DECLARATION/UNSWORN AFFIDAVIT OF BRIAN DAVID HILL IN FAVOR OF HIS REQUEST TO UNITED STATES PRESIDENT DONALD JOHN TRUMP TO GRANT BRIAN DAVID HILL A FULL PARDON FOR HIS ACTUAL INNOCENCE TO HIS FEDERAL CHARGE CASE NO. 1:13-CR-435-1, AND AS TO EVIDENCE OF DUE PROCESS DEPRIVATION, RELENTLESS JUDICIAL CORRUPTION AND TYRANNY, AND FRAUD UPON THE COURT AS OUTLINED IN SUPREME COURT CASE NO. 19-8684 AND COURT OF APPEALS CASE NO. 19-2338

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

I, Brian David Hill hereby affix my signature to this declaration/unsworn affidavit under oath explaining to U.S. President Donald J. Trump at the White House why I am worthy of receiving a grant of a full pardon for Brian David Hill of his federal charge in case no. 1:13-cr-435-1. My request is outside of the "Pardon Attorney" because the "Pardon Attorney" works for the same government agency of the prosecutor Anand Prakash Ramaswamy that prosecuted me, defrauded the court in my case, and lied about me multiple times in Federal Court. That agency is the United States Department of Justice ("U.S. DOJ"), the Pardon Attorney and any investigation they would conduct would be potentially in conflict of interest and I believe they will likely defend the lies and fraud that was perpetuated against me by Assistant U.S. Attorney Anand Prakash Ramaswamy and any other Assistant U.S. Attorney working with him against me. The Pardon Attorney refused to accept my pardon application for the ground of "actual innocence" as my family member told me because of me prosecuting against the Government by filing my 2255 motion and as it was a pending litigation, they refused to accept my pardon application

even though the means of justice support why I need a full pardon on me being actually innocent of my federal criminal charge I was indicted on in November, 2013. My mother or grandparents said they got a letter from the Pardon Attorney that they cannot accept my Pardon Application of me being actually innocent because of my pending 2255 litigation back in late 2018. They refuse to acquit me an innocent man who has worked hard for months and years to prove my innocence. I recommend that special counsel be appointed to investigate my claims in this affidavit or Attorney General William Barr or U.S. Attorney John Durham thoroughly investigate my claims before the U.S. President Trump make a decision on my request for a grant of a "full pardon" from the President himself. Please do not forward this to the Pardon Attorney due to the conflict of interest.

I will state the facts that I am alleging herein as to why I am actually innocent of my federal charge of possession of child pornography as charged under grand jury indictment under Federal Court case no. 1:13-cr-435-1, Middle District of North Carolina. I will state the facts herein that I have exhausted remedies and may or may not have any more remedies left and/or that I am confident that I will receive no remedy regardless of whatever I try in the legal system in the future because of judicial corruption and tyranny. I will state the facts herein that I have been deprived of due process of law repeatedly for years and deprived of equal protection under the laws throughout my entire federal criminal case from my indictment to the denial of my 2255 motion, dismissal of my 2255 case, and the judge refusing to act upon three simple motions with evidence and supporting case law asking for sanctions against federal prosecutor Anand Prakash Ramaswamy for fraud upon the court. Since I may never receive due process ever in my criminal case and never had received genuine due process due to what I believe to be judicial corruption, tyranny, and prosecutorial corruption and fraud, that I deserve receiving a "FULL PARDON" from the President Donald J. Trump as it is my only remedy that can relieve me of being a continued victim of judicial tyranny.

When referencing the District Court Case, it refers to case no. 1:13-cr-435 in the U.S. District Court for the Middle District of North Carolina in the criminal case, as well as referencing the 2255 civil case no. 1:17-cv-1036. When referencing the Supreme Court Case, it refers to case no. 19-8684, Petition for Writ of Certiorari. When referring to U.S. Appeals Court Case, it refers to case no. 19-2338, In Re: Brian David Hill, Writ of Mandamus, U.S. Court of Appeals for the Fourth Circuit.

FACT 1. I have filed over two different motions or requests in the District Court Case asking for an independent computer forensic expert to examine my seized computer. First motion I filed under Doc. #36 (09/18/2014) I was in jail and I felt like I had wrongfully been coerced and misled (*I never got to see my full discovery materials until after I falsely plead guilty to get out of jail*) into falsely pleading guilty on June 10, 2014, and I had wanted a computer forensic expert all along to prove my innocence to my federal charge. I had nothing to hide on my seized computer. I didn't know at the time until January 22, 2015 when me and my family reviewed over the discovery materials pertaining to my criminal case and the North Carolina ("NC") State Bureau of Investigation ("SBI") forensic report said that 454 files had been downloading on eMule on my seized computer between the dates July 20, 2012, and July 28, 2013. That same seized computer pursuant to a claim of investigating child pornography by search warrant was seized on August 28, 2012. That would mean the writer of the forensic report who was Special Agent Rodney V. White had admitted that supposed files/images/videos of interest which may or may not be of child pornography was downloading on eMule on my seized computer for 11 months after it was seized from me and changed custody to Town of Mayodan Police Department and then to the NC SBI. I had filed a pleading with those dates on Doc. #136, Page 4 of 11, and the AUSA Ramaswamy never

