

No.19-8684

In The Supreme Court Of The United States

BRIAN DAVID HILL,
Petitioner,

Justice Brett M.
Kavanaugh

vs.

UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF NORTH CAROLINA

LETTER ADDRESSED TO THE HONORABLE JUSTICE
BRETT M. KAVANAUGH – Dated July 21, 2020 (REVISED)

Brian David Hill
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Friend of justice



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Affidavit of Service
attached

Proof of proper 29.5
service of process

Dear Honorable Justice Brett M. Kavanaugh,

I am writing this letter to you in reference to case no. 19-8684, entitled: Brian David Hill v. United States District Court for the Middle District of North Carolina. This petition should be granted, here is reasons why.

I have proven my case; I have proven my claims. Under the Local Court Rules concerning civil cases which encompasses the 2255 Cases, the other party in a case has three weeks to respond to a motion or it is uncontested. Assistant United States Attorney Anand Prakash Ramaswamy did not respond to a single allegation of Fraud upon the Court against him in those motions in the district court record. It is only by corruption and fiat that I lose. In a legitimate Article III Court, I should never have been convicted.

Even the Clerk knew and understood the Court rules and placed in their electronic CM-ECF Notice of Electronic Filing notification to the other parties that Ramaswamy and Co. (Referring the his other Assistant U.S. Attorney Cohorts) had three weeks to respond to the allegations and evidence attached to those Motions for Sanctions and they wouldn't respond. That is uncontested. Any competent Court would have immediately reversed the fraudulent begotten judgments. Ramaswamy knows it is a rigged game and the Deep State is in on it, I know it is because anybody who covers my case and contacted me for an interview I hear they get hacker attacks and possible child porn set ups, my mother informed me that ActivistPost was hacked after covering my federal case and was told not to cover my case anymore. After me being interviewed for radio talk shows like Bob Tuskin, then they won't talk to me anymore not over phone and didn't even want me to text message them years ago and just ignores it, so I assumed they have been given verbal or written threats like with defense witness Attorney Susan Basko. Ramaswamy is getting backing from the Deep State Swamp.

When the game is rigged, I always lose, no matter what evidence or case law I offer, none of it matters, the law doesn't matter. A rigged game shouldn't be in any legitimate Article III courts of our Constitutional republic, yet in my case it was rigged from the start, rigged for my conviction, rigged for either 20 years in prison inflating beyond the statutory 10 years of imprisonment or I falsely plead guilty to get time served, my only choices given to me by my so-called defense lawyer Eric David Placke. How pathetic. That is ridiculous. The whole case was a fraud from the beginning to get me shut down, to permanently not allow me to use the Internet to permanently prevent me from operating USWGO Alternative News at uswgo.com, violating my First Amendment right to freedom of speech and freedom of press by local judicial fiat. Probation is not meant to help me and neither is it meant to be operating under its guise to deter crime, it is meant to put me in the system and allow the frauds to continually come after me and make me repeat that I am guilty of a crime that was fraudulently constructed against me by contradictory evidence and a contradictory basis. A system that wants to end my freedom of speech and freedom of press forever.

The Honorable President Donald Trump appointed judges and Justices to protect our Constitution, law and order, to punish the wrongdoers and bring back the lost Rule of Law. He appointed people like you to Drain the Swamp as QAnon talks about. We are all sick and tired of the blatant corruption within the DOJ and the FBI and the CIA. The corruption that is ruining lives, causing suicides and murders, and are holding our economy hostage with Covid-19, that is Certificate of Vaccine Identification 2019, if that is even the truth, whatever the case may be.

The U.S. Court of Appeals for the Fourth Circuit could have rectified the issues stated herein through granting Mandamus relief and compelled the Judge to act upon those pending motions which had challenged the legitimacy of all fraudulent begotten judgments (Jurisdictional challenges) and then give me an opportunity to directly appeal those decisions all the way up to the Supreme Court if I had to. They did not and have failed to execute Mandamus to compel a Judge to

act upon pending motions which is an excess of jurisdiction and deprivation of due process of law in our Constitution. When a request entitled a motion is not properly acted upon, then justice can never be done, due process is not afforded and that deprives a Court of jurisdiction, it is null and void. Null and void case.

