

5/20/24

No. 23-1234

**In the
Supreme Court of the United States**

KONSTANTINOS ZOGRAFIDIS,

Petitioner,

v.

VANESSA RICHARDS, ET AL.,

Respondents.

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

PETITION FOR A WRIT OF CERTIORARI

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May 16, 2024

SUPREME COURT PRESS

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BOSTON, MASSACHUSETTS

QUESTIONS PRESENTED

1. Did the 2nd Circuit Court of Appeals, en banc, acted in a BIAS decision in failing to reverse the District courts' ruling by denying Petitioner's Civil Rights Complaint (*Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) and 28 U.S.C. Section 1331) pursuant to case #:22-cv-00631(VAB) in the District of Connecticut, of which is a derivative and a continuance of my prior cases: 16-0325-cr, and case #:21-1681-cv, with the 2nd Circuit Court of Appeals?

2. Were all the active judges of the 2nd Circuit court of Appeals, en banc, and also the District judges of Connecticut "**corruptively bias**" towards the Petitioner by covering up and vindicating the Law Enforcement-DEA, and the U.S. Attorney's office of Bridgeport, CT federal felonies (constitutional violations), as the Petitioner presented plentiful of discoveries to prove so, as observed in case #:18-cv-1566(JAM) in the District of Connecticut? Also, in criminal case #:16-0325; case #:21-1681-cv; and case #:22-3197-cv, with the 2nd Circuit Court of Appeals?

3. Did ALL the judges who presided over the Petitioners' cases violate their sworn duty, to serve and protect the laws of our constitution, by refusing to acknowledge and then suppress the 'fabrication of evidence' the government presented?

PARTIES TO THE PROCEEDINGS

Petitioner and Plaintiff-Appellant below

- Konstantinos Zografidis

Respondents and Defendants-Appellees below

- Vanessa Richards,
Assistant United States Attorney
- Westport Police Department
- Connecticut Statewide Grievance Committee
- Danbury Grievance Panel

LIST OF PROCEEDINGS

United States Court of Appeals for the Second Circuit

No: 22-3197

Konstantinos Zografidis, *Petitioner-Appellant*, v.
Vanessa Richards, et al., *Respondent-Appellee*

Date of Final Opinion: November 14, 2023

Date of Rehearing Denial: February 22, 2024

United States District Court of Connecticut

No: 3:22-cv-00631 (AVC)

Konstantinos Zografidis, *Petitioner-Appellant*, v.
Vanessa Richards, et al., *Respondent-Appellee*.

Date of Final Order: December 16, 2022

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JURISDICTION

The Second Circuit denied a Petition for Rehearing on February 22, 2024. This Court has Jurisdiction per 28 U.S.C. § 1254(1).



INTRODUCTION

This Civil Rights Complaint (case #:22-3197-cv) is merely a non-stop continuous fight of the INJUSTICE I've endured in my criminal case in the District of Connecticut, case #:12-cr-117 (WWE) & (JAM), and as of how 'bias' and corruptively influenced our federal judges can be, at least in my case. This Civil Rights Complaint was drafted by the Petitioner, seeking to overturn my criminal indictment and conviction, and to grant me the relief I deserve under a wrongful conviction, ineffective assistance of counsel(s), police misconduct, under malicious prosecutorial misconduct, and most of all, under bias and discriminative decision making by ALL of the federal judges who have presided over my criminal and civil case(s), either in the District of Connecticut, and/or with the 2nd Circuit Court of Appeals, en banc.



STATEMENT OF THE CASE

Dear Honorable Justices of the U.S. Supreme Court:

"I Konstantinos Zografidis do solemnly swear under the penalty of perjury that everything I'm claiming here is the truth, so help me God"

Before I begin to articulate against all of the 42 defendants who appear in my Civil Right Complaint, I would like to show this Honorable Supreme Court something that I've stumbled upon while I was researching my prior cases. I've GOOGLED, "writ of certiorari of konstantinos zografidis", and this popped up: **"596 U.S.) MONDAY, APRIL 18, 2022 CERTIORARI. Apr. 18, 2022—The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for . . ."** Also, it's noted in GOOGLE SEARCH, "writ of certiorari of Konstantinos Zografidis, case No. 21-7395" this popped up: **"596 U.S.) MONDAY APRIL 18, 2022 CERTIORARI Apr. 18, 2022—The petition for writ of certiorari is granted. The judgment is vacated, and the . . . 21-7395. ZOGRAFIDIS, KONSTANTINOS V. UNITED STATES"** Is this true?!?! Whether or not this is true, I will kindly ask from this Honorable Supreme Court, again, to reconsider all the facts, discoveries and law in support I've provided in Civil case #:21-1681, and Criminal case #:16-326, and now with Case #:22-3197 with the 2nd Circuit Court of Appeals, and to MANDATE the lower courts to revisit ALL of the "new found" evidence I've provided, and to have them explain themselves, and

show which law applies to vindicate 'fabrication of evidence' of which the government used against me seeking the grant of the Title III wire-tap application on my cell phone (TT1), as shown in the governments affidavit on February 07 & 08, 2012, and also, used the same fabricated evidence to secure the grand jury indictment. To this day, not even one judge gave an answer, an opinion, or ruled upon on any of the fabrication of evidence the government used against me. Honestly, the judges self-inflicted guilt will not allow themselves to accept their own intentional and deliberate 'bias' decisions. That's why, 12 years after, I'm still fighting corruption inside our court rooms and not getting anywhere with my legitimate claims. I AM INNOCENT in this fabricated conspiracy theory of which the government had manufactured against me and my co-defendant, Demetrios Papadakos who was the head of my criminal indictment. I have made it very clear to all of them, since I've exposed their criminal nature that I, Konstantinos Zografidis will not stoop to their demeaning level, as I've well stated all the facts in my "PETITION FOR REHEARING, EN BANC", dated on January 11, 2024 (doc. #:135), the new case you're about to review now. I strongly stand by every word I've said in that brief. This is my decisive analysis, and also my final judgment and conclusion. They are ALL guilty in a conspiracy, as a criminal network/organization, by covering up their own and the other parties' misconduct/constitutional violations.