refuted it, and Special Agent Rodney White never ever refuted those dates from his own forensic report, even though those download dates would cause a problem in the prosecution's attempt to establish a factual claim of guilt that only Brian David Hill could have downloaded from eMule and not some computer hacker or the CIA or NSA or anybody else in the Deep State Swamp. Also brought up those download dates in Doc. #71 page 11, in March 3, 2015. The Government has never refuted those download dates from their own discovery papers. They knew the claim would establish a favorable argument for the defense that supposed child porn was downloading when Brian didn't even have the computer, any reasonable juror would have found me not guilty but I had a corrupt ineffective (*I wouldn't call him a defense lawyer*) lawyer Eric David Placke (Slacky Placke) who ignored the download dates completely. Also again brought up in Doc. #71 Attachment 6 (#71-6) and Attachment 1 (#71-1). Why were those download dates never refuted even though it could totally derail the Prosecutor's guilty factual elements of the alleged offense allegations? Regardless of the report's date claims and whether it proves that somebody else was downloading supposed alleged child pornography to my seized computer, I still had every constitutional or legal right to the effective assistance of legal counsel which includes the right to the usage of forensic experts which would help assist in my defense to the charge I was indicted on and would be beneficial in me attempting to fully prove my actual innocence to my charge. The Court denied my first motion of Doc. #36 requesting a computer forensic expert by oral order on November 10, 2014. I filed a second motion under Doc. #76 (04/22/2015) again asking for an independent computer forensic expert to examine my computer that was seized by law enforcement and in NC SBI custody and find evidence of a virus or any evidence that I was actually innocent of my charge and had no intent to possess child pornography because I was framed. The District Court also denied that

motion under Doc. #87. I had also filed in my brief/memorandum of law with my 2255 motion a request and/or recommendation that the District Court have a independent computer forensic expert examine my seized computer to find any evidence that would prove me actually innocent of possession of child pornography by verifying the download dates as to being 11 months after the computer was seized by law enforcement of the Town of Mayodan, on August 28, 2012. The Magistrate Judge refused to accept that I wanted to prove actual innocence, denied me such opportunity and recommended dismissal of my entire 2255 case according to his order and recommendation under Doc. #210, and acted as though I didn't need a computer forensic expert as it was to be dismissed for being filed untimely under the Anti-Terrorism and Effective Death Penalty Act which revised the 2255 statute to have a one year statute of limitations despite the U.S. Supreme Court and appellate court rulings that establish that the District Courts must allow a federal prisoner or probationer to have the opportunity to prove actual innocence and if proven then the 2255 Petitioner can be subject to relief of vacating the sentence and conviction of guilt upon enough proof of actual innocence to convince any reasonable juror beyond reasonable doubt that the Petitioner is actually innocent of his criminal charge. I filed objections to all claims by the Magistrate Judge under Doc. #213 but the Chief Judge Thomas David Schroeder dismissed my 2255 case on New Year's Eve of 2019 and denied my 2255 motion and refused to let me prove my actual innocence facts on December 31, 2019, on New Years Eve. As of the time of this declaration, the appeal for the 2555 dismissal is still pending in the U.S. Appeals Court of the Fourth Circuit. Since 2014, my wishes to get my computer forensically examined to prove my actual innocence has been without success due to judicial corruption or incompetence. I have been constitutionally deprived of my Due Process right to prove my innocence in regards to the fact that I did not have any intent

to possess child pornography as I was framed by evidence planting and/or evidence tampering and/or by computer hacking, I was denied all my rights to a expert or independent forensic expert to assist in my defense in 2014 and in my 2255 case in my District Court Case. Also an Attorney named Cynthia Everson in North Carolina wasted my time in 2015 and used up a lot of time acting as though she would find a computer forensic expert which would charge a reasonable rate that I could afford under my SSI disability disbursement money, and then be able to prove my actual innocence then file a 2255 motion. Cynthia wasted my time and it went beyond after the one year after judgment which would be used to default my claims. I suspected that Cynthia Everson the attorney was meant to waste my time in 2015 to invalidate my 2255 motion and make it untimely and subject to default denial which would give the Court an excuse to ignore everything in my 2255 motion. I suspect she was threatened, manipulated, coerced, bribed, maybe her family threatened, maybe they threatened to take away her bar license, or maybe she was blackmailed behind the scenes which would explain her unusual behavior of not doing her job as an attorney. The way she wasted my time, wasted my families time and caused me to file untimely. She was the reason I failed in my 2255. Not just her but the home detention I had to wrongfully serve in 2015. Different reasons of my circumstances led to my failure to timely file a 2255 motion. Then she quit being my lawyer in 2016 because my friend or ex-friend had started a legal fundraiser on Go-fund-me and had claimed it was unethical in North Carolina and she bailed on me like a cowardly traitor. She never even filed a notice of appearance ever in my District Court case and never asked for an extension of time to file the 2255 motion beyond the one-year statute of limitations. She helped ruin my life and likely made sure to waste my time to prevent me from filing the timely 2255 motion. Maybe I should

have sued her for failing to file a timely 2255 case and permanently ruin my life by wasting my time in 2015.