Anyways, it was already filed in the Writ of Mandamus that there were multiple motions for Sanctions asking the Court to vacate fraudulent begotten judgments. The judge acts upon all other motions whether pro se or not, but yet refuses or fails to act upon the three Sanctions motions:

Doc. #199: MOTION entitled "Motion for Sanctions and to 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" filed by BRIAN DAVID HILL. Response to Motion due by 10/25/2019. (Attachments: # 1 Supplement 1, # 2 Supplement 2, # 3 Exhibit 1, # 4 Exhibit 2, # 5 Envelope - Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 10/04/2019)

Status: Motion still not acted upon; no decision rendered. Uncontested by AUSA Ramaswamy on the record in the District Court.

Doc. #206: MOTION entitled "Petitioner's Second Motion for Sanctions and to Vacate Judgment that was 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" filed by BRIAN DAVID HILL. Response to Motion due by 11/5/2019. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Supplement 1, # 4 Supplement 2, # 5 Supplement 3, # 6 Supplement 4, # 7 Envelope - Front and Back) (Garland, Leah) (Entered: 10/16/2019)

Status: Motion still not acted upon; no decision rendered. Uncontested by AUSA Ramaswamy on the record in the District Court.

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/Respondent's favor" filed by BRIAN DAVID HILL. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Supplement 1, # 12 Envelope - Front and Back) (Garland, Leah) (Entered: 11/21/2019)

Status: Motion still not acted upon; no decision rendered. Uncontested by AUSA Ramaswamy on the record in the District Court.

Doc. #213: Objection by BRIAN DAVID HILL re 210 Recommended Ruling - Magistrate Judge re 168 MOTION filed by BRIAN DAVID HILL, 153 MOTION to Appoint Attorney filed by BRIAN DAVID HILL, 141 MOTION to Dismiss Motion to Vacate, Set Aside, or Correct Sen (Attachments: # 1 Envelope - Front and Back)(Butler, Carol) (Entered: 11/04/2019)

Status: Uncontested by AUSA Ramaswamy on the record in the District Court. Doc. #211 "Notice of Mailing Recommendation: Objections to R&R due by 11/4/2019. Objections to R&R for Pro Se due by 11/7/2019. (Garland, Leah) (Entered: 10/21/2019)" said that "A party may respond to another party's objections within 14 days after being served with a copy." So AUSA Ramaswamy had the opportunity to address the Fraud upon the Court allegations against him in that as well but did not do so when given 14 days opportunity.

I have proven my case that Anand Prakash Ramaswamy is a liar, that the U.S. Attorney Office has been getting away with subornation of perjury, obstruction of justice, lying, defrauding and deceiving the Court.

They want to keep attempting to revoke my Probation over and over again so that they can paint me as a danger to society, use my Autistic behaviors caused by my Autism Spectrum Disorder against me in a criminal context then continue to lie about me and make stuff up as well.

First probation violation was based upon the testimony of a perjurer named Kristy L. Burton, Danville, Virginia, U.S. Probation Officer. I had proven that perjury and asked to vacate that fraudulent begotten judgment. The U.S. District Court had totally ignored it and called her testimony credible when factually she has been proven to have lied multiple times under Oath on the stand during the June 30, 2015 federal court hearing, and her testimony is factually not credible. Lying is not credible for any witness, believing that a lie is credible testimony is delusional. Even if the Federal Rules of Evidence do not technically apply to revocation hearings, no credible Court should ever accept the testimony of known liars, of proven liars. When somebody lies multiple times on the stand under Oath at any court hearing, that person should have been impeached from being a witness and then charged with perjury forthwith, and the revocation petition should have been dismissed as not credible unless the Government can produce any other witness to prove any possible probation violation which may or may not have occurred. The Hon. Thomas David Schroeder's basis for violating Brian David Hill was on the incorrect and fraudulent basis that Brian had threatened his Probation Officer, yes, he used the word "threatened" in his basis for violation. The transcript was read over and over again by me and my family, and there was nothing mentioning in the record about the Probation Officer being threatened, no mention of it, nothing in her testimony. The only mention of threats was from arguments from my defense Attorney Renorda Pryor asking Kristy Burton about my Autism and Autistic behaviors. She argued when somebody with Autism "feels threatened" or "felt threatened" (coming