At this time I will like to bring forth a case law that was ruled upon by this Honorable court that involved "fabrication of evidence". In *McDonough v. Smith*,

this Honorable Court has acquitted McDonough on all charges due to **'fabricated evidence'**.

Before I show this Honorable Court the governments' magnitude of fabrication of evidence. I want to make myself very clear, to this day, even with this Civil Rights Complaint being my last resort, **I AM STILL FIGHTING FOR MY INNOCENCE AND MY WRONGFULL CRIMINAL CONVICTION.** I, Konstantinos Zografidis never claimed to anyone, at any time, that I was a participant in Mr. Papadakos alleged criminal affairs. I've made the same claim to the government verbally, to all of my lawyers, and to all the District judges in writing, and in court. I even produced a sworn affidavit to our courts, signed by Mr. Papadakos himself, claiming under oath that he 'never' sold me any narcotics, nor was he involved in any of my private affairs during the entire course of our criminal investigation, up to my arrest. Even SA, Rodney George confessed while under oath during his cross-examination at the FATICO in the presence of Judge Meyer, during his 3-month period of wire-tap surveillance the government conducted, that 'Mr. Papadakos DID NOT sell any cocaine to Mr. Zografidis'. The government also produced a CI, who was one of my co-defenders in my criminal indictment, David 'Bobby' Solano, who also confessed under oath when asked by Judge Meyer about my involvement with Mr. Papadakos, and Mr. Solano clearly said in front of Judge Meyer that; "myself and Mr. Papadakos were **"NOT IN SPEAKING TERMS"**". Also, Mr. Solano said he was involved in my affairs for 6 months prior to our arrest without Mr. Papadakos involvement. Those true confessions, while under oath, contradict TFO, Cicero's sworn affidavit drafted on February 07 & 08, 2012

seeking the grant to wire-tap my cell phone (TT1). TFO, Cisero claimed in that same sworn affidavit that Mr. Papadakos was supplying me with large quantities of narcotics for redistribution. **LIE!** That is your first and most fabrication of falsified information by the government.

Now, I will take this Honorable Court to another 'fabrication of evidence' that implicates the Law Enforcement-DEA, and the U.S. Attorney's office of Bridgeport, CT in a 4th Amendment constitutional violation. Before I show this Honorable Court this 'fabrication of evidence', I want to make it very clear that **ALL** this information I will provide here today, including the 'new found' discovery, I, Konstantinos Zografidis have investigated and uncovered it all by myself. This same discovery was presented to Judge Meyer, in part, before my sentencing day on January 26, 2015, and with 'full discovery' when I filed my Petition of 2255. The same factual findings were also presented on an appeal to the 2nd Circuit criminal panel; on appeal to the 2nd Circuit in my Petition of 2255; also on appeal to the 2nd Circuit in my Civil Rights Complaint, en banc.

Now, I would like to begin with the alleged audio wire-taps, and the description of events that were documented in the DEA-6 Police Reports that occurred on 4 different dates with '**CW-3**' a.k.a. **Demetrios Karipidis**, as the government produced to the District Court of Connecticut seeking the grant from the court to wire-tap my cell phone (TT1). Before I begin, I want to show you the final results of Dr. Paul Ginsberg, President of Professional Audio Laboratories, dated on 11/27/2017. I've asked my court appointed attorney at that time, Frank O'Reilly, and the District judges

prior to my sentencing to have an expert analyze the same wire taps, but unfortunately they totally ignored me. In his conclusion report, Dr. Ginsberg said:

“Taking into account the observations and questions enumerated above, it is my expert opinion to a reasonable degree of scientific certainty that the recordings N-5, N-7, N-8, N-9, and N-10 have numerous deficiencies and inconsistencies, and are not accurate representations of the events as they occurred. Because they are easily edited MP3 format with inconsistencies, the evidentiary value of these recordings is minimal to none. It is my opinion that examination of the original recordings is necessary to determine how closely the discovery copies match the originals, to test authenticity, and to answer questions noted above”.

Dear Honorable Justices of the U.S. Supreme Court. A complete analysis of Dr. Ginsberg's results was provided to Judge Meyer, and to the 2nd circuit Court of Appeals. No one and I mean no one to this day dared to MANDATE to government to produce the “originals” and have the government explain themselves about all these deficiencies and discrepancies.

Dr. Ginsberg did a fantastic job, but I, Konstantinos Zografidis did a more thorough investigation into these wiretaps, as I will explain below. My reasons, and claim to Dr. Ginsberg's findings is this:

“If, all of those wiretap recordings were truly valid, consensual and constitutional, there was no need to tamper, edit

and provide disinformation about them, unless the agents were unlawfully spying onto their citizens by illegally eavesdropping into our phones and persons. If those wiretaps were truly acquired lawfully there was no need, or justifiable reason, at all, to have not even one deficiency in them. They were ALL manipulated and falsified by the government in one form or another, most certain, and a clear fabrication, and also a violation of our 4th Amendment.