FACT 2. I had declared under oath in my 2255 motion that one of my grounds for requesting relief in my District Court Case was that I was "actually innocent" of my charge. I had filed evidence under Doc. #129 with an article detailing suspicions I had in 2013 about the Government setting me up with child pornography because I knew my computer was hacked with some kind of virus that I had caught in the Task Manager in Windows with the file names ares.exe, emule.exe, and shareaza.exe and believed that the malware/virus that may have been responsible was Win32/MoliVampire.A was reported by ESET VirusRadar website and the virus was discovered reportedly in July, 2012, coincidentally (Or Not) around the exact same timeline of when Mayodan Police and Reidsville Detective claimed the download had begun on eMule. I had reported my suspicions to an ex-alternative-media-buddy who then reported this information to Before It's News and then was placed on the American Live Wire article and was mirrored to Truth Frequency Radio website back in 2013. That was when I had no idea that it was downloading all the way up to July 28, 2013. If I had known about the forensic report stating that alleged supposed possibly child porn aka "images of interest" and "videos of interest" was downloading to my computer while in law enforcement custody, I would have immediately notified American Live Wire and Before It's News proving my earlier alleged claims and it could have steered me towards acquittal or pardon by the President as the public embarrassment would have forced President Obama to consider pardoning me or order my acquittal to get me off his back publicity-wise. I had also signed a notarized or sworn affidavit on Doc. #134, page 17 and 18 of page 99 (11/14/2017) also declaring my actual innocence to my federal charge and explained briefly about the elements of my actual innocence. That was why I had filed 53 exhibits in

support of my 2255 motion and brief in the District Court Case. That was why I had filed additional evidence Declarations and additional evidence in 2018. That is because I believe and had always believed that I was actually innocent of my charge and had never attempted to possess child pornography. I feel there is no proven intent based upon the alleged download dates by Special Agent Rodney V. White. I feel there is no proven intent due to my false confession caused by coercion and my Autism and Obsessive Compulsive Disorder ("OCD"). I had gone into great detail and cross examined my confession statements with what I recalled from the SBI forensic report and in my 2255 brief/memorandum of law I had accurately and in detail had proven that I had Autism Spectrum Disorder and I think my OCD since I was really young and that my confession statements to Mayodan Police of North Carolina on August 29, 2012, were proven false when compared with the forensic report and other factors. My entire family members of my grandma, grandpa, and my mother had reviewed over the discovery evidence on January 22, 2015, and my family members also reviewed over my Mayodan Police Report – Incident report that I had received as per my request to the Town of Mayodan. They, my family assisted me in the production of my 2255 motion and brief/memorandum of law, as well as the exhibits. My family members Stella Forinash my grandmother, Kenneth Forinash my grandpa who had served in the U.S. Air Force at one time so he is a veteran who was honorably discharged, and Roberta Hill my mother and caretaker. They had evidence that they believe that Mayodan Police had lied about me, and evidence that the U.S. Attorney's witness Kristy L. Burton had also lied about me but in her case, it was under oath. My whole family who had reviewed over the discovery evidence material and took notes feel after reviewing over everything the U.S. Attorney had against me for the child porn possession charge, they feel the evidence did not in fact prove my guilt and that my family thought I had plenty of

reasonable doubt at one time but agreed that the discovery materials can actually be used towards proving my actual innocence by showing the contradictions and lack of solid evidence. In fact, my family and I saw NO AFFIDAVIT by Rodney V. White who personally done the forensic examination of my computer and he Agent White had made the download date claim that was 11 months after my computer was seized by law enforcement. It is shoddy forensics at best which proves that somebody else likely downloaded the materials on eMule without his knowledge and he was just an incompetent moron, or that he knew alleged supposed child porn was downloading to my computer while it was in his custody which is A MAJOR NO! NO! for any criminal investigation when it comes to secure storage and testing of forensic evidence standards. So, either it was evidence neglect or mistreatment, stupidity, lack of proper forensic security and procedures for any law enforcement agency, evidence contamination and/or unknowing allowing a third-party hacker or source to conduct evidence planting or tampering by an unknown source, or it was deliberate evidence planting and/or tampering. Either way it was the District Court's duty to investigate that bizarre claim but instead they had ignored it. The "images of interest" and "videos of interest" say exactly that, it did not say whether or not those files "*of interest*" were indeed child pornography or not, it gives a misleading statements to give the grand jury the perception/impression that Brian David Hill had these type of files and the large number of such files but do not prove it and have no solid evidence to prove it, to back it. Well what I can say the "Grand Jury can and will indict a ham sandwich". Even the Pre-Sentence Investigation ("PSI") Report under Doc. #33 in the District Court Case had said that the National Center for Missing and Exploited Children ("NCMEC") claimed that the files found on my computer was "not of a known series", that there were no victims noted and no names of any victims, no victims. That contradicts the claim of Rodney V. White and the

Mayodan Detective and the other Detective Robert Bridge that Brian David Hill or somebody through the IP Address 24.148.156.211 had downloaded known child pornography files, but the NCMEC says not of a known series. So, they do not seem to even know what types or kinds of child pornography files they supposedly were when the NCMEC says not of a known series but according to the search warrant they claimed they went to the home of Brian David Hill because of known child pornography files being downloaded over eMule through the IP Address 24.148.156.211 linked to the home's IP Address. So why is the federal prosecution and the NCMEC contradicting what Robert Bridge the Police Detective had claimed in his search warrant affidavit? No affidavit of Rodney V. White, no documentation as to his scientific forensic qualifications and the standards he would have to have been using when supposedly conducting this so-called professional forensic examination of Brian's computer equipment that was seized for the criminal investigation against Brian David Hill from 2012-2013. There are no thumbnails and not even blurred thumbnails of the alleged child pornography when the FBI would have done better at proving evidence that this suspect or that suspect had these types of pornographic images and allowing the jury to determine each file to ascertain along with the experts of the Government. That did not seem to be the case at all when the discovery evidence was reviewed, no finding of an affidavit or declaration on forensic scientific expertise and educational University/College degrees or any other factors of qualifications of the so-called forensic expert to make the evidence credibility and valid under the strict standards of the Federal Rules of Evidence. There could have been an affidavit but none was found when family reviewed over each and every page and found repeats of the same discovery materials which may be an attempt to make the copy of the evidence pages look as large as an old telephone book to make it appear that the Government had a lot of evidence against Brian and it appears