from memory here), something to that regard, she said that I had felt threatened and it triggered an emotional meltdown. The Judge misconstrued me feeling threatened and twisted it to claim that I threatened my Probation Officer over having an autistic meltdown and me apologizing multiple times afterwards for my autistic meltdown and continued my compliance. The violation is a fraud. That and she of course committed multiple lies while testifying under Oath and she never even mentioned anything about being threatened. She didn't mention anything in that context in reference to herself. The Judge misconstrued a behavior caused by a mental/neurological disorder of Autism Spectrum Disorder as the same level as knowingly and intentionally threatening a federal officer. What a shameful miscarriage of justice, lies being purported as truths and facts. Empty judgments of fiat.

First probation violation based upon only misconstruction of testimony and arguments to fit the narrative of Anand Prakash Ramaswamy the original prosecutor who hates my guts and shows me at every court hearing how much he hates my guts and likes to come after me for the heck of it, like a petty tyrant. The first violation was a fraud upon the court. Even the warrant for my arrest was based upon testimony given by Kristy L. Burton to the Supervisory USPO Edward Cameron, and a portion of the claims were all proven to be lies and false. One about how the Clerk told me not to file any documents with the Court but the letter on record said that I have to file pleadings through paper and not text messaging. So there is evidence of false claims and perjury in the arrest warrant and then further perjury at the federal court hearing. Edward Cameron and Ramaswamy should have been charged with suborning perjury.

Then as to the original evidence used to convict me in federal court of the crime by coercing me through my ineffective lawyer Eric David Placke to get me to falsely plead guilty just like Lt. General Michael Thomas Flynn to protect his son. I had proven in my 2255 brief, the hundreds of pages of exhibit, video evidence, audio evidence, and other affidavits and testimony that I had proven my case that I was actually innocent of my conviction in case no. 1:13-cr-00435. When the factual

basis is proven entirely false, the conviction should not stand, the guilty plea is meritless as there was never a case to begin with. I had attempted multiple times throughout the case to withdraw my guilty plea on ineffective assistance of counsel, not being allowed to review over all discovery evidence material so I was not informed of the frauds being perpetuated against me nor did I understand at the time what "Fraud upon the Court" meant and what it signified in regards to the merits of the entire criminal case. If I had known that the entire case was a fraud from the very beginning, I never would have plead guilty and pointed out the frauds to the Jury of my peers, I would have been exonerated back in 2014. Eric David Placke failed me BIG TIME. No thumbnails of the alleged files on my computer, no blurred thumbnails, no evidence that each file was what they claimed it was in the Grand Jury indictment.

After me and my family reviewed over the North Carolina State Bureau of Investigation forensic report on January 22, 2015, as what was in the case record, we found that there were no affidavits by SBI Agent Rodney White about whether each "file of interest", "image of interest" and/or "video of interest" was confirmed to being of illegal content. The National Center for Missing and Exploited Children said none of the alleged files were of a known series (Dkt. #33) which was not admitted until after my false guilty plea and that admission by the U.S. Government was in the substance of factors for my sentencing phase. That contradicts the entire case itself as any file allegedly shared online and on publicly accessible file sharing networks are of known pornographic materials known to law enforcement. They know what the contents allegedly are if they are shared and monitored online as they can claim during any investigation into the sharing or downloading of that kind of material over the internet. However, on Document #33 in the District Court case, it said that none of the images are of a known series. None of that made any sense. No victims can be identified in alleged online images that law enforcement claimed they knew the contents of those files in the search warrant affidavit but then on the forensic report nobody could be identified. The files are not of a known series. This smells of a fraud and absolute garbage.

