

obscenity requirement in order to be established as breaking the law, without obscenity the law may have not been broken, technical legal innocence.

Legal Notation: The purpose of the indecent exposure statute was to prevent lewd sexual behavior in public. Even the U.S. Supreme Court and lower courts have upheld the constitutionality of "nudity without more," specifically referring to the nudist depiction as a fully constitutional form of expression. (Sunshine Book Co. v. Summerfield, Postmaster General, 355 U.S. 372) That may also be likely as to why the three circuit courts require obscenity in order to be guilty of indecent exposure, since the Commonwealth Attorney and Martinsville Police has no evidence to prove obscenity, no obscenity was done and therefore no law was broken, unless the indecent exposure is ruled as a strict liability statute in a future Virginia Supreme Court ruling. However in strict liability cases, Brian can still be found innocent by "reason of insanity at the time of the offense". In those three cases, the convictions were reversed when the conduct did not rise to being obscene, because "it does not rise to the level of obscenity required under Code § 18.2-387, as defined in Code § 18.2-372." (1) Kimberly F. Neice v. Commonwealth of Virginia, Record No. 1477-09-3 in the Circuit Court of Giles County; (2) A. M. v. Commonwealth of Virginia, Record No. 1150-12-4 in the Circuit Court of Shenandoah County; (3) Kenneth Samuel Moses v. Commonwealth of Virginia, Record No. 0985-03-3 in the Circuit Court of Richmond.

This evidence proves that Brian was not sane at the time of the incident on September 21, 2018. At the time of his arrest, law enforcement officers from Martinsville Police Department who handcuffed Brian had no knowledge or information at the time of arrest which proved that Brian had exhibited symptoms of Carbon Monoxide ("CO") gas poisoning. However this evidence is a photocopy of what was mailed to the Honorable Chief G. E. Cassady of Martinsville Police

Department, and this evidence will likely go in the investigative file for the investigation of “indecent exposure”. The reason why Brian was arrested for indecent exposure was because the police didn’t believe Brian’s story at the time on September 21, 2018, because he made contradictory and/or confusing statements at the time, and mental confusion is caused by Carbon Monoxide poisoning. However while at the Hospital, Brian had suffered extremely high resting blood pulse readings of 119 and 106, which is Sinus Tachycardia. Sinus Tachycardia is caused by breathing in Carbon Monoxide gas which can be a toxin/poison inside the body. This evidence shall be submitted in the order of Exhibits 0 through 10. Exhibit 0 being a photocopy of the original letter to the Police Chief as well as photocopies of the return receipt, certified mail receipt stamped, and the customer receipt from the United States Postal Service. The other Exhibits from Exhibit 1 to Exhibit 10 are photocopies of the original evidence that was also mailed in attachment to the letter for the Police Chief. If the police had known that Brian had Carbon Monoxide poisoning at the time of the alleged offense, would they have arrested Brian or placed him in the hospital until the Carbon Monoxide was out of Brian’s system?

Brian had filed a MOTION with the Martinsville Circuit Court on July 19, 2019 (by hand delivery to the Clerk’s office) to assert his defense of mental insanity at the time of the instant offense, motion titled the “Motion to Request an Insanity Defense – Sanity at the time of the Offense”. This court can contact the Circuit Court of Martinsville to obtain those records of such pleading and any evidence thereafter that will be offered at any hearing in the future to determine whether Brian David Hill was mentally insane on September 21, 2018, and therefore cannot be held criminally accountable for behavior which was caused by Carbon Monoxide gas poisoning. Holding somebody criminally liable for being a victim of

carbon monoxide poisoning is insanity itself, an injustice, and a miscarriage of justice upon this Court.

Declaration of Brian David Hill on letter to Martinsville City Police Chief and attached evidence that was mailed in Martinsville, Virginia

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. Attached hereto as Exhibit 0, is a true and correct copy of the 9-page letter to Martinsville Police Chief G. E. Cassady, that was mailed to him under Certified Mail tracking no.: 7017-2680-0000-5750-9122; Return receipt tracking no.: 9590-9402-3527-7275-7497-41, 2-page photocopy of the return receipt before it was applied to mail piece at the U.S. Post Office, and the Certified Mail receipt plus customer receipt proving that such mail piece was mailed off to the Police Chief, 1-page. **Total of 12 pages.**
2. Attached hereto as Exhibit 1, is a true and correct copy of the “Exhibit 1) 1-Page typed letter statement from chimney expert witness Pete Compton – Explains that on the date of January 30, 2019, he found evidence of carbon monoxide gas exposure in Apartment 2 and Apartment 1 of 310 Forest Street, Martinsville Virginia, and removed the source of the carbon monoxide gas. The source was metal tin blocking the chimney flues, causing the natural gas appliances (gas water heater and gas boiler/furnace) to exhaust gas into both apartments rather than up the chimney. Causing real damage to the home, and possibly causing bodily damage and/or brain problems to Brian David Hill and Roberta Hill.”, which was in attachment to the original letter which it’s photocopy is within Exhibit 0 “9-page letter to Martinsville Police Chief G. E. Cassady.” **Total of 1 page.**
3. Attached hereto as Exhibit 2, is a true and correct copy of the “Exhibit 2) Two pages of laboratory results from Sovah Hospital Martinsville medical records from November 19, 2017. One page of ECG reading showing evidence of Sinus Tachycardia (“HILL, BRIAN ID: 000370912 19-Nov-2017 10:06:44 Memorial Hospital of Martinsville”). The other page was Lab Data Results (“MM00370912 MM7805836274 SOVAH Health - Martinsville”, “Lab Data Results - Page 1/3 Job 12468 (07/02/2019 14:03) -