Let's begin from the start: It is documented in TFO Cisero's sworn affidavit that 'CW-3' a.k.a. Demetrios Karipidis was one of their informers (CI), and he came forth to the police and alleged to them that I, Konstantinos Zografidis was being supplied with large amounts of cocaine from Demetrios 'Jimmy the Greek' Papadakos for redistribution. That is a fabricated, and a complete false information, because Mr. Karipidis 'never' seen or met with Mr. Papadakos. Then the government claimed that Mr. Karipidis consented on buying cocaine from me on 4 different occasions (October 27, 2011, November 03, 2011, January 03, 2012, and January 26, 2012). **LIE!**

Now, I will show you the truth, as Mr. Karipidis explained to me over the phone on a recorded conversation while I was detained at the WYATT Detention Facility in RI. Mr. Karipidis told me of his arrest. On October 25, 2011, when he came to visit me at my parents' home he noticed marked police cruisers were following him right after he got off the highway, all the way to my parents' home. **Question:** "How did the police know that he was coming to see me?" **Answer:**

"Only if the agents were illegally eavesdropping into our phones", I do remember that day very well because I noticed two police cruisers that were parked across the street from the rear of my parents' home. When Mr. Karipidis left my parents' home heading back to Stamford where he lived, he parked at a designated area and shortly after he was approached by the Stamford Police, and was told to step out of his vehicle. He was searched and was found with narcotics. He was then arrested and brought to the Stamford Police Station. There is a police record of his arrest, on October 25, 2011 (2 days prior to his 1st alleged drug buy from me), and that record was in the presence of Judge Meyer prior to my sentencing, and in the presence of all of the 2nd Circuit judges who presided over my cases. While Mr. Karipidis was held at the Stamford Police Station, he was approached by 2 detectives, of who he described as one being a short guy (possibly TFO Cisero), and the other a fat guy (possibly officer Mark Suda). Mr. Karipidis claimed that when the 2 detectives approached him, they threatened him to either cooperate with them by making controlled buys from me, or they would make sure that he will spend the next 20 years in prison, deport him back to Greece, never allow him to come back to the U.S.A., and would never be able to see his children again, if he does not do what they asked him to do. They even told him that; 'we never lose, and we get what we want'. Being coerced by the detectives, knowing that he was on probation with the State of Connecticut, and he was looking at 5 years in prison for each charge. Under this great stress and pressure he felt that he had to comply with their demands. I want to remind this Honorable court that Mr. Karipidis was one of my best friends from a very young age. Mr.

Karipidis was deported back to Greece on March 06, 2014 (2 months prior to my 1st scheduled trial date).

Question: Why was the government so anxious to deport their 'key witness' who would have been a great asset to the government by testifying, and strengthen their case against me during trial? **Answer:** Maybe perhaps the governments' information with regards to Mr. Karipidis was not all true, or holds any truth to it at all, as TFO Cisero described in his sworn affidavit? Think well what I'm saying here, as I will show more fabrication.

The other thing that Mr. Karipidis confessed to me on a recorded conversation from the Wyatt Detention Facility of which the courts have records of, told me and he also swore to me on his mother's soul, that he '**never**' wore a 'wire' on me at any time, never gave consent, nor that he knew we were to be recorded. He also said to me, that the agents gave him a 'key button' to place in his pocket and the purpose of that was to alert the officers who surveilled him during his alleged drug buys, and to push the key button in case something went wrong, in order to rescue him. I provided a sworn notarized affidavit of which attorney William T. Koch Jr. drafted, and Judge Meyer refused to accept it as true, and also, the 2nd Circuit judges refused to acknowledge Mr. Karipidis sworn affidavit. Mr. Karipidis also told me over the phone that he remembered when he cooperated with the police, on only 2 occasions, and on a 3rd time there were no drug buys. TFO Cisero claimed in his affidavit that Mr. Karipidis cooperated on 4 different drug buy occasions. When Mr. Karipidis was told by the police he had to testify against me in court, he then told them that he cannot do that to me because we were very close

friends. From that day on he stopped cooperating with the police. Now Honorable Justices that leaves us with 2 extra controlled buys that never took place, at least not under the polices' supervision. That also raises the question: "where did those drugs come from that tested positive for cocaine in a lab?" "Where did those detectives get that cocaine if it wasn't mine, or Mr. Karipidis, especially on those 2 alleged drug buys, and also, how did the agents get the audio recordings of the other 2 events?" That's another offer of proof on fabrication of evidence the government used against me in order to get an easy warrant to tap into my cell phone, and also to get a grand jury indictment. One more thing that Mr. Karipidis told me over the phone while he's still in Greece to this day, is that he's willing to come back to the U.S.A., and to testify under oath, in court, about everything what I've just wrote here, and much more, and also, as to how he was lied upon and betrayed by the government of the promises they've made to him.

Now, I will show this Honorable court 2 other different fabrications on the audio wire-tap with 'CW-3' a.k.a. Demetrios Karipidis and me, with 2 different fabrications on the transcripts. The audio of Exhibit N-5, and the audio of Exhibit N-8, are one of the same events. We can also call it a "cloned" version of the same occurrence. The government tried to duplicate one event into two events. Exhibit N-5 shows Mr. Karipidis walking then knocking on the door 4 times. Exhibit N-8 shows the same event, but instead of 4 knocking on the door, we have only 1 knock on the door. The government also used another deceptive method to deceive the judges, and that's because they added a scratching noise on Exhibit N-8. Perhaps one

of the reasons the judges couldn't pick up on this fabrication is because myself and Mr. Karipidis spoke in our native Greek language. That might have been their excuse back then, but there is no excuse for ALL the judges when I brought forth these "new found" discoveries, and they still refused to acknowledge such fabrication and malicious prosecutorial misconduct. It is also noted in the DEA-6 Police Investigative Reports there is NO mention of their CI (Mr. Karipidis) been fitted with a 'wire' on the alleged October 27, 2011, and on the November 03, 2011 drug buys. But, in TFO Cisero's sworn affidavit it's clear that the government claimed Mr. Karipidis was fitted with a 'wire'. How can we have two of the same events with two different types of information? Also, the government did not produce any phone call conversations between me and Mr. Karipidis, either to purchase the amount of drugs, or when Mr. Karipidis was waiting outside on the street, as claimed in the November 03, 2011 alleged drug buy. It is also to be noted that I, Konstantinos Zografidis signed a sworn affidavit that I never sold those amounts of drugs to Mr. Karipidis on all four of the alleged drug buys. Again, the judges refused to grant me a FRANKS hearing with regards to the wire taps. They discredited me without a hearing. **INJUSTICE!!!**