Then it said that “*from this analysis, the program showed that 454 files had been downloaded with the eMule program between July 20, 2012, and July 28, 2013*”. That same laptop was seized on August 28, 2012, which shows possible evidence tampering, evidence planting, or gross negligence of allowing a seized computer to be hacked by a group of computer hackers while supposedly in the secure custody of law enforcement. Definitely smells like a set up to me and my family on its face, prima facie evidence.

There you have it, it was claimed to have been downloaded for 11 months after the laptop was seized by law enforcement, files are not of any known series, and there are no victims that could even be identified. They knew the entire case was fraud and they had gotten Eric David Placke to go along with the fraud and to beg me and my family to have me falsely plead guilty or I would face 20 years in prison over a crime that I did not commit.

My confession was also picked apart and proven to be false. All of that by a cross examination of the records and evidence. In 2255 brief/memorandum.

However, in the Supreme Court's version of the Appendix of this Supreme Court case, they have the record of the Order and Recommendation, page 27 of the Supreme Court appendix of the case.

g. The Merits

”As explained above, all of Petitioner's grounds are time-barred. However, if the Court were to reach the merits of Petitioner's grounds for relief, it would deny them.”

So that recommendation basically stated that even if Brian David Hill had proven the merits of Actual Innocence or Fraud or anything, it would deny them. Actual Innocence is not time-barred according to the U.S. Supreme Court's entire case law. In other words, I can prove as much Actual Innocence as I wish but the Court will deny them as time-barred, Actual Innocence does not matter, and Fraud does not matter. Evidence does not matter. That statement from Document #210 "ORDER AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE" Page 27 of the Appendix put together by the Supreme Court of the United States of America, is prima facie that they don't care about evidence and merits.

This is the ultimate proof why the U.S. Supreme Court needs to act upon the Petition for Writ of Certiorari in this case. To end the Frauds once and for all. Otherwise my only chance for acquittal is to ask Donald Trump for a full pardon through any family members or friends that can relay my request to the President directly without going through his controlling White House staff. I once had the phone numbers to his White House Counsel and even his Executive Clerk's office but got blocked from calling all White House numbers from 202-456-0000 to 202-456-9999. The Deep State doesn't want me acquitted by any means. The DOJ Pardon Attorney refuses to let me get a Pardon of Actual Innocence.

Evidence was ignored, Supreme Court case law was ignored, motions are ignored while other motions that were done pro se were denied or granted but however the motions for sanctions have not been acted upon, got to wonder why. The Court of Appeals refused to hold the Judge accountable to act upon pending motions through Writ of Mandamus and Prohibition. The special circumstances for Mandamus relief was already proven, the Writ should have been granted on at least the ground that pending motions were never decided and never acted upon after being uncontested.

The Petition for Writ of Mandamus made it all clear that the motions bringing forth the allegations were uncontested, allegations of fraud and asking for sanctions from the Court's inherit or implied powers.

CONCLUSION to the Honorable Justice Brett M. Kavanaugh:

You can at least vote to approve giving my Petition a second look. This Court has the inherit right and authority to conduct an investigation or inquiry and review over my Petition's merits and my claims of Fraud upon the Court, let the evidence tell the story not the lying Government attorneys, and then decide whether to grant Writ of Certiorari and end this fraudulent nightmare I have lived every single day of my life since 2014. Every day I have had to live my life in fear, in PTSD, and being afraid that more lies will be told against me in Federal Court and I will get punished or ignored for even responding to them or even countering the lies and fighting against it. I am afraid that my probation can be revoked at any time based upon more lies and ignorance of higher court case law. They do not want me to be acquitted no matter what evidence I've got. They want to get rid of me by fiat.

