

LETTER TO OFFICE OF AARON M. ZIGLAR, ATTORNEY GENERAL,
DISPUTE RESOLUTION UNIT, AND ATTORNEY ERIC FERGUSON

RE: Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep

SATURDAY, JULY 23, 2022

EDITED, FINISHED ON SUNDAY, JULY 24, 2022, 12:28 AM

<p><u>ATTN: Aaron M. Ziglar</u> Dispute Resolution Specialist Office of the Attorney General 202 North 9th Street Richmond, Virginia 23219 Phone: (804) 786-1244 FAX: (804) 225-4378 AZiglar@oag.state.va.us</p>	<p><u>ATTN: Eric H. Ferguson, Esq.</u> RHODES & FERGUSON ATTORNEYS AT LAW 305 S. Main Street Rocky Mount, VA 24151 eferguson@fergusonlaw.net Phone: 540-483-5234 FAX: 540-483-5763</p>
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To JaCody Cassell through Attorney Eric Ferguson and Aaron Ziglar,

I finally have the bank statement record of Roberta Hill's bank account proving that \$300 was taken out of the bank account of Roberta R. Hill, check record the exact same as the check stub photograph which is a carbon copy of the original check paid to "The Chimney Sweep" on October 5, 2017. The money was taken out of the bank account on October 6, 2017, a day after the money was paid for by paper check to The Chimney Sweep on October 5, 2017.

The rules of evidence allow a carbon copy sheet or carbon copy of the check or document to be admissible as evidence when the original record is not available, especially when the bank confirms or verifies a transaction of paying by check. Because I have enough evidence that Mr. Jacody Cassell through his private lawyer (legal counsel) Eric Ferguson had lied in making complete denials of ever doing work at 310 Forest Street, Martinsville, Virginia 24112 and never conducted an estimate for the chimney work, and thus makes **Mr. Jacody Cassell a difficult witness**. A difficult witness because he is refusing to be a witness and is refusing to admit to anything which would be favorable to the criminal defense of Brian David Hill, working on a pro se basis representing himself, pro se. Aaron Ziglar must accept this final evidence, and he must admit this in the record of the Dispute Resolution Unit, otherwise I may file

another complaint against The Chimney Sweep of them lying in response to my complaint which may be defamation or lying with complete denials to dismiss a complaint. I rather not file a second complaint to get this on record Mr. Ziglar, so Aaron Ziglar must accept this letter and the evidence attached to this letter. I may mail a copy by certified mail to his office, if I have to. He must accept this final evidence.

Mr. Cassell has one more chance to voluntarily admit to him or one of his employees placing metal tin on top of the chimney flues on October 5, 2017, sealing the flues, causing blockage of exhaust of two gas appliances in Apartment 3 and is exhausted by the flue or flues, below Apartment 2 at 310 Forest Street, Martinsville, Virginia 24112. He has one more chance to voluntarily admit to making this mistake, a human error. I will let this go if he can simply be a witness for his business causing the carbon monoxide intoxication. It is not a deserved criminal conviction to be naked in public at night on a deserted walking trail when under intoxication. Carbon monoxide poisoning along with AUTISM SPECTRUM DISORDER can cause the incident of being naked outside. News article examples of autistic children and autistic teens being found by police walking around naked outdoors and carbon monoxide can cause a regression of autistic adults to behave more like a autistic child or cause an autistic adult to exhibit behaviors normally caused by autistic children and autistic teenagers.

I have proven that \$300 was paid for to the business entity known as “THE CHIMNEY SWEEP” by check on October 5, 2017, and was cashed on October 6, 2017, money left the SunTrust bank account of Roberta Hill at the time.

See the attached three pages in the following order:

1. USWGO_20220723_165251(OCR).pdf: Account Statement/summary from SUNTRUST BANK. Account of Roberta Hill. Her tax ID number is partially redacted as required under Federal Rules of Criminal and Civil Procedures. (one page)
2. USWGO_20220723_165737(OCR).pdf: Envelope received on July 23, 2022, containing the bank account statement. (one page)
3. Oct 5 2017 check stub.pdf: Photograph of the carbon copy of the original check paid \$300 to “THE CHIMNEY SWEEP”. (one page)
4. Litigation hold letter to bank(s) requesting to retain evidence beyond five year financial record retention period under the Bank Secrecy Act. (five pages)

Here is the further proof I have, further disproving Mr. Cassell's complete denials.