Now, I will show you the fabrication of **Exhibit N-10** (audio). Based on TFO Cisero's DEA-6 Police Investigation Report, and I'm basing my new findings on the DEA-6 Reports, because TFO Cisero did not give us the exact time of the events in his sworn affidavit. You will notice when Cisero gives the time of day of the events, he uses the word; "approximately". In order for Cisero to give the time of day we can all

agree that he must have looked his watch in order to give us an accurate time, right? In his January 26, 202 alleged drug buy event, he claims that approximately at **5:55 PM** their CI (Mr. Karipidis) left their undisclosed meet location and drove to come to my house with the intent to purchase narcotics from me. I would like to point out before I proceed with the fabrication of evidence that Mr. Karipidis **DID NOT** make a phone call to me seeking any drugs from me, or, how much money he was willing to spend on that day. The other disclosed time that appeared in the DEA-6 Report is when SA, George observed me exiting Mr. Karipidis vehicle at **6:03 PM**, and noticed that I was walking up the stairs heading to my house. What I will show you here, is the fact that this alleged drug buy **DID NOT** happen at all, affidavits, and DEA-6 Report. This is why: When you compare the time Mr. Karipidis drove off, as seen in the audio of Exhibit N-10, you will notice that it was approximately one minute after when the recording started timing the event. Exactly after a 2 minutes and 50 seconds of driving time you will hear Mr. Karipidis voice. That was the time when he arrived at the front of my house and placed a call to my cell phone (TT1) telling me that he arrived and he's outside waiting. That particular call was a **22 second** call at **5:56 PM**, based on Toll Records. After that call there is silence for 1 minute and **23 seconds** (possibly the time it took me to come outside and enter the CI's vehicle). The next observation is the alleged conversation that took place while we were inside the CI's vehicle. When I timed that conversation it showed that it was exactly **6 minutes and 48 seconds** long. There are a few fabrications I would like to show you here. First: Since Mr. Karipidis drove off from the

Law Enforcement's meet location at **5:55 PM**, and it took him **2 minutes and 50 seconds** until he arrived at my house and made that call to my cell phone, then Toll Records should have shown that phone call was registered at approximately at **5:58 PM**. Instead, Toll Records show that particular call was placed to my cell phone at **5:56 PM**. There is definitely something wrong with this event. Now, based on the timing of the events shown on the government's audio recording, assuming they are telling the truth, and when we clock the time of the **22 second** call, plus the **1 minute and 23 time** it took me until I arrived at Mr. Karipidis vehicle before our conversation began, we can easily say, by adding the **22 seconds** time of the call, and add the **1 minute and 23 seconds** to the **5:58 PM**, I must have arrived at Mr. Karipidis vehicle around **5:59:30 to 6:00 PM**, and that's when the **6 minute and 48 second** conversation began. Math doesn't lie. Based on all these observations, when we add the **6 minutes and 48 seconds** after the **6:00 PM** time I've arrived at Mr. Karipidis vehicle, that means that I must have left Mr. Karipidis vehicle at approximately at **6:06-6:07 PM**, give or take a few seconds. SA, George claimed that he seen me exiting Mr. Karipidis vehicle at **6:03 PM**. How can the audio recorded timing of events show one thing, and the DEA-6 Police Reports show different?! Only, if it was one fabricated event, by using unauthorized recordings from different times, by spying on their citizens, and trying to connect the dots together in order to manufacture an event that did not occur. The other thing that is noticeable is the fact when Mr. Karipidis was driving to my house he had his windshield wipers on, most likely it was raining (based on forecast records there was no rain on that day). Unexpectedly, Mr. Karipidis wipers were

off during that alleged meeting, and after he left that meeting driving away. That's why I came to a conclusion, that the hole scene was not of the same time and same event, but parts of different events pieced together to create a situation in order to supplement that illegally obtained conversation that allegedly occurred inside Karipidis vehicle (Exhibit N-10/15TR). The government needed those awful things said during that conversation in order to convince the judges to get a wiretap of my cell phone (TT1). I want to remind this High Court, from the very beginning of my post-conviction; the government claimed that the 6 minute and 48 second conversation was a 'phone-to-phone' conversation, and not a 'person-to-person'. When my 2nd court appointed attorney, Frank O'Reilly produced that same conversation to me for review it was documented as Exhibit N-10 (transcript). I noticed on top of the first page it clearly said that I, Konstantinos Zografidis made a call to Demetrios Karipidis, and the date on it was January 26, 2012. On the last page of that same document it clearly said; [END OF CALL]. When I questioned O'Reilly as to how the government recorded that conversation without my consent, O'Reilly's face turned red and could not give me an honest answer. I must guess, thereafter, O'Reilly brought that up to AUSA Vanessa Richards, and that's when the government, I believe, had to manufacture Exhibit N-10 into being a drug buy, as it is shown now in the audio recording, and claimed to have being a 'person-to-person' event, intercepted by fitting a wire on Mr. Karipidis. If that is not corrupt enough, I will show this Honorable Court as of how I caught the agents illegally eavesdropping into my phone, and the government had such knowledge of this illegal activity, and how all the

judges who presided over my cases vindicated and justified such fabrication of evidence (a federal felony).

On the same audio recording of Exhibit N-10, the phone call that was placed by the CI's cell phone to my cell phone number, Toll Records who don't lie, it clearly shows that it was a 22 second call. But, when you listen to the audio recording it clearly shows when you clock the time it reads to be for 10 seconds only. How can that be when we are clocking the time in real time? The question here is not only that the government edited a phone-to-phone conversation, but which parts of the conversation were edited, and the reason for the editing? The 12 second part that was edited or omitted was "MY VOICE" from that conversation, and the reason for that is that the government was illegally eavesdropping into my phone and secretly listening to every conversation I had. In order to hide their misconduct they omitted 'my voice' and made it look as if Mr. Karipidis was the only person talking by merging his words together. If, my voice would have been heard on that phone conversation, the question would have been, how did that alleged wire that was fitted on Mr. Karipidis, based on the government's report, pick up 'my voice' while Mr. Karipidis held his phone next to his ear? Very unlikely!! Those amateur agents, all they had to do was to run the 22 second conversation on the audio recording, and then scratch off my voice from being heard, and no one would tell the difference. Being empty-headed and reckless, the agents edited it in such a way, it can only mean that they tried to hide the fact that they were spying on my phone without a warrant, A 4th Amendment violation. There is no other logical or justifiable explanation.

