for financial and bank system criminal activities for stealing millions of US dollars from Plaintiff- Appellant’s biotechnology business using specially created by KGB Ponzy scheme with fake Business Fictitious Names to enter and steal millions of dollars from the Plaintiff- Appellant’s biotechnology business, for providing material and financial support to the Soviet origin

terrorists with refusal to investigate entire Soviet KGB group involved in that organize crime in the banks and financial institutions in the USA, for refusing to investigate, prosecute and arrests Soviet KGB agent and her daughter for forgery of Plaintiff-Appellant Life insurance policy with main goal to receive \$ 444, 152 after his death, for cover up and destructions of evidences and forgery of police report for attempted murder.

Attached to the Plaintiff- Appellant Complaint for damages 570 pages of documents are sufficient and specific facts confirming all described allegations and 10 claims for damages.

The three law firms and selected 3 attorneys defending federal agency ["FBI"], municipal agency the County of Los Angeles through its departments Los Angeles County District Attorney Office and Justice Integrity Division and local agency the City of Santa Monica through its department Santa Monica Police Department for described above violations of Plaintiff- Appellant's Constitutional Civil Rights.

All 3 defendants' attorneys file Motion of Dismiss asserted under Fed. R. Civ. P. 12(b) (6).

Plaintiff- Appellant pro se litigant, who is Victim of Crime against Humanity and Victim of Nuclear Terrorist Offence and Victim of KGB nuclear terror committed on US territory file four motions oppositions against the 3 defendants- appellees motions to dismiss filed at the US DC Central District of California. However D.C. Magistrate Judge totally rejects all of plaintiff – appellant oppositions and issued two Reports and Recommendations in favor of the three defendants – appellees ["FBI"], the City of Santa Monica and the County of Los Angeles.

Plaintiff – Appellant file two Objections against two Reports and Recommendations prepared and signed by Magistrate Judge. However again District Judge rejected Plaintiff- Appellant objections to Magistrate Judge's two reports and recommendations and on **April 10, 2015 District Judge – Western Division sign a Judgment dismissing the FBI without leave to amend.**

On May 5, 2015 Petitioner – Appellant file Notice of Appeal.

Plaintiff- Appellant pro se litigant start preparation of the Brief which must to included 570 pages of documents attached to the original Complaint confirming huge amount of specific and sufficient evidences ,confirming all claims for damages and allegations against three local, municipal and federal government agency involved in total cover up of use of Russian made radioactive poisons and toxic elements for assassination of the Plaintiff- Appellant. During preparation of the Brief Appellant find out very serious violations of U.S. federal laws committed by Federal, Municipal and Local Government agencies, as FBI, Los Angeles County District Attorney Office and Santa Monica Police Department. All defendants - appellees committed since July 2006 until present time violations of U.S. patriot act 2001 Section 1005 First Responders Assistance Act, which was granted by the U.S. Senate in 2001 to protect U.S. citizens from the foreign terrorist's acts, operations and use of Weapons of Mass Destructions, as radioactive materials, atom weapons, chemical and biological weapons on the U.S. soil. According U.S. Patriot Act Section 1005 First Responders Assistance Act F.B.I. must to investigate and to prosecute immediately not only Soviet (Russian – Ukrainian) nuclear terrorist

Ana Lvovna Kilimnik aka Anna May Alexis for use of extremely dangerous Russian made high military grade radioactive poisons Uranium (99.3 % Uranium 238 alpha transmitting isotope) Weapon of Mass Destruction for assassination of the plaintiff, but also to investigate and prosecuted all Santa Monica Police officers as described in the Complaint involved in cover up activities by SMPD on plaintiff's attempted murder case # 06-73277 including Los Angeles District Attorney Office and Justice System Integrity Division . However all three defendants – appellees as F.B.I immediately concealed intentionally by purpose plaintiff's radioactive poisoning committed by the Soviet (Russian – Ukrainian) nuclear terrorist Ana Lvovna Kilimnik aka Anna May Alexis. Those violations of color of law were followed with other violations of plaintiff's constitutional rights as malicious abuse of due process, plaintiff's rights to equal protection of the law, refusing to investigate Soviet terrorism and refusing to arrest Soviet (Russian- Ukrainian) terrorists using extremely dangerous Russian made high military grade radioactive poisons Uranium (99.3 % Uranium 238 alpha transmitting isotope) Weapon of Mass Destruction for assassination of the plaintiff, neglecting to prevent and protect U.S. citizens as plaintiff from Soviet (Russian – Ukrainian) terrorist organization operating on the United States soil and represented by the Soviet (Russian – Ukrainian) nuclear terrorist Ana Lvovna Kilimnik aka Anna May Alexis. F.B.I. have a pattern of acting in concert jointly with other two defendants City of Santa Monica- SMPD, and the County of Los Angeles - Justice System Integrity Division department of Los Angeles County District Attorney's Office and separately to cover-up Plaintiff's attempted murder,