DEPOSITS/CREDITS: 11

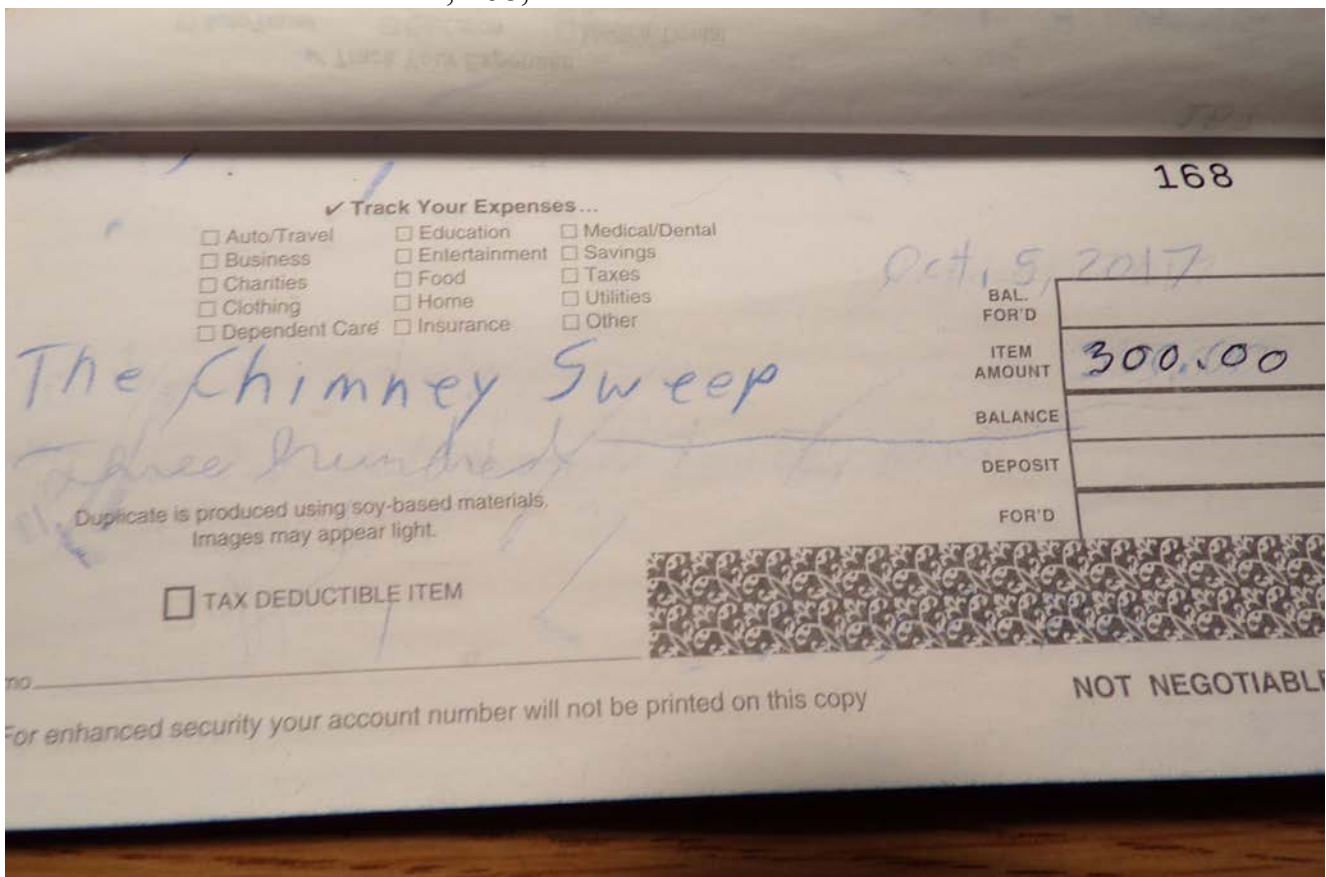
TOTAL ITEMS DEPOSITED: 0

CHECK NUMBER	AMOUNT	DATE	SR	CHECKS
		PAID		BATCH
167	325.00	10/10	20	75241135
168	300.00	10/06	20	78221138

CHECKS: 3

MEMBER FDIC

See the check number in bank statement of bank account Roberta Ruth Hill in October, 2017. It is 168. The exact same check number as the check stub, a carbon copy of the original check paid to The Chimney Sweep, the business owned by Mr. Jacody Cassell. See the exact number, 168, same as the bank transaction record.



The check number 168, 300.00 was paid, was paid for on 10/06 (October 6, 2017) SR is 20, and check batch number was 78221138.

\$300 was paid for to The Chimney Sweep. In case the lawyer takes advantage of the 5 year check record retention period running out in October 6, 2022, this year, a LITIGATION HOLD LETTER is being filed with the Courts and with the banks.

Mr. Cassell has one more chance to voluntarily admit to his company placing metal tin on top of the chimney. It is human error and every business establishment makes human error, or caused human error. Mr. Cassell should understand this.

Aaron Ziglar, it is clear that regardless of whether Mr. Cassell wants to be a difficult witness or will admit to the human error mistake on October 5, 2017, all communications and evidence concerning the complaint and Dispute Resolution case will be filed with the Circuit Court in hundreds of pages of correspondence and letters and evidence. I will be filing a motion for a new trial based on this difficult witness of The Chimney Sweep, refusing to testify and refusing to admit to the human error caused by his own company.

So I am okay with the case being closed as I cannot force Mr. Cassell to admit to any wrongdoing as he has the Fifth Amendment right to not be a witness against himself under the U.S. Constitution but I do make one demand, that this letter and all attached evidence be filed in the foregoing Dispute Resolution case; Case number: 953850; Mr. Brian D. Hill VS The Chimney Sweep. Please Aaron Ziglar, file this last letter.