Now, I will show how the government fabricated the Transcript of **Exhibit N-7**. TFO Cisero claimed in his affidavit, and also in his DEA-6 Report that their CI (Karipidis) made a phone call to purchase narcotics from me (Exhibit N-7). The government's transcript translates it like this: **UM1: Hi Dude. ZOGRAFIDIS: ... Here. Are you here? UM1: I'm here. Where are you? ZOGRAFIDIS: At home. What do you want? UM1: I told you what I want. ZOGRAFIDIS: Oh, oh. 6's 6's. Not outside, I am afraid. Not outside. Don't. The government deviously translated the last phrase from Greek to English where I said: "Oh oh 6's 6's. Not outside. I am afraid. Not outside. Don't Don't". The correct translation is: "No, not at all, I didn't hear. I didn't hear anything (voice message)...I didn't read anything (meaning, a text message)...I don't remember...".** By reading the words that were spoken between us anybody can claim the fact that particular phone conversation was NOT the call for a purchase of narcotics, as the government falsely claimed that it was, but only a follow up from another time and date. If, that call was from the same time and day I would have remembered it. It is clear when Mr. Karipidis said "I told you what I want?", and then I replied; "No, not at all, I didn't hear anything". That certainly doesn't sound like the call to purchase drugs.

The last fabrication of evidence I would like to show this Honorable Supreme Court with regards to the wire taps, is the transcript of **Exhibit 15TR**. This is the same alleged 6 minute and 48 second conversation that took place inside Mr. Karipidis vehicle as you have heard it in the audio of Exhibit N-10. AUSA Vanessa Richards brought that document and presented

it to Judge Meyer during a STATUS CONFERENCE hearing on December of 2015, claiming that the transcript of Exhibit N-10 was only a 'draft', and in place of that, Exhibit 15TR was the authentic transcript of that day and event. In other words she denounced that conversation of Exhibit N-10 to have been a 'phone-to-phone' conversation, and in replacement, she created Exhibit 15TR, claiming that it was a 'person-to-person' captured conversation. The top of the 1st page on Exhibit 15 TR it goes like this: **KARIPIDIS:** "Hey, my birdie. I arrived just now. I'm on your street. I'm on the street. I'm just outside. Outside, Outside. Yes in the front. Where are you God damn it"? **ZOGRAFIDIS:** "I have some good news for you too". That is how the 'person-to-person' conversation began while I was inside Mr. Karipidis vehicle, as the government claims in Exhibit 15TR. Judge Meyer, and all of the 2nd Circuit judges validated this particulate conversation to be authentic, and non-fabricated. Now, I will show you the fabrication, as I've shown ALL the judges who presided over my cases. First and most, the beginning on top of the conversation where Mr. Karipidis said: "Hey my birdie,. I arrived just now. I'm on your street, etc,", it is NOT a 'person-to-person' recorded conversation while both of us were sitting next to each other. As a matter of fact, that particular conversation was the 22 second 'phone-to-phone' conversation when Mr. Karipidis placed a call from his vehicle to my cell phone while I was inside my house, at 5:56 PM on January 26, 2012, as I've described that incident above in detail. The other fabrication on that transcript is the part where Mr. Karipidis said: "Where are you God damn it". That phrase was not said during the 22 second phone conversation. That phrase was said during the alleged entrance at the time must

have entered Mr. Karipidis vehicle. You can clearly hear that gesture once you listen to the audio conversation when I entered inside his vehicle. That's 2 fabrications in the same transcript. You might ask your selves as to why did AUSA Vanessa Richards pasted the phrase, "Where are you God damn it?" to the phone conversation. That's because you couldn't have Mr. Karipidis addressing the same person twice, and she had to fabricate it in another form. The other part that bothers me the most is why did the government edit the conversation when I allegedly entered Mr. Karipidis vehicle and I said: "I have some good news for you too". Where are the parts missing when Mr. Karipidis must have said to me: "I have some good news for you", and then I replied: "I have some good news for you too". We're dealing with some very corrupt agents and U.S. Attorney's here Honorable Justices. I'm almost sure that this long conversation of Exhibit N-10/15TR was a phone call that I placed to Mr. Karipidis. All those ugly things that I've said to my friend over the phone I was just blowing hot air. I just met this guy (French connection), and I was trying to show off in front of my friend. I do honestly remember a time that I had to tell Mr. Karipidis about my new acquaintance, and I started talking over the phone while I was downstairs in my basement, but I didn't want anyone to hear this ugly conversation from my family residing upstairs on the 1st floor, so I stepped outside and went inside my car in order to finish that conversation. That's why you probably hear a slam on the door. The reason as to why the government edited the parts that was said before, "I have some good new for you too", is because they were trying to hide the most obvious of what was said prior to that conversation when I was most likely telling