who is Victim of Nuclear Terrorist Offence and a qualified disabled individual with multiple life threatening bodily injuries created from the Russian made high military grade radioactive poisons Uranium (99.3 % Uranium 238 alpha transmitting isotope) Weapon of Mass Destruction used by the Soviet (Russian – Ukrainian) terrorist Ana Lvovna Kilimnik aka Anna May Alexis for Appellant-Plaintiff's assassination.

All three defendants- appellees represented by 3 attorney insufficiently claims without merit Statute of Limitation two years , which was adopted as a sufficient claim by Magistrate Judge in his two [R.R.] and D.C. Judge. However the U.S. federal laws are sufficient evidence confirming all three defendants – appellees are not liable for any statutes of limitation and immunity at all. Defendants- appellees F.B.I. and others have a pattern of Supporting, protecting and cover up of Soviet (Russian and Ukrainian) Nuclear terrorists activities for using extremely dangerous Russian made high military grade radioactive poisons Uranium (99.3 % Uranium 238 alpha transmitting isotope) Weapon of Mass Destruction is a very serious violations of U.S. laws, as follows: 18 U.S.C. 831(nuclear materials offenses), 18 U.S.C. 2339 A (providing material support to terrorists), 18 U.S.C. 2339 B (providing material support to terrorist organizations), 18 U.S.C. 2332a (use of weapons of mass destruction) on U.S. soil, 42 U.S.C. 2122 (use of atomic weapons) on U.S. soil, and violation of U.S. patriot act 2001 Section 1005 First Responders Assistance Act , which was granted by the U.S. Senate in 2001 to protect U.S. citizens from the foreign terrorists acts, operations and use of Weapons of Mass Destructions, as radioactive materials, atom weapons, chemical and biological

weapons on the U.S. soil. No one of described U.S. federal laws provided to all three defendants – appellees statute of limitation and immunity. It is ridiculous how the 3 attorneys can claims statute of limitation , when the Soviet nuclear terrorist and confirmed KGB agent walking free until present time on US territory under full protection and support by federal (FBI) , municipal and local government agencies.

Defendant- Appellee F.B.I. acting in concert with other two defendants- appellees City of Santa Monica and County of Los Angeles, have a pattern of torture_and pattern of purposely and intentionally acting in concert to accelerate massive intentional infliction of physical and emotional distress to Plaintiff- Appellant with main goal to accelerate plaintiff's death.

On November 25, 2013 Plaintiff was diagnosed by Bulgarian court certified forensic medical experts with life threatening injuries. Section 1983 does not provide a specific Statute of Limitation, when a section 1983 claims accrues is a matter of federal law, meaning that the statute of limitations for section 1983 claims begins to run when plaintiff knew or had reason to know of the injury. See *United States v. Kubrick*, 444 U.S. 111 (1979) On Basis forensic examination from November 25, 2013 Plaintiff for the first time found out he has Life Threatening Injuries, which are described on Plaintiff's Complaint at paragraph 36." On November 25, 2013 two Bulgarian Forensic Medical Experts Dr. Iliya Lyonev M.D. and Dr. Pencho Kozhuharov specialists in medical jurisprudence perform second forensic evaluation on plaintiff's medical documents. Bulgarian experts wrote: "The radiation sickness is characterized by changes in the cells, organs, and