Page 28 Doc# 9"). Showed abnormally high WBC and MPV levels, as well as abnormal high blood pulse of 105 Beats Per Minute. Usually heart rate goes up when your out jogging, but Brian wasn't jogging because Brian fell and hit his head on the desk in his office after he fell unconscious. Then Brian was able to get up while unconscious, with blood dripping down from his head with an open wound, blood dripped all over the floor and blood was all over his bedroom pillow. Brian's mother found him in his bed, with blood on the pillow with low blood sugar and had called 911. Brian took 4 hours to complete his Obsessive Compulsive Disorder ("OCD") hand washing routine and body washing routine before he was able to get to the Emergency Room at the hospital. The hospital prematurely released him that day without informing Brian of the laboratory results and without informing Brian of the Sinus Tachycardia. Doctor was not informed either, so the abnormal readings were sitting in the medical records until June, 2019. 1-page discharge instructions also included ("MM00370912 MM7805836274 SOVAH Health – Martinsville", "Discharge Instructions - Scanned - Page 1/3 Job 12468 (07/02/2019 14:03) - Page 13 Doc# 6", "MM00370912 MM7805836274 SOVAH Health – Martinsville", "Discharge Instructions - Scanned - Page 2/3 Job 12468 (07/02/2019 14:03) - Page 14 Doc# 6"). Note for police: Sinus Tachycardia type abnormal blood pulse was discovered in the "vital signs", around 9:08AM the blood pulse reading for a resting blood pulse was "118" (page not included to condense different proofs without too many pages, if any police officer would like the entire medical record, they may contact Brian D. Hill or Sovah Hospital of Martinsville, Virginia)", which was in attachment to the original letter which it's photocopy is within Exhibit 0 "9-page letter to Martinsville Police Chief G. E. Cassady." **Total of 4 pages.**

4. Attached hereto as Exhibit 3, is a true and correct copy of the "Exhibit 3) 5 pages from a "Carbon monoxide poisoning (acute)" research study from the National Institute of Health which is a federal government organization. Mentions symptoms of carbon monoxide (BMJ Clin Evid. 2008; 2008: 2103. Published online 2008 Jul 23. PMID: PMC2907971. PMID: 19445736).", which was in attachment to the original letter which it's photocopy is within Exhibit 0 "9-page letter to Martinsville Police Chief G. E. Cassady." **Total of 5 pages.**

5. Attached hereto as Exhibit 4, is a true and correct copy of the “Exhibit 4) 2 page excerpt from “TRANSIENT CARDIAC DYSFUNCTION IN ACUTE CARBON MONOXIDE POISONING” a medical research study in regards to a victim of carbon monoxide poisoning.”, which was in attachment to the original letter which it’s photocopy is within Exhibit 0 “9-page letter to Martinsville Police Chief G. E. Cassady.” **Total of 2 pages.**
6. Attached hereto as Exhibit 5, is a true and correct copy of the “Exhibit 5) 4-page “Detection of neutrophil–lymphocyte ratio as a serum marker associated with inflammations by acute carbon monoxide poisoning” backed by 5 research studies including a state hospital (Mustafa Karabacak, Kenan Ahmet Turkdogan, Abuzer Coskun, Orhan Akpinar, Ali Duman, Mucahit Kapci2, Sevki Hakan Eren, Pinar Karabacak). Journal of Acute Disease 2015; 4(4): 305–308.”, which was in attachment to the original letter which it’s photocopy is within Exhibit 0 “9-page letter to Martinsville Police Chief G. E. Cassady.” **Total of 4 pages.**
7. Attached hereto as Exhibit 6, is a true and correct copy of the “Exhibit 6) 2-page report from the Centers for Disease Control and Prevention (“CDC”) titled the “CDC - NIOSH Publications and Products - Controlling Carbon Monoxide Hazard in Aircraft Refueling Operations (84-106)”. Relevant to carbon monoxide as it mentions the generalized symptoms of carbon monoxide (“CO”) gas poisoning.”, which was in attachment to the original letter which it’s photocopy is within Exhibit 0 “9-page letter to Martinsville Police Chief G. E. Cassady.” **Total of 2 pages.**
8. Attached hereto as Exhibit 7, is a true and correct copy of the “Exhibit 7) Three anonymous greeting cards (possibly with an intent to annoy, harass, or intimidate) and one anonymous threatening greeting card from an unknown assailant or assailants who sent the four mailings from Tennessee with no return address.”, which was in attachment to the original letter which it’s photocopy is within Exhibit 0 “9-page letter to Martinsville Police Chief G. E. Cassady.” **Total of 20 pages.**
9. Attached hereto as Exhibit 8, is a true and correct copy of the “Exhibit 8) 4 Pages of evidence in regards to proof of mental confusion while in Martinsville City Jail. Two envelopes meant to be sent to a Greensboro, NC