My evidence letter to Aaron Ziglar and Attorney Eric Ferguson, the letter dated July 6, 2022, addresses the evidence that Mr. Cassell's business mobile phone number (540) 483-2468 from provider U.S. CELLULAR was in contact with Roberta Hill on September 26, 2017, and October 5, 2017. The bank transaction said the check was paid on October 6, 2017, a day after the check was given to an employee of the business entity known as The Chimney Sweep. The check number in the account transaction matches the carbon copy check stub. The account number is in the record attached to this letter. Proof that The Chimney Sweep was paid \$300 for what kind of work do they offer as a business? chimney services.

Regardless of what Mr. Cassell decides to do with this bank transaction record and matches the carbon copy check stub under check number 168 matches the SunTrust bank account record. The only record that we do not have yet is the digital photocopy of

the original check cashed by Mr. Cassell but the LITIGATION HOLD LETTER should cause the bank to retain such evidence for as long as necessary.

I have proven that The Chimney Sweep was paid \$300 on October 6, 2017, the day after they received the check on October 5, 2017 payable to "THE CHIMNEY SWEEP" and they were contacted by phone, calls to and from The Chimney Sweep and Roberta Hill. The call logs from xFinity / Comcast prove this. It all comes together.

The attorney Eric Ferguson is wrong. Money wasn't paid for nothing, a check was paid for something. \$300 was paid for something. The call log on October 5, 2017, the day before the check record was paid from the account by financial record. Can be confirmed by Eric Ferguson the attorney upon subpoena or record request.

Mr. Cassell is being a difficult witness. Witness lists in two federal habeas corpus cases and one state criminal case may be filed with his name in one of the witness list slots. He cannot weasel out of this, and I have the legal right to have him subpoenaed.

He will have to answer these questions under oath, under penalty of perjury, I will make sure he is asked under oath about the metal tin work done by an employee of The Chimney Sweep on October 5, 2017. The questions will be asked under penalty of perjury. If Mr. Cassell wishes to again deny everything like he did in his lawyer's responses July 5, 2022, June 29, 2022, it will be under oath, under penalty of perjury. He can choose not to say anything as is his right under the Fifth Amendment of the U.S. Constitution, however the questions regarding the carbon monoxide will always go unanswered with never a full explanation as to what all happened. However, if he again denies everything under oath, the financial bank record, the litigation hold letter requesting preservation of the check cashed by Jacody Cassell or one of his authorized employees or agents, the telephone records which can be verified by xFinity/Comcast, and the check carbon copy will all be used to disprove Mr. Cassell denying everything and he could face a perjury charge.

He is a witness, a difficult witness, but he cannot deny everything as there is enough evidence to prove chimney work was conducted on October 5, 2017. The denial of everything in response to the complaint makes Jacody appear suspicious, like he is hiding something, and that will make any reasonable person feel that he did make a human error on October 5, 2017 and this human error almost costed the lives of Brian Hill and Roberta Hill with carbon monoxide gas poisoning. Damaged the nerves of both of us, but I have repaired the damage with alternative medicine such as BIO-PQQ and

other supplements. I have repaired the damage to my body caused by the carbon monoxide poisoning, but the damage caused of me being wrongfully convicted must be resolved and corrected.

Jacody Cassell, you have one more opportunity to voluntarily file a witness letter with the Circuit Court for the City of Martinsville and serve rbhill67@comcast.net a copy of your witness letter. You have one more opportunity to make things right, as you have been a difficult witness but you can still come clean, tell the truth about the human error caused by your business on October 5, 2017. Please come clean about the human error and I can finally move on with my life. Simply admitting will make the truth more clear.

Case #: CR19000009-00, Martinsville Circuit Court. Virginia.

Hon. Ashby Pritchett, Clerk of the Court: APritchett@vacourts.gov and APritchett@courts.state.va.us
Commonwealth Attorney Glen Andrew Hall, Esq.: ahall@ci.martinsville.va.us.
City of Martinsville, Commonwealth of Virginia v. Brian David Hill.

This will be my last letter to Aaron Ziglar, emailed by Roberta Hill at rbhill67@comcast.net. Hopefully if the client of Eric Ferguson agrees to make a voluntary statement, I will not have to push witness lists with Jacody Cassell being a difficult witness. Not having to file hundreds of pages of correspondence.

See article: Deposition: Turning the Tables on Difficult Witnesses (and Counsel). “Due to their importance, there can be nothing more exacerbating than dealing with the antics of difficult witnesses (and opposing counsel) during the course of a deposition. So how do you stay above the fray and still get the discovery you need?”

Jacody Cassell is a difficult witness, that is a fact. He has one more chance to fix the mess his company caused on October 5, 2017. Regardless, I am done with the complaint case and am okay that it is closed. I have to file my witness list in federal court and state court.

Thank You. Respectfully filed with the Aaron Ziglar, this the 24th day of July, 2022.



Brian D. Hill

God bless you,
Brian D. Hill
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