Mr. Karipidis to wait until I walk outside to my car so I can freely talk to him. That's another indication as to why Exhibit N-10/15TR was a phone-to-phone conversation, and not a person-to-person conversation. Another sample as of how I believe the government fabricated a part of that conversation is noticed on page 2 of Exhibit 15TR. The 4th to 9th line it sounds as if that part could only be said while 2 people were sitting next to each other. Those lines start like this: **DK** (Demetrios Karipidis): Is this good? **KZ** (Konstantinos Zografidis): This is all rock. **DK**: Open it [U/I]. **KZ**: Oh, oh oh my mother! Will you smell it? **DK**: Yea man! **KZ**: Oh, oh! I don't have the nose. I can't smell. I have lost my nose, my man. When looking upon the entirety of Exhibit 15TR you will notice there are 12 parts where **[Voices Overlap]**. I also noticed that there were 28 **[U/I-unintelligible conversations]**. My analysis and claim to the courts were: "The only way to have so many times where 'voices overlap' each other is when both parties were conversing over the phone because of hard of hearing. There is no need of voices to overlap each other while two people are sitting next to each other, unless they were fighting and screaming to each other. There is no reason to have so many unintelligible conversations when two people are sitting next to each other being recorded with a 'wire', unless those [U/I's] where recorded through our phones where receptions are not clear at certain times, and difficult to intercept and record". That was not the case here. Judge Meyer based his finding mostly on those 6 lines. My question to Judge Meyer is this: "What about the first paragraph on top of page one?" How can Judge Meyer notice lines 4-9 on page 2 being said when 2 people sitting next to each other, and not noticing the most obvious of the first

paragraph on page one, where even a blind man can tell you that particular conversation can only be said when two people are talking over the phone. I, presented this factual finding to Judge Meyer during my sentencing day, but being bias, he refused to admit and correct himself, and grant me a FRANKS hearing. As a matter of fact he even complemented me of such finding in court. "Judge Meyer, I don't need your lame praise, and/or your complements. All I wanted from you was to delay my sentencing and mandate the government to answer to all these 'new found' discoveries".

Those lines, 4-9 on page 2 of Exhibit 15TR, my 3rd court appointed attorney William T. Koch, Jr. said to Judge Meyer, that Mr. Zografidis believes those lines were "pasted" on, and were not part of the hole conversation with the purpose to deceive the courts of its truth nature of that conversation. My analysis to this fabrication is: "If, its so easy to edit in MP3 format, as Dr. Ginsberg claimed in his analysis, as you notice the audio version of Exhibit N-8 (where the government added a scratching noise), and also when the government omitted "my voice" in the 22 second phone conversation, then it's just as easily forged by merging a person-to-person intercepted conversation into a phone-to-phone conversation, or vice of versa. You will agree with me, once you will omit lines 4-9, and you will notice without those pasted lines (paragraphs 4-9) the rest of the conversation is one of the same content, and a continuous substance of the same matter.

You see what happened here Honorable Justices? Those ugly contents said in Exhibit 15TR were so badly needed by the government to persuade the District Court to grant them the warrant to wire tap into my

cell phone (TT1). Even attorney William T. Koch Jr. spoke to Judge Meyer, and very boldly said to him: "Your Honor the government used that (meaning Exhibit 15TR) to get the wire tap". There is something else noted in Exhibit 15TR to show that Mr. Karipidis was NOT acting under the Police's supervision as their CI, because on top of page five line 1, **DK** said to me: "Be careful, dude! Be careful, fuck, because you're making me lose my mind". Then on the same page, paragraph 3, **DK** again said to me: "Last time I came here, you told me someone's looking, and I [U/I] and why did you want such stupidities?" If, Mr. Karipidis was truly a government's CI, he wouldn't be telling me to "... be careful . . .", and "... why did you want such stupidities?". Those are not things that CI's would say when they try to entrap someone in a drug transaction that was controlled by the police, Those sayings could only be said by two friends, and one who cares for the others '... stupidities'. Also, on paragraph 3 Mr. Karipidis also said to me: "Last time I came here you told me someone's looking". Based on the government's DEA-6 Reports and affidavits, last time Mr. Karipidis made an alleged controlled drug buy from me under the Police's supervision was on January 03, 2012. There is no record of that comment said by Mr. Karipidis on the alleged January 03, 2012 drug buy. That proves the fact that without a doubt, Mr. Karipidis was **NOT** working for the government as their CI on January 03 & 26th of 2012, as TFO Cisero and all other agents falsely claimed in their reports. Another indication to show that Mr. Karipidis' was not working under police supervision is what he said on page seven, paragraph 2. It is noticeable that I was trying to influence Mr. Karipidis to buy and sell drugs. In return, **DK** said: "Eh, it doesn't sell dude. I've lost many costumers".

Why would Mr. Karipidis admit to the police, knowing that he was being recorded, that he was a drug dealer?"

Another fabrication of evidence is when Cisero claimed in his affidavit that on January 25, 2012 there was a **'text'** message between myself and 'CW-2'. Here, the government wanted to show 'CW-2' was aware of my personal matters. In reality, based on Toll Records, there were two **'phone-to-phone'** conversations between us. The government knowing those phone calls were obtained illegally, they decided to fabricate it as a **'text'**, making it easy to justify themselves by falsely claiming they were saved as a text message.

There are many other indications as to how the government was illegally eavesdropping into my phone, and the discovery is shown in the Toll Records. You will notice that every incoming call into my cell phone (TT1) was "routed" from 4-6 seconds to another number (203-904-9***) before it was connected to my cell phone. That 'routed' number did not come into existence until the year of 2017, based on Professional Investigative Reports. Those Toll Records the government produced were from the year of June 2011-May 2012, five years prior to the existence of those 'routed' numbers. The only numbers that changed on those routed calls were the last 3 digits of that phone number, as you notice the three asterix (***) after the number 9. I also have discovery when I hired a Professional Forensic company to retrieve the contents of my physical cell phone (TT1). Sadly enough the findings were all DELETED, except for very few. Based on what was retracted the professional analyst concluded that those are not of the original data, and was found with inconsistencies. The government tried to destroy all the data of my cell phone.