federal building, was instead sent to the Greensboro federal building in Martinsville, VA, when Martinsville has no federal buildings. The other mailing was sent to the city farm instead of "55 West Church Street". All three mailings were returned to sender because the addresses didn't make any sense.", which was in attachment to the original letter which it's photocopy is within Exhibit 0 "9-page letter to Martinsville Police Chief G. E. Cassady." **Total of 4 pages.**

10. Attached hereto as Exhibit 9, is a true and correct copy of the "Exhibit 9) 6 pages from Piedmont Community Services, a month after Brian David Hill was jailed in Martinsville City Jail for the charge of indecent exposure, Brian was diagnosed by forensic psychiatrist Dr. Conrad Daum as to having exhibited psychosis and delusions. Psychosis (as shown in Exhibit 3), is a symptom of carbon monoxide gas poisoning.", which was in attachment to the original letter which it's photocopy is within Exhibit 0 "9-page letter to Martinsville Police Chief G. E. Cassady." **Total of 6 pages.**

11. Attached hereto as Exhibit 10, is a true and correct copy of the "Exhibit 10) Proof of medical neglect from Sovah Hospital in Martinsville (formerly Martinsville Memorial Hospital). They drawn blood and was going to do a "blood count" test which would have again possibly shown an abnormally high White Blood Cell count and high MPV levels, had the test been conducted. Instead the blood was wasted and the ordered tests were to be deleted from the chart. Then the hospital released patient Brian David Hill way too early to the custody of Martinsville Police, leading to the wrongful imprisonment of Brian David Hill and led to the carbon monoxide levels never being found out. 7 pages of Hospital record, dated September 21, 2018 (MRN: MM00370912, Account#: MM7806761243). Note for police: Sinus Tachycardia ("MM00370912 MM7806761243 SOVAH Health - Martinsville", "ED Physician Record - Electronic - Page 2/4 Job 23328 (05/17/2019 13:34)- Page 5 Doc# 2") type abnormal blood pulse was discovered in the "vital signs" The first blood pulse reading around 4:09AM was "119" for a resting pulse, then around 5:01AM the last resting blood pulse reading was "106". Any blood pulses above 100 beats per minute is "sinus tachycardia". Sinus Tachycarda means that there is a medical problem in the body, and doesn't necessarily mean a heart problem but can increase the risk of a heart attack or stroke. I was released to Martinsville City Jail

while medical records admitted that I had sinus tachycardia before I was arrested after being transported to the Hospital after police handcuffed me.”, which was in attachment to the original letter which it’s photocopy is within Exhibit 0 “9-page letter to Martinsville Police Chief G. E. Cassady.” **Total of 7 pages.**

Total is 55 pages of attachment (not including the Exhibit page markers which are one page for each Exhibit).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 19, 2019.

Respectfully submitted,

Brian D Hill
Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

I ask Qanon and Donald John Trump for Assistance (S.O.S.)

Make America Great Again

Respectfully filed with the Court, this the 19th day of July, 2019.

Respectfully submitted,

Brian D. Hill
Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

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Petitioner also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C. § 1915(d), that “The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases”. Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing (“NEF”) email, by facsimile if the Government consents, or upon U.S. Mail.

Thank You!

CERTIFICATE OF SERVICE

Petitioner hereby certifies that on July 19, 2019, service was made by mailing the original of the foregoing:



“EVIDENCE DECLARATION OF BRIAN DAVID HILL REGARDING CARBON MONOXIDE AND LETGTER TO MARTINSVILLE POLICE CHIEF IN OPPOSITION TO GOVERNMENT’S/RESPONDENT’S DOCUMENTS #156, #157, #158, #159 AND #160”

by deposit in the United States Post Office, in an envelope (certified mail), Postage prepaid, on July 19, 2019 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Suite 1, Greensboro, NC 27401.

Then pursuant to 28 U.S.C. §1915(d), Petitioner requests that the Clerk of the Court move to electronically file the foregoing using the CMIECF system which will send notification of such filing to the following parties to be served in this action:

<p>Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov</p>	<p>Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 angela.miller@usdoj.gov</p>
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This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

<p>Date of signing: <u>July 19, 2019</u></p>	<p>Respectfully submitted,  <hr/> <i>Signed</i> Signed Brian D. Hill (Pro Se) 310 Forest Street, Apartment 1 Martinsville, Virginia 24112 Phone #: (276) 790-3505  I stand with QANON/Donald-Trump – Drain the Swamp I ask Qanon and Donald John Trump for Assistance (S.O.S.) Make America Great Again</p>
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Certified Mail tracking no: 7017-2680-0001-0881-9149