

Exhibit 3

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UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to “PETITIONER’S AND CRIMINAL DEFENDANT’S
MOTION TO CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE
RULE 10(e) (Doc. #215) -- MOTION AND BRIEF / MEMORANDUM OF LAW IN
SUPPORT OF “PETITIONER’S AND CRIMINAL DEFENDANT’S MOTION TO
CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE RULE 10(e)”
(Doc. #215)”

In the United States District Court
For the Middle District of North Carolina

Brian David Hill,)	
Petitioner/Defendant)	
)	
v.)	Criminal Action No. 1:13-CR-435-1
)	
United States of America,)	Civil Action No. 1:17-CV-1036
Respondent/Plaintiff)	
)	
)	

**DECLARATION OF STELLA FORINASH IN SUPPORT OF
“PETITIONER’S AND CRIMINAL DEFENDANT’S MOTION TO
CORRECT OR MODIFY THE RECORD PURUANT TO APPELLATE
RULE 10(e)”**

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

I was at the hearing on September 12, 2019, at the Winston-Salem Federal Courthouse, Courtroom 2, and had been present at that hearing while Brian David Hill had been present with Renorda Pryor (Attorney) for the case of the Supervised Release Violation.

I had remembered things that were mentioned verbally at the hearing that had not been inside of the transcript file “09-12-19 USA v. Brian D. Hill.pdf” produced by Court Reporter named Briana Bell. I had concerns about this and had produced this federal affidavit on what I believed was omitted on the record by error.

This is what I believe was omitted from the Transcript that should have been part of that transcript:

Attorney Pryor asked Sgt. Jones **if Brian was being obscene. His answer was “No”.** Attorney Pryor asked **Sgt. Jones what was in the backpack, and his answer was something like “camera, watch & his clothes”.** We talked about this on the way home that day, and after we got home, I took notes and sent my notes in PDF format to one of our friends in email on 9/14/2019. We think it’s important to have everything that is in the transcript, and so we **paid \$388** to get an accurate copy as soon as possible. This copy was sent to our daughter’s email. When she sent an email back asking for corrections, this was denied. We paid for a double spaced 81 page transcript to be emailed to us within 7 days, and some very important information is left out that all 4 in our family remember that was said in court on September 12, 2019. Another part that was left out of this transcript was when my daughter, Roberta testified about the carbon monoxide and how Brian was acting & feeling after being exposed to this in Brian’s apartment for almost a year. She was talking about USA government documents explaining to Americans about the dangers of carbon monoxide gas exposure short term & long term health effects, and Brian filed these documents to the court and is on pacer. Check these document for proof: **Case 1:13-cr-00435-TDS Document 181 Filed 07/22/19 Page 1-10 of 10; Document 181-4 Filed 07/22/19 Page 1-6 of 6; Document 181-5 Filed 07/22/19 Page 1-3 of 3; Document 181-6 Filed 07/22/19 Page 1-5 of 5** and more. It was left out of the transcripts where **Anand Ramaswamy said something like she probably got the information about carbon monoxide from Wikipedia.** It’s real important to correct these 3 items which should be on the original transcript. Thank you.

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

Executed on November 6, 2019.

Respectfully submitted,

Stella B Forinash

Signed
Stella Forinash

Brian's court case yesterday

Video Speed



Ken & Stella - kristella2007@yahoo.com
To: Eric S. Clark
Cc: Roberta Hill
Bcc: Stella Burnette Forinash

Sep 14 at 10:03 AM

Hi Eric,

Sorry we haven't been keeping in touch, but I want to thank you for everything you are and have done to help Brian with his court cases. I typed something up tonight about yesterday's trial and wanted to share this with you & Roberta. I'm putting it in PDF file from what happened yesterday. We're all looking forward to seeing the transcripts. After reading it, if you have time, we would appreciate your feedback on it.

Thanks.

Stella & Ken (Brian's grandparents)



Brian's Marthensville, VA case

Marthensville Police testimony in federal court in NC

1. Police said he got a warrant to search back at Brian's camera. If true, Brian wants to see a copy of this.
2. When Brian's attorney asked if Brian told him he could look at the camera & MP read with pictures, the answer was "yes"
3. The policeman said that Brian told him that the man in the hoodie gave him the camera, yet the court showed them with photos and a copy of the monthly report he gave to the probation officer
4. In the next breath, Brian told the family that he did not tell the policeman that because it was the camera.
5. Police made it look like Brian was standing in front of Walmart which is opposed to home.
6. Brian's attorney said that in the photo, it looked like Brian was far away from Walmart on the walking trail behind River & Myrtles Restaurant, that was about midnight until 1 AM. If someone is on the trail, it is hidden from the main road. Photos show lighted to show signs, but no one can see someone on the private trail day or night.
7. Police showed a ~~blue~~ blue photo of car parked near the trail. Midway 1003 111 if it's dark, he should have used a photo of that parking lot at night which he admitted only he, Brian and another policeman were the only ones on the trail.
8. Prosecuting attorney was saying something about Brian being on the Dick & Willie Trail which is a park where children go. Would children be on the trail from midnight to 1 AM? When Brian's attorney asked if the police saw anyone else on the trail, the answer was "no". The fact is that the Dick & Willie Trail is not a park, it is a hiking or bike riding trail that is 4.5 miles. There is no other enjoyment of it so the walking trail.
9. Brian's attorney asked if Brian was obstructed, the answer was "no"
10. The attorney asked the police if Brian told him that he had "witness". Answer was "no". Question Brian's family would like answered is: Did he give Brian the Miranda Rights? That question was not asked. Not questions "Yes Brian told me the walking trail."

<https://www.marthensvillepolice.com/Document/ViewDocument.aspx?DocumentID=1111>

Brian's court case yesterday

From: Ken & Stella (kenstella2007@yahoo.com)

To: eric@whitestone[REDACTED]

Cc: rbhill67@yahoo.com

Bcc: kenstella@comcast.net

Date: Saturday, September 14, 2019, 12:03 AM EDT

Hi Eric,

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Thanks,

Stella & Ken (Brian's grandparents)



Brian's Martinsville case in the federal court in NC.pdf
704.8kB