One more thing that I want to truly claim is the fact of what my first court appointed attorney, Paul Thomas, told me during his last visit while I was detained at the NHCCC. He said: "AUSA Vanessa Richards wants to know about the blue pills spoken over the phone between you and Alfred Catino (co-defender) in January of 2012". Honorable Justices, the grant to wiretap my cell phone was not warranted until February 09, 2012 by judge Haight. How AUSA Vanessa Richards know what was spoken over my phone one month prior to the warrant issued? Here, we have two issues. First, the government was definitely eavesdropping into my phone, otherwise, how else would they have known about the contents spoken? Second, my attorney Paul Thomas was well aware of the governments' misconduct and did not pursue with the dismissal of my criminal indictment. Attorney Paul Thomas knowing he got caught with his own words, before he left that visitation he told me he can get me an 18 month sentence. I fired Paul Thomas because he was colluding with the government to get information out of me. Reminder, I spend 5 years and 3 months in prison unconstitutionally, under a false conspiracy theory, and under malicious prosecutorial misconduct.

Honorable Justices, I have stacks and stacks of evidence and discoveries against everybody I've mentioned in my Civil Rights Complaint to show their criminal activities. Mostly, many parts of my 'new found' discoveries with regards to wire-taps shown above were presented to the 3-Panel judges in my criminal appeal case #:16-0325-cr. They denied me relief and a FRANKS hearing, claiming they needed to see "extraordinary circumstances". Really? After all

these discoveries I presented?!?! Today, I'm more confident than ever to say in front of this High Court, and to ALL the citizens of the U.S. of America that I do have "extraordinary circumstances" to show. That is: "All of my District court judges, my Criminal 3-Judge Panel and both of my Civil 3-Judge Panels, en banc, were all '**CORRUPTIVELY BIAS**' in their decision making by denying me relief".

Everything this High Court needs to know about the contents I've described above, are well documented in the 'writ of certiorari', *Konstantinos Zografidis v. United States*, case #:21-7395. Also, you can find all these 'new found' discoveries with the District of Connecticut, case # 18-cv-1566(JAM)—Petition of 2255; civil case #:21-1681, an Appeal to the 2nd Circuit; and now an Appeal in this Civil Rights Complaint with the 2nd Circuit, en banc, case #:22-3197. The real reason for all of these courts to deny me relief to this day is not as they so timidly and cowardly claim that; "The Appellant has not made a substantial showing of the denial of a constitutional right". I have done much, much more than that. I've shown how '**corrupt**' and '**bias**' our courts can be, and sadly enough, this corruption reached all the way to the Judge's chambers. That's what this case is all about. That's what I'm claiming here. A sad, sad day in our history, and in our Justice Department, as to how easily our Federal judges can be influenced by corrupt U.S. Attorneys' into favoring the government's misconduct. **SHAME ON ALL OF YOU!!!!**

I provided discovery to show 'ineffective assistance of counsel' with law in support (U.S. Supreme Court rulings), and still our lower courts refused to abide by our laws. I provided discovery to show that the search

warrant to my family's home was not only unconstitutional, but also brutal and horrifying. I will give you a brief example: The government claimed in their search warrant that my parents' home at **39 Seaview Avenue**, Norwalk CT was a 'single-family' home. Visually, looking upon the house you will notice a 3-story building with a fire escape leading to the 3rd floor. There are 5 doors that lead into the house. There are 4 mailboxes attached next to the doors leading into the house. There are 4 electrical boxes that lead to the apartments. On top of all that, we had Det. Terrence Blake from the Norwalk Police Department, claiming under oath during cross-examination that he didn't believe 39 Seaview Avenue was a 'multi-family' home, and claimed it was only me who resided in that huge house, all by myself. **LIAR!!** I provided discovery in my Petition of 2255 that clearly shows where the government had "full knowledge" that, **A)**: I resided at the basement of my parents' home, and had my own private entrance. **B)**: My family resided on the 1st floor of the house. **C)**: there were tenants residing on the 2nd and 3rd top floors. To this day, not even one federal judge dared to correct the brutal, unconstitutional, and unnecessary force that was used by our Law Enforcement to enter my parents' home. Another interesting fabrication by the government was the fact when they tried to hide one of our tenants' true residency. TFO Cisero falsely claimed that Giovanni 'John' Biasetti resided on **38 Seaview Avenue**. Reminder: All of the houses on Seaview Avenue run on ODD numbers. The reason behind this fabrication was to deceive the judges, by showing that my parents' house did not have any tenants, in due so, they can invade my parents' house without an issue and without a warrant, of which they did. Reminder: City Zoning

records clearly show that 39 Seaview Avenue is a 'multi-family' home.

The other BIG LIE that Det. Terrance Blake said while under oath was that it was himself and TFO Cisero who drove me home after my arrest on May 09, 2012 at St. Johns St. I claimed to the courts that it was not Det. Blake and TFO Cisero who drove me home on that day. I stood up and claimed to the courts that it was officer, Reinhart from the NPD with another police officer who drove me home, and I never gave them consent to take me home. Det. Blake and Cisero were interrogating me outside my house, even when I reminded them on 3 different occasions that I wanted to speak with an attorney. They told me that, "no lawyer can help you now, so you better tell us everything we want to hear". Det. Blake threatened me they will destroy my mothers' house if I do not disclose the drugs they were looking for, and also told me if I do not cooperate with them they will deport me and spend 20 years in prison. They even made me sign a paper without me knowing I've Waived my Rights.

On May 09, 2012 Law Enforcement stormed inside my mothers' home (1st floor) with armed shotguns and pointed them on my mothers' head while she was babysitting her 2 month old granddaughter, without a warrant or consent. My family members were held as hostages inside their apartment for 8 hours until the warrant was finally issued. Law Enforcement was searching the apartment prior to the warrant issued, even when my family members told them not to search. Nothing illegal was found inside my family's apartment. Our lower courts justified such brutal, unconstitutional, and unwarranted search, and illegal entry. A clear violation of our 4th Amendment.