overwhelming, the discovery evidence bulk of pages being repeats of the same reports or materials show that it was meant to intimidate and deceive Brian David Hill and his family into believing that the Government had overwhelming evidence on him that he would be used to have Brian believe that he would have been found guilty by a jury and had no chance at trial. That is deceptive even by his own lawyer Eric David Placke, that is corruption by his own supposed defense attorney. That is the truth about my case from my own eye-witness knowledge. If I had known all of these facts back in early 2014, I never would have falsely plead guilty and would have insisted upon going to trial and bring up these contradictions with the jury of my peers even if I had to point these out without a lawyer. I would have appeared pro se, orally fired my lawyer right at the jury trial for them to see, and demanded that I represent myself at the jury trial and ask the Judge for my discovery papers to be held by my own hands and in my own hands during the trial and go over different pages and make arguments as to the jury to look at certain specific pages of the discovery materials to see what I am talking about to convince them that I am innocent. **If it had been a fair trial from the very beginning and not a kangaroo court process, I never ever would have plead guilty and would have convinced the jury that I did not knowingly possess child pornography and that the evidence is insufficient to prove that each and every supposed "image of interest" and "video of interest" was indeed child pornography. Because that which the federal prosecutor perpetuated in regards to my supposed guilt was never proven in the discovery materials, it is a perpetuated fraud upon the court in my viewpoint.** My family feels the same way, that it was a perpetuated fraud upon the court by the federal prosecutor Assistant U.S. Attorney ("AUSA") Anand Prakash Ramawamy.

FACT 3. I had filed three motions for sanctions that such pleadings had accused Anand Prakash Ramaswamy of defrauding the court and providing a witness against me who had lied multiple times on the stand in open court which is perjury and was deceiving the court to getting a verdict or judgment favorable to the Government. I had initially filed the Doc. #199 motion entitled "Motion for Sanctions and Vacate Judgment in Plaintiff's/Respondent's favor" on October 4, 2019. "Response to Motion due by 10/25/2019". The AUSA Ramaswamy never filed a response to that motion by that date that would technically be considered that the motion was uncontested in accordance with Middle District of North Carolina local civil rule "LR 7.3" paragraph (k) saying that "If a respondent fails to file a response within the time required by this rule, the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice." That local rule is as solid as law as a local court rule, has the same force and effect as a law passed by Congress since it isn't a national rule but a local court rule. That local rule said that if the Respondent does not file a timely response as allotted by that rule then it is considered uncontested and that the uncontested motion is to be granted in the normal course, and that is in a federal civil case which 2255 cases are under both civil and criminal rules, and 2255 cases are considered civil federal cases when they assigned a civil case number. Paragraph (f) of that local rule said 21 days is the date to respond to a motion before it would be considered uncontested if no response filed by that response due date. The first motion under #199 should have been GRANTED by the Hon. Thomas David Schroeder. He did not because he is a corrupt federal judge who has neglected to do his duty and that he is doing the bidding of AUSA Anand Prakash Ramaswamy and any other U.S. Attorney personnel. He is protecting the corrupt U.S. Attorney employee or employees, anybody who I had proven and caught defrauding the court, documented it in

a motion, filed it and it was uncontested. That motion was uncontested and the response date was within 21 days from its filing in the Court's Electronic Court Filing system that sends an email to the U.S. Attorney office with the pleading which is considered service of process for indigent filers and it asks for a response or notes that there is a response due date as set by the Clerk of the Court, the Clerk is an official officer of the Court who servers the Court and can request a response of the other parties. Ramaswamy is guilty of the allegations of defrauding the court under #199 because he did not defend himself by not contesting the allegations and neither of the relief requested in the Doc. #199 motion. It is by judicial corruption that the motion was never acted upon by the Hon. Thomas David Schroeder and is still sitting on the Docket Sheet without anything in the record ever showing that it was ever acted upon. Judge Schroeder is corrupt and should have removed himself from the case as neglecting to follow his duties of granting or denying any motions that are referred before him after being filed properly with the "Clerk of the Court". That first judgment was wrongfully obtained and was proven as a fraudulent begotten judgment against Brian David Hill and was being used as a factor or element in securing nine (9) months of imprisonment against Brian David Hill in his District Court case after wrongfully revoking his federal probation.