systems in the organism as a result of the specific biological effect of the different types of ionizing radiation, leading to the so called ionization of the tissues of the organism. As a results of that the ionized atoms (in executed state) and molecules with high chemical activities , leading to severe disorders in the functions and systems of the whole organism, which could results in lethal outcome or cause chronic progressive irreversible disease. As a conclusion of the performed analysis of the documents, it can be ascertained that the impairments of all organs and systems, caused by the toxic effect of the above mentioned radioactive elements, found in the case of the person Blagoy Petrov Alexiev (Brian Alexis) have realized in combination the criteria of the medical and biological sign of PERMANENT, GENERAL, LIFE-THREATENING HEALTH DISORDER. Therefore on base of described above all three defendants – appellees FBI, the City of Santa Monica and the County of Los Angeles cannot clams two year state of California statutes of limitations under section 1983. **Moreover all three defendants –appellees FBI, the City of Santa Monica and the County of Los Angeles are liable for Plaintiff- Appellant torture. Anti-terrorism measures of the USA Patriot Act made substantial alternations in the statutes of limitation that govern a number of federal crimes. According USA Patriot Act Section §3286 (b) No limitation.** - Notwithstanding any other law, an indictment may be found or information instituted at any time without limitation for any offense listed in 18 U.S.C. Section 2332(b))(g)(5)(B), *if the commission of such offense resulted in, or created a foreseeable (sic) risk of, death or serious bodily injury to another person.* (emphasis added) **Therefore pursuant to**

18 U.S.C. Section 3286 (b) - there is no statute of limitations whatsoever on charges against anyone who: (1) committed torture; (2) aided and abetted the commission of torture; or (3) conspired to commit torture if any of those crimes either: (a) actually resulting in death; or (b) created a foreseeable risk of death; or (c) created a foreseeable risk of serious bodily injuries to another person. U.S. Justice Department cited the California case, *People v. Frazer*, 24 Cal.4th 737,759,982 P.2d 180,194,88 Cal.Rptr.2d 312,327 (1999) , in its summary of proposed anti-terrorism legislation, *Section 301. No Statute of Limitations For Prosecuting Terrorism Offenses, Consultation Draft of September 20, 2001, Anti- Terrorism Act of 2001, Section by Section Analysis*, printed in, *Administration's Draft Anti-Terrorism Act of 2001: Hearing Before the House Comm. On the Judiciary*, 107th Cong., 1st Sess.60 (2001)

U.S. Patriot Act at Section 811. Penalties for terrorist conspiracies added to (g) Torture. - Section 2340 A of the title 18, United States Code, is amended by adding at the end the following:

(c) Conspiracy. - A person who conspires to commit an offense under this section shall be subject to the same penalties (other than the penalty of death) as the penalties prescribed for the offense, the commission of which was the subject of the conspiracy." With that text added to Torture - Section 2340 A of the title 18, United States Code, NO STATUTE OF LIMITATION for Conspiracy to cover up nuclear terrorist offence with Russian made radioactive poison is provided by U.S. Patriot Act 2001. All legal demonstration of federal laws and U.S. Patriot Act 2001 confirms No Statute of

Limitation for Conspiracy to cover up Terrorism Offenses 18 U.S.C. Section 2332(b))(g)(5)(B), if the commission of such offense resulted in, or created a foreseeable (sic) risk of, death or serious bodily injury to another person. Therefore No Statute of Limitation for Torture and Conspiracy to torture to all Defendants- Appellees.

All Defendants F.B.I. the United States , City of Santa Monica and County of Los Angeles jointly and separately have a pattern of cover-up terrorist offence with use of Russian made radioactive poison against the Plaintiff on the U.S. territory and liable as accessories of Terrorist offences according federal laws 18 U.S.C. 831(nuclear materials offenses)- no statute of limitation, 42 U.S.C. 2122 (use of atomic weapons)- no statute of limitation, 18 U.S.C 2332(a) (use of weapons of mass destruction)- no statute of limitations. Therefore no Statute of Limitation can be claimed to any cause of actions brought by Plaintiff against Defendants F.B.I. the United States, City of Santa Monica and County of Los Angeles.