SUMMARY OF ARUMENT

The Petitioner now understands that the Statute of Limitations begin when the last court decides the outcome of his criminal conviction. On the contrary to the governments' claim in *Heck v. Humphrey*, Mr. Zografidis did in fact prove that his conviction and imprisonment was unconstitutional, in lieu of, our 'biased' federal judges favored the government's corrupt agenda. When the 2nd Circuit Criminal court of Appeals (case #:16-0325-cr) AFFIRMED the district courts conviction, I came back with a writ of certiorari to overturn the 2nd Circuits denial of relief. This Honorable Court did not want to hear my case. I then came back to the District court with a Petition of 2255. After 3 long years in waiting Judge Meyer denied me relief. Why wait so long? After all, Judge Meyer had no problem at all in convicting me on January 26, 2016. Did I NOT provide him with enough discoveries in my Petition of 2255 to show constitutional violations, perjuries, etc.?? No one believed that I had the guts and brains to fight back and uncover and exposed their criminal element. They all thought that I was brain dead, lost and confused. I proved them wrong. The only reason Judge Meyer denied me relief is because I asked him to step down and recuse himself as my judge, because I blamed him for being bias. I came to that conclusion because after all the studying and research that I've conducted, I just couldn't accept the fact that the government got away with such magnitude of misconduct, unless the courts were favoring the government's corrupt agenda. I then took my appeal to the 2nd Circuit.

Unfortunately, the 2nd Circuit Panel denied me relief, again. I then came back as pro se with a writ of certiorari (case #:21-7395). I'm not sure what happened here. I then came back with the District court in a Civil Rights Complaint. The District court denied me relief. I then appealed with the 2nd Circuit Court of Appeals, en banc. I was denied relief do to Statutes of Limitations, again. Now, I'm coming back for the last time to the U.S. Supreme court to vacate, set aside, correct my wrongful conviction, dismiss my criminal indictment, and then honor me the relief that I'm seeking based on my constitutional rights. I never stopped fighting to this day for my coerced and unintellectual guilty plea while under duress. I never stopped fighting to this day for the miscarriage of my criminal conviction. I never stopped fighting to this day corrupt law enforcement, corrupt officers of the court, and bias Federal judges. The contents of this Civil Complaint hold the same facts and same purpose as my criminal case. I'm still fighting today, 12 years after, the 'bias' decisions of my criminal indictment, and criminal conviction.

I even brought forth evidence and discovery to show as to how the government's 'CW-2' a.k.a. attorney Joseph Dimyan who defrauded me of my business lease agreement of Enigma Cafe & Lounge, taking a loss of \$400,000, by losing everything I worked so hard for and owned in this world. Even with this, and still corruptively enough our lower courts denied me relief. **INJUSTICE!!!**

I want my life and my freedom back. I want to travel the world without having the fear that I won't be allowed back to my country, my family, my work, and my home. I don't want to live in this world knowing

one day authorities will come knocking on my door, cuff me, and then deport me to a place that is strange to me. I came to the U.S. legally at a very young age, in 1972. I don't want to live like a fugitive anymore. I want to be free, because I was born to be free. It's my God giving right to live in a free world, and not under fear and oppression.



REASONS FOR GRANTING THE PETITION

The reason as to why this Honorable Court needs to grant this Petition is because ALL of the decisions, opinions, and mandates from my previous court cases were discriminative towards me, and ALL the judge's rulings were definitely 'bias', in favoring the governments' misconduct. The only reason as to why the lower courts repeatedly denied me relief, is because they wanted to avoid the humiliation of the outcome, once the judges made factual findings/constitutional violations against our Law Enforcement, U.S. Attorney's, court appointed attorneys, local municipalities, State Institutions, their CI's, and others. And mostly, our lower courts wanted to avoid this Civil Rights Complaint that's standing here in front of you. In due so, they so wrongly, and unconstitutionally denied me relief everywhere. The Statutes of Limitations DO NOT apply here, because I am still to this day claiming my innocence, and my wrongful conviction.

I'm humbly seeking from this Honorable Court to grant this writ of certiorari, and to review the entire 'new found' discovery I've provided in my previous cases in the District court, and with the 2nd Circuit

Court of Appeals. This Honorable court MUST correct our lower courts from corrupt and biased officers of the court.



CONCLUSION

These are the things that I'm seeking from this High Court:

- A): I'm seeking from this Honorable Court to dismiss my criminal indictment and conviction under malicious prosecutorial misconduct, and under fabricated evidence.
- B): I'm seeking from this Honorable Court to hold liable all of the 42 defenders in my Civil Rights Complaint, expose their constitutional violations (federal felonies), and possibly charge them with Federal criminal indictments.
- C): I'm seeking from this Honorable Court to review all of the prior judges decisions who prevailed over my cases, either in the District of Connecticut, and/or with the 2nd Circuit Court of Appeals, and to rule, if there were 'bias', and unconstitutional decisions made amongst them, and if so, order them to step down as judges, or face impeachment proceedings.
- D): I'm seeking from this Honorable Court, once my criminal conviction is acquitted based on fabrication of evidence, constitutional violations, and based on 'new found' discoveries,

and to grant me the relief I've specified in my Civil Rights Complaint.

I'm here today to send a message to all the people who labor for our Justice Department across our country, and the message is this: **"If you want to arrest, indict and convict anybody you better have your facts correct. If you LIE in your DEA-6 Police Investigative Reports; lie in your affidavits; lie in your search warrants; lie while under oath during cross-examination; lie to the grand jury; if you bring forth witnesses to lie on your behalf; if you threaten your tax paying citizens; fabricate evidence against your citizens, or, if you violate any of your citizens Civil Rights/Liberties, and/or violate any of our constitutional laws, you will definitely, undoubtedly, get disbarred, lose your pensions, go to prison, and then get sued on top of all that".**

THIS IS WHAT TRUE JUSTICE IS ALL ABOUT! NOBODY IS ABOVE THE LAW!

Respectfully submitted,

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May 16, 2024