FACT 4. I had initially filed the second motion of Doc. #206 motion entitled "Petitioner's Second Motion for Sanctions and Vacate Judgment in Plaintiff's/Respondent's favor; Motion and Brief/Memorandum of Law in support of Requesting the Honorable Court in this case Vacate Fraudulent begotten Judgment or Judgments" on October 15, 2019. "Response to Motion due by 11/05/2019". The AUSA Ramaswamy never filed a response to that motion by that date and that would technically be considered that the motion was uncontested in

accordance with Middle District of North Carolina local civil rule “LR 7.3” paragraph (k). Ramaswamy is guilty of the allegations of defrauding the court under #206 because he did not defend himself by not contesting the allegations and neither of the relief requested in the Doc. #206 motion. It should have also been granted in its usual course. However Chief Judge Hon. Thomas David Schroeder also refused to make a decision on that motion as well, he ordered dismissal of the entire 2255 case without first making a decision or action on the uncontested motions in regards to fraud upon the court and requesting vacatur of the fraudulent begotten judgments as is the Court’s constitutionally vested inherit and implied powers when Congress does not have every situation in mind when it comes to internal court matters. Congress left the “fraud upon the court” issues to the Court itself which the Supreme Court had said all courts have the inherit power to deter frauds and contempt actions as what was brought up in case Chambers v. NASCO, Inc., 501 U.S. 32 (1991). The District Court had every legal right to GRANT the two motions for sanctions when uncontested or even when contested which would have normally triggered an evidentiary hearing to see who was lying and who was telling the truth, and to get to the bottom of the claims of the Movant of the motion with the allegations of the fraud. The Judge however did not do anything and instead left it pending and hanging there. A judge is not supposed to do that, it is the ministerial duty of every judge to act upon a motion that comes properly before him/her. If the Judge doesn’t like the motion or disagrees with it, he/she has the discretionary right to simply deny it and leave it to the Court of Appeals or the Supreme Court to overturn that decision as an error or abuse of discretion or wrongful/unconstitutional usurpation of power. The judge Thomas David Schroeder assigned to Brian Hill’s criminal case has no absolute right to refuse to act upon a pending motion, if he disagrees then he needs to deny it and let the Movant have an opportunity to the

right to appeal to a higher court in disagreement with the Judge's decision. Thomas Schroeder denied Brian David Hill due process protections under the 5th Amendment of the U.S. Constitution and deprived Brian David Hill and other party of the right to appeal a non-favorable or favorable decision. That right there proves the unconstitutional corruption by Thomas Schroeder, the corrupt judge that has proven that he is corrupt and biased and doesn't want to admit that the U.S. Attorney may have been wrong about his criminal allegations against Brian David Hill. Judge Schroeder rather abuse his power and abuse his discretion to protect a corrupt lying and deceiving United States Attorney and Assistant Anand Prakash Ramaswamy. That right there violates American Bar Rule 3.8 and Rule 4.1. AUSA Ramaswamy is an unethical attorney and Brian had proven it with the evidence and direct allegations and the allegations were uncontested. Had the local Court rule been enforced then the Judge would have no other choice but to grant the uncontested motions in favor of Brian David Hill. Those two motions would have removed/vacated the two probation violations against Brian David Hill, and would clear his criminal record in regards to any violations of supervised release as alleged by the U.S. Probation Office. Yet CORRUPT JUDGE THOMAS DAVID SCHROEDER rather keep the probation violations on record against Brian David Hill for the rest of his life as if a trophy to bolster the prosecution by Anand Prakash Ramaswamy, and to give him a harsher sentence the next time he is accused of yet another violation. This federal THUG Judge had justified fraud and allowed fraud before his court on court record, this judge had destroyed any integrity and credibility his Court may have ever had left in the entire Middle District of North Carolina. This federal judge is CORRUPT, proven to be corrupt, doesn't follow or enforce the rules if it is not favorable to the United States Attorney, that is corrupt and partiality and does not prove the judge to being an impartial mediator between two or more parties of a criminal or

civil case like a sports referee during a game. Judge Schroeder is partial in my criminal and civil cases in violation of his constitutional obligations. He is acting corrupt like a criminal THUG and acting on his own as if he is above the law and the case law authorities and controlling case law by the Supreme Court does not apply to him at all. That is wicked and corrupt, and he should not be serving the bench by acting like a petty child and a Dictator that doesn't get his way. His actions against Brian David Hill since 2015 shows his true colors when being given nearly-god-like powers of legal proportions in the federal judicial system.

FACT 5. I had initially filed the motion of Doc. #217 motion entitled "Request that the U.S. District Court Vacate Fraudulent Begotten Judgment, Vacate the Frauds upon the Court against Brian David Hill" on November 8, 2019. "Response to Motion due by 12/02/2019". The AUSA Ramaswamy never filed a response to that motion either by that date and that would technically be considered that the motion was uncontested in accordance with Middle District of North Carolina local civil rule "LR 7.3" paragraph (k). It should have been granted too since it was legally uncontested and should have been enforced by the very local rules that was decided by a committee which includes an Assistant U.S. Attorney in that local rule-making committee. So the U.S. Attorneys understand the local rules and can enforce it on a criminal or civil defendant or plaintiff but yet when Anand Prakash Ramaswamy doesn't file any response when the rule clearly states that a motion will be considered uncontested by filing no response, the local rule should be enforced against the Government or the District Court had acted corrupt by dereliction of duty, in excess of jurisdiction, deprived the Movant of due process. A Movant is the party that files the motion in a case. Such judicial corruption and malfeasance.