Motions to Dismiss asserted by Defendants- Appellees F.B.I. the United States, the City of Santa Monica and the County of Los Angeles under Fed. R. Civ. P. 12(b) (6) is without merit and insufficient and speculative miss presentation of Plaintiff's Complaint and attached 570 pages of documents, which Plaintiff- Appellant clearly established, as truthfully sufficient specific facts, genuine issues for the amended jury trail and clearly and lawfully supporting all claims for damages and theory for liability. In Motion under Rule 12(b) (6), courts decided two issues: whether the allegations state a claims and whether the law was clearly established. See *Siegert v. Gilley*, 500 U.S. 226, 232 (1991); accord

County of Sacramento v. Lewis, 523 U.S., 118 S. Ct. 1708, 1714 n.5 (1998). In *County of Sacramento*, the Supreme court stated in a footnote: "the first step is to identify the exact contours of the underlying right said to have been violated." *Id.* It explained that if courts were instead to assume a constitutional violation and address the second step, whether the law was sufficiently clear to put officials on notice that their actions were unconstitutional,"

On October 03, 2017 United States Court of Appeals for the Ninth Circuit affirmed district court judgment with following: "The district court dismissed Alexis' action as time – barred because the statute of limitations defense for his claims appears on the face of his complaint."

REASONS FOR GRANTING THE WRIT

At issue in this appeal is a gag order, a preliminary injunction imposed specifically for the purpose of hiding information from the public, precisely because the information is of such significant public interest and concern , regarding massive cover up by U.S. federal , municipal and local government agencies of nuclear terrorism with use of Russian made radioactive poisons by Russian KGB nuclear terrorists for assassination of US citizens, which is violations of federal laws 18 U.S.C. 831(nuclear materials offenses), 18 U.S.C. 2339 A (providing material support to terrorists), 18 U.S.C. 2339 B (providing material support to terrorist organizations), 18 U.S.C. 2332a (use of weapons of mass destruction) on U.S. soil, 42 U.S.C. 2122 (use of atomic weapons) on U.S. soil, and for violations of U.S. patriot act 2001 Section 1005 First Responders Assistance Act , which was granted by the U.S.

Senate in 2001 to protect U.S. citizens from the foreign terrorists acts. Erroneously reviewing only for abuse of discretion, the Ninth Circuit became the first federal circuit awarding US federal government agencies, as FBI for supporting, protecting and cover up Russian KGB nuclear terrorism against US citizens executed on US soil with statutes of limitations in violations of Fourteenth Amendment, statutes 1983 and 1985 cases and ADA.

THE NINTH CIRCUIT'S DECISION CONFLICTS WITH SUPREME COURT PRECEDENT REQUIRING DE NOVO REVIEW OF CONSTITUTIONAL FACTS IN FOURTEENTH AMENDMENT AND STATUTES 1983 AND 1985 CASES.

Plaintiff asserts violations of his Fourteenth Amendment / 42 U.S.C. §§ 1983 and 1985, Title II ADA, 42 U.S.C. 12101 (a) (8) rights, refusal to investigate, prosecute and arrest, malicious abuse of due process, neglecting to prevent nuclear terrorism with use of Russian made radioactive poisons used on US territory for assassination of the Plaintiff-Appellant, purposely creation of intentional inflection of physical and emotional distress to accelerate Plaintiff-Appellant death, torture and conspiracy to torture, for protecting and supporting Soviet origin terrorists for use of Russian made radioactive poisons and toxic elements for assassination of Plaintiff-Appellant who is US citizen on US territory, for refusing to investigate, prosecute and arrest Soviet origin terrorist groups, for financial and bank system criminal activities for stealing millions of US dollars from Plaintiff-Appellant's biotechnology business using specially created by KGB Ponzy scheme with fake Business Fictitious Names to enter and steal millions of

dollars from the Plaintiff- Appellant's biotechnology business, for providing material and financial support to the Soviet origin nuclear terrorists with refusal to investigate entire Soviet origin KGB group involved in that organize crime in the banks and financial institutions in the USA, for refusing to investigate, prosecute and arrests Soviet origin KGB agent and her daughter for forgery of Plaintiff- Appellant Life insurance policy with main goal to receive \$ 444, 152 after his death, for cover up and destructions of evidences and forgery of police report for attempted murder. See *Siegert v. Gilley*, 500 U.S. 226, 232 (1991); accord *County of Sacramento v. Lewis*, 523 U.S.-, 118 S. Ct. 1708, 1714 n.5 (1998). In *County of Sacramento*, the Supreme court stated in a footnote: " the first step is to identify the exact contours of the underlying right said to have been violated." *Id.* It explained that if courts were instead to assume a constitutional violation and address the second step, whether the law was sufficiently clear to put officials on notice that their actions were unconstitutional."