FACT 6. I had initially filed the third motion of Doc. #222 motion entitled "Petitioner's third Motion for Sanctions, Motion for Default Judgment in 2255 case and to Vacate Judgment that was in Plaintiff's/Respondent's favor" on November 21, 2019. No response due date was ever entered for that motion even though it was filed directly in the 2255 case and should have clearly been marked as such and given the same timeframe deadline as with the other two to three motions. The clerk had clearly screwed up or may have acted corrupt due to behind the scenes pressure (*likely Judge Schroeder?*) to prevent a major case from being opened against Judge Thomas Schroeder for knowingly holding myself, Brian David Hill hostage to a corrupt judicial mechanism where I am being forced to go to federal prison for every alleged probation violation allegations based upon an illegal conviction and illegal sentence. I believe my conviction should have been vacated once I had proven the frauds by the federal prosecutor in the District Court case. This final motion seemed to be pushing for the Court's inherit powers to deter fraud and that a Court may use its sole discretion to throw out all favorable judgments to the Government upon any evidence surfacing that the Government's Attorney had a history of a repeated pattern of defrauding the court not just one time but multiple times. The AUSA Ramaswamy did not file any contest to the three motions excluding the "third Motion for Sanctions" that had allegations of fraud including the request to vacate the fraudulent begotten judgments. The AUSA Ramaswamy did not file any contest to the fraud allegations in the Doc. #213 "objections" pleading to the "order and recommendation" and did not file any pleading contesting similar allegations under Doc. #169 which a "responses due by 01/20/2019" was placed on the docket for that filing. Brian David Hill which is myself had proven the frauds when the Government did not feel the need to defend themselves on federal court records in my District Court Case knowing that any lawyer or the general public itself can access

those court documents on PACER.GOV or COURTLISTENER.COM from what my family informed me of in regards to websites that host public federal court documents that are not-sealed. My family showed md courtlistsner.com and saved me PDF files and made PDF printouts so I do not need to be online to know about this stuff. The AUSA Ramaswamy never filed a response to that motion either even months into the year of 2020 and so that third motion for sanctions would also technically be considered uncontested in accordance with Middle District of North Carolina local civil rule "LR 7.3" paragraph (k) had the Clerk not screwed up and filed the entry properly, however that motion should have been acted upon by the Judge. It is almost an entire year since the third motion for sanctions was filed and the Judge still had not acted upon that motion, that is very corrupt, VERY! VERY! CORRUPT and is a cause for concern that a Federal Judge would ignore motions with exculpatory evidence favorable to the Petitioner/Defense and not contested by the criminal prosecutor/Respondent/Plaintiff. It should have also been granted in its usual course. I have proven that this Federal Judge is acting corrupt and conducting corrupt biased partial behavior and is getting away with it in my District Court Case.

FACT 7. I had attempted to end this façade of a criminal case. So I noticed the Judge was refusing to act upon pending motions when the highest U.S. Supreme Court and the Virginia Supreme Court had controlling and compelling case law regarding a Judge's right and duty to act upon all pending motions and matters before him/her when properly filed and such request was properly presented before the Court. U.S. Supreme Court set controlling and authoritative case law under case entitled "Roche v. Evaporated Milk Assn, 319 U.S. 21, 26 (1943)" ("while a function of mandamus in aid of appellate jurisdiction is to remove obstacles to appeal, it may not appropriately be used merely as a substitute for the appeal

procedure prescribed by the statute."). "Roche v. Evaperated Milk Assn, 319 U.S. 21, 26 (1943)" ("The traditional use of the writ in aid of appellate jurisdiction both at common law and in the federal courts has been to confine an inferior court to a lawful exercise of its prescribed jurisdiction or to compel it to exercise its authority when it is its duty to do so. Ex parte Peru, supra, p.584, and cases cited; Ex parte Newman, 14 Wall. 152, 165-6, 169; Ex parte Sawyer, 21 Wall. 235, 238; Interstate Commerce Comm'n v. United States ex rel. Campbell, 289 U.S. 385, 394."). Virginia Supreme Court controlling and persuasive case law said under In re Commonwealth of Virginia, 278 VA. 1, 22 (Va. 2009) ("Specifically with regard to mandamus directed to an inferior court, we have previously explained that", "mandamus may be appropriately used and is often used to compel courts to act where they refuse to act and ought to act, but not to direct and control the judicial discretion to be exercised in the performance of the act to be done; to compel courts to hear and decide where they have jurisdiction, but not to pre-determine the decision to be made; to require them to proceed to judgment, but not to fix and prescribe the judgment to be rendered.". I, Brian David Hill, had filed a Writ of Mandamus and had properly served it with the Judge in the District Court case and with the federal prosecutor attorneys. The U.S. Court of Appeals denied the petition, dismissed the case under erroneous or false pretenses of it being used as only a vehicle around the direct appeal when the sole purpose of that petition was challenging jurisdiction and compel Judge Schroeder to act upon three to four pending motions that he never acted upon even after being served with the Mandamus petition. AUSA Ramaswamy acting on behalf of the Judge Thomas Schroeder asked for the Mandamus petition and/or it's additional motion for stay of judgment to be denied and finally addressed the allegations briefly in the higher court record but not in the District Court Case. Made a claim that Brian David Hill did not show any proof of fraud and a reply pleading was

filed by me proving AUSA Ramaswamy wrong by pointing to different documents about the different frauds by the U.S. Attorney thanks to research done by my grandma. Again, under false pretenses of by the Panel's reasoning that the Mandamus petition was only being used as a substitute for direct appeal of a judgment. That is not true when the entire Mandamus relief was merely compelling that the pending motions be acted upon and then would not create a barrier to the right to appeal a direct judgment, a direct appeal it is called. The denial of the Mandamus relief left me with no other recourse but to file a Petition for the Writ of Certiorari with the U.S. Supreme Court. The appeal case was under case no. 19-2338, In Re: Brian David Hill, Writ of Mandamus, U.S. Court of Appeals for the Fourth Circuit. It was appealed to the Supreme Court under case no. 19-8684. However, it was considered filed on May 06, 2020, it was entered onto the docket system on June 12, 2020. The Solicitor General Noel Francisco filed a one-page letter waiving the right to respond to the petition without stating the reason as to why, and without explaining about the fraud upon the court. I knew that this was an attempt to have the petition thrown out as it is usual that any pro se filed Supreme Court petition or any petition before the Supreme Court that the Government waives the right to respond, those petitions are always usually denied without comment or opinion. I acted to put a stop to this attempt by filing a "Blanket Consent" letter on July 6, 2020 giving any or all lawyers or law professors the consent to file an amicus curiae brief as to why my petition should be granted or given a second look instead of flat out denied. Nobody filed an amicus brief or curiae. Then I sent a letter to Justice Brett M. Kavanaugh dated July 21, 2020, filed a second letter with Justice Clarence Thomas dated September 15, 2020. However, both letters didn't seem to mean anything. On October 5, 2020, my family looked at the Supreme Court docket page for my case as well as the order of that date, and there was a big list of just case numbers

and case names of “CERTIORARI DENIED” and my case number was in there. I was horrified. I thought I had established extraordinary circumstances as to why intervention was necessary, even in my letters to the two Justices, those letters I asked my mother to email to Stanley Bolten or Laurie Azgard to publish on the blog JusticeForUSWGO.wordpress.com website. I even signed an affidavit of service stating that I had served copies of both letters to both Justices with all Respondents so that the letters are not considered ex-parte and thus would be able to be taken into consideration when making a decision that could have far-reaching consequences. However, both letters didn’t seem to mean a damn thing. Pardon my French. The Justices all denied it without comment, without opinion, without any record of who would have voted for or against the petition. It was just denied in a sea of other denied petitions that day. That made me feel like I have no hope, no way to be relieved of being held hostage under the Middle District of North Carolina corrupt judicial leadership under the horrible unconstitutional treasonous DICTATOR known as Chief Judge Thomas David Schroeder, who acts as a dictator who wants to keep throwing me in prison or keep punishing me over and over again, he has knowingly lied about me and made false statements against me which is slander/defamation-of-character but I may not be allowed to even sue him for lying about me in his local court opinions. He has defamed me, knowingly made false statements against me in favor of the federal prosecution, and even considered frauds as facts and credible testimony or evidence. This judge has me scared, has me fearing for my life. He can have ARMED UNITED STATES MARSHALS come in and violently/forcefully grab me and remove me from my home at any time if the U.S. Attorney can openly and knowingly defraud the court to try to revoke my federal supervised probation and force me to report to a federal prison and deprive me of all of my constitutional rights to relief unless such relief is agreed upon by Ramaswamy

the prosecutorial dictator where if he doesn't have mercy then I am screwed to HELL. Judge Schroeder did agree with my request to travel to stay at a hotel before I march off to federal hospital prison in Kentucky and so those type of pro se motions he grants without a problem. He knew HE VIOLATED my right to a jury trial as my court appointed attorney Edward Ryan Kennedy of Clarksburg, West Virginia, had argued before the Fourth Circuit U.S. Court of Appeals. Not only did Judge Schroeder wanted me in federal prison knowing my evidence and allegations disproving what the U.S. Attorney said before the Court and disproving lies by the U.S. Probation Office, all of that is fraud and the fraud allegations were uncontested and should have been considered by the District Court. Judge Schroeder just sat on it and did nothing, wanted me to go to prison on the day of the revocation when HE FREAKING KNEW THAT I had a state criminal trial de novo pending, he ignored my constitutional rights to a jury trial or bench trial and wanted me to be forcefully taken by ARMED U.S. MARSHALS against my will to be deprived of all my constitutional rights including my right to appeal and stay of judgment. Judge Schroeder is a MONSTER, and I hate him for what he has done to me, he is judicially raping me not literally raping me but he is judicially symbolically raping me and he knows he is in the wrong. The Supreme Court is letting him get away with HOLDING ME HOSTAGE, HOSTAGE TO ARMED U.S. MARSHALS AND CORRUPT PROBATION OFFICERS IN THE MIDDLE DISTRICT OF NORTH CAROLINA, not the good Probation Officer Jason McMurray who was reasonable and had a lick of common sense as the Probation Officer working for the Western District of Virginia, at one point was even going to get a promotion due to his good conduct. I give good credit where it is due. Judge Schroeder does not care, he has been so bad that even my Probation Officer Mr. McMurray understands how bad or corrupt this corrupt FEDERAL THUG of a JUDGE IS and nobody is punishing this JUDGE, nobody is