According the U.S. federal laws statute of limitation is prohibited to Federal Bureau of Investigation and other defendants as accessories of nuclear terrorism with use of Russian made radioactive poisons for assassination of US citizens on US territory by Russian Ukrainian KGB agents, and described as: Accessory of nuclear terrorism Federal Bureau of Investigation violate 18 U.S.C. 831(nuclear materials offenses) – no statute of limitation; Accessory of nuclear terrorism Federal Bureau of Investigation violate 18 U.S.C. 2332a (use of weapons of mass destruction) – no statute of limitation; Accessory of nuclear terrorism Federal Bureau of Investigation violate 42 U.S.C. 2122 (use

of atomic weapons)- **no statute of limitation; Accessory of nuclear terrorism Federal Bureau of Investigation violate US Patriot Act According USA Patriot Act Section § 3286 (b) No limitation.** - Notwithstanding any other law, an indictment may be found or information instituted at any time without limitation for any offense listed in 18 U.S.C. Section 2332(b))(g)(5)(B), *if the commission of such offense resulted in, or created a foreseeable (sic) risk of, death or serious bodily injury to another person.* (emphasis added) **Therefore pursuant to 18 U.S.C. Section 3286 (b) - there is no statute of limitations whatsoever on charges against anyone who: (1) committed torture; (2) aided and abetted the commission of torture; or (3) conspired to commit torture if any of those crimes either: (a) actually resulting in death; or (b) created a foreseeable risk of death; or (c) created a foreseeable risk of serious bodily injuries to another person.** U.S. Justice Department cited the California case, *People v. Frazer*, 24 Cal737,759,982 P,2d 180,194,88 Cal.Rptr.2d 312,327 (1999) , in its summary of proposed anti-terrorism legislation, *Section 301. No Statute of Limitations For Prosecuting Terrorism Offenses, Consultation Draft of September 20, 2001, Anti- Terrorism Act of 2001, Section by Section Analysis, printed in, Administration's Draft Anti-Terrorism Act of 2001: Hearing Before the House Comm. On the Judiciary, 107th Cong., 1st Sess.60 (2001)*

U.S. Patriot Act at Section 811. Penalties for terrorist conspiracies added to (g) Torture. – Section 2340 A of the title 18, United States Code, is amended by adding at the end the following:

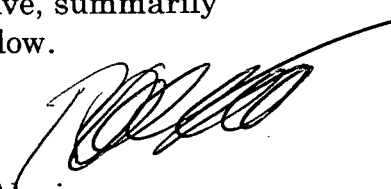
(c) Conspiracy. - A person who conspires to commit an offense under this section shall be subject to the

same penalties (other than the penalty of death) as the penalties prescribed for the offense, the commission of which was the subject of the conspiracy." With that text added to Torture - Section 2340 A of the title 18, United States Code, NO STATUTE OF LIMITATION for Conspiracy to cover up nuclear terrorist offence with Russian made radioactive poison is provided by U.S. Patriot Act 2001.

All legal demonstration of federal laws and U.S. Patriot Act 2001 confirms No Statute of Limitation for Conspiracy to cover up Terrorism Offenses 18 U.S.C. Section 2332(b))(g)(5)(B), *if the commission of such offense resulted in, or created a foreseeable (sic) risk of, death or serious bodily injury to another person.* **Therefore: No Statute of Limitation for Torture and Conspiracy to torture to Federal Bureau of Investigation and other defendants-Appellees.**

CONCLUSION

This Court should grant certiorari and set the case for plenary review or, in the alternative, summarily reverse and remand the judgment below.

Respectfully submitted, 

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