holding him accountable, nobody is impeaching him or making him resign from his post, not even the Judicial Council of the Fourth Circuit as far as I am aware. I have not received any decision they may have made in regards to my complaint last year to the Judicial Council. Judge Schroeder knew I complained about him, exposed him as a LIAR on his court records system, and yet he denied the motion to request that he had to recuse himself under federal law, he refused to leave the case and have it assigned to a new Federal Judge that would have acted more impartial as required by constitutional law and the "Canons of Professional Conduct". **I know and understand that I am being held hostage to the corrupt judicial Tyrant Judge Thomas Schroeder, he is holding me hostage to a corrupt federal prosecutor Anand Prakash Ramaswamy who is being given a blank check of symbolic power to be allowed to lie about me and file perjury and use perjury of their own witness or witnesses against an innocent man, and that is me.** After what the Supreme Court had done, I have to publicly declare that I am being held hostage to an illegal tribunal that isn't even comporting to the authoritative and controlling case law that had been set for decades and centuries by our United States Supreme Court and appellate courts of federal jurisdiction. I am being held hostage by Judge Schroeder to the corrupt federal prosecutor who could ask for my arrest and detention at any time and lie about me anytime he wishes and then I go to prison at his leisure and he can have me imprisoned repeatedly if he wanted to and get away with it as me proving any lies or fraud by Anand Prakash Ramaswamy of the U.S. Attorney Office is ignored and belittled. He can sit there and call me a "danger to society" or "danger to the community" as represented under oath by the corrupt Greensboro, NC U.S. Probation Office which that statement itself is PERJURY. This corrupt Judge wants to belittle anything I say, any affidavits I file, any other witnesses I wish to present, and any evidence I present, and any case law or

statutes or anything I file which supports my claims and arguments. **This judge is the ultimate "JUDGE FROM HELL".** This Judge will imprison me at any time and act like a good Christian moral hero for what he is doing when he is acting like the deceptive little demon when he is violating my due process, allowing fraud after fraud after fraud and he gets away with it and forcing me to go to a federal prison based upon fraudulent or unconstitutional pretenses. This is uncalled for and it is clear to me that the U.S. Supreme Court does not want to intervene in asking the Court of Appeals to mandate the mandamus relief to compel the Judge to act upon pending motions he is refusing to act upon by denying my petition for Writ of Certiorari under case no. 19-8684. It is clear this Supreme Court will allow me to continually be abused by the corrupt Federal Tyrant Judge that seems to want to act as my personal executioner who wants to execute me politically instead of being a mediator between myself and the accuser. He wants to act as judge, jury, prosecutor, and executioner. None of this is right, this Judge has seriously and aggravatedly attempted to hold me hostage to unlawful sentences and punishments over matters of proven fraud and jurisdictional issues. This JUDGE wants me destroyed by any means necessary, he is my enemy and is acting as my personal enemy in my criminal case. He is not impartial and must be recused. If no court wishes to recuse him, then I am being held hostage to the whims of this corrupt Judge and corrupt federal prosecutor working hand-in-hand.

I have made it clear in this affidavit that I am not safe under this corrupt Federal Chief Judge Thomas David Schroeder that has been assigned to my District Court Case in the Middle District of North Carolina. That this judge is acting as a prosecutor, as judge, jury, and executioner. He is acting above his duty, above his role, and is acting above the law, usurping power away from his constitutional duties and obligations. This judge is dangerous to our civil liberties, to our Constitutional republic.

If the Supreme Court and the Fourth Circuit U.S. Court of Appeals refuse to do anything to relieve me of this tyrannical usurper and his tyranny and his lust to constantly throw me in federal prison or on constant home detention or electronic monitoring under questionable or incorrect facts or basis, then this Judge is hurting me an innocent man. This judge is hurting me and emotionally hurting my family and my mother had thought about suicide and she admitted to me that she had thought about killing herself while I was sitting in federal prison for a crime that I am innocent of and this Judge refuses to let me prove my innocence in my criminal case in any way, shape, or form. This judge is pure evil, a judicial monster, hell bent on ruining my life. I need a full pardon from President Donald John Trump. I have demonstrated a compelling need for the White House aka the Executive Branch to intervene in my case in an URGENT or EMERGENCY matter. I need a pardon or my life may be a danger, I may be killed in a federal prison in the future or I may be killed by some other method that the Deep State Swamp may prescribe. I may be deprived of diabetic insulin again in a jail or jails and this Judge would care less if I die of a diabetic seizure or coma. He is violating the Geneva Conventions and the Nuremburg code. He is violating Constitutional law and case law right and left.

I need a pardon from President Trump, As Soon as Possible (ASAP). I promise that I will do what I can to file a Petition for Rehearing in the Supreme Court and try to get them to reconsider their decision in denying my Petition for Writ of Certiorari. If that fails then I plan on filing a Writ of Mandamus requesting the same relief of compelling a Judge to act upon pending motions that he never acted upon but this time in the U.S. Supreme Court and explain to them that I had attempted it in the Fourth Circuit but they denied my Petition under incorrect or false pretenses. If that fails, then I have exhausted all of my remedies and am being held hostage to a corrupt judicial system out of North Carolina that will lie about me, commit fraud against me, and operate like armed mafia type thugs to enforce the judicial tyranny that is never-ending against me for the rest of my life unless I kill myself to end it all or die of constant fear and stress that takes my life with disease. I have no choice but to ask President Trump for a “full pardon”

and this affidavit shall cite the facts justifying such request for relief from the President of the United States.

Please help me President Trump, please free me from being held hostage to a judicial nightmare of lies, fraud, corruption, medical neglect, and tyranny. Please help me Trump or this Judge will come and get me, if he finds out this about this letter he may try to kill me or imprison me, he scares me. He makes me think about this every day and I fear him, I fear that this judge will keep coming after me over and over again. I fear for my life Mr. President. Please help me, please protect me from this Judge, from this tyrant. God bless America.

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

Executed on October 6, 2020.

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