The entire case has been riddled in fraud, constitutional deprivations, and excesses of jurisdiction and maybe even lack of jurisdiction thereof, grounds of judgments based upon either fraud or misconstruction. Mandamus relief is justified and the Court of Appeals has a duty to bring forth relief for the extraordinary circumstances brought up in the Petition for Writ of Mandamus. I have proven my case; I have proven my allegations and claims. My motions for Sanctions were all uncontested as outlined in the Mandamus Petition.

Please I beg of you, under the Rule of Four, to vote in favor of the Supreme Court granting Writ of Certiorari, Order and Remand, and even have an Oral Argument even if over teleconference. I have my proof, what does Ramaswamy have?

A case that is well steeped in fraud and Constitutional violations up the wazoo, it should very well lead to a simple complete acquittal and nullification of the entire case. The Anti-Terrorism and Effective Death Penalty Act shouldn't even apply in this case. Frauds upon the court, if proven, are not based upon statutory law but upon the Constitutional inherit or implied powers of the Article III Courts to sort their own affairs and manage their own affairs including correcting the frauds on the record that they discover within their cases in their records. AEDPA does not time bar fraud upon the court claims, but only time bars Writ of Habeas Corpus through the suspension clause and even Actual Innocence is not time barred but yet the 2255 case was dismissed based on even Actual Innocence being time barred, another Fraud upon the Court in defiance of the Supreme Court's exception to the one year statute of limitations on the ground of Actual Innocence. All judgments favorable to the United States are basically fraudulent in the Federal Case of "United States of America v. Brian David Hill", or based upon an originally fraudulent factual basis. The coercion of a false guilty plea to paint the frauds as legitimate, to cover up the frauds and destroy evidence. Frauds don't make a right. Eric D. Placke allowed fraud.

Even 10 or 11 pages in my letter do not fully explain how ridiculous the frauds are and how many frauds there is. The fraudulent begotten judgments are not valid under the law, but are fiat. They are meritless rulings. Ramaswamy should have been investigated long ago but his buddies at the U.S. DOJ protect his butt, and will protect him from any or all criminal or ethics investigations. Sounds familiar to that of United States v. Michael Thomas Flynn, case no. 1:17-cr-00232 in Washington, DC; and United States v. Roger Jason Stone, case no. 1:19-cr-00018 in Washington, DC. Flynn and Stone were victims of prosecutorial frauds upon the court but none of the federal prosecutors are receiving any kind of reprimand.

This case will not just affect my case and its Writ of Mandamus request for relief, it will affect Flynn and Stone in regards to any substance of Prosecutorial Fraud upon the Court in how it affects criminal

judgments that were steeped in fraud. It will affect other cases across the country that cannot get anywhere when they have proven fraud perpetrated by the U.S. Attorneys in their cases, nobody gets anywhere. This issue can finally be resolved for many cases if this Court acts upon my case NOW or SOON.

Again, Please I beg of you, to vote in favor of the Supreme Court granting Writ of Certiorari, for my case and let it be given a second look, it is worthy of it. QAnon said "Proofs are important." That is exactly why I am an ally of QAnon. I have proven my Innocence, I have proven the frauds, my grandmother Stella Forinash did her own research and put together the research of the frauds of the U.S. Attorney Office. I can't take credit entirely for proving the frauds, my family helped research them from the records. I also give credit to almighty God and Jesus Christ and the Angels. My case has merits, it has been proven. I have proofs and they are important. Please grant my petition for Writ of Certiorari. The frauds must end now. I beg of you. I have been victimized by fraud for years long enough with no hope of relief in even the U.S. Court of Appeals, no hope from the DOJ. They deny every one of my motions no matter what case law I use in support of my Motions, I am a victim of a repeated pattern of frauds and I feel powerless, like a hamster on a Wheel. I don't know what to do or who to turn to. Please end this nightmare and end the systematic abuse and legal terrorism working against me to permanently undermine my Constitutional rights and freedom. Don't let them politically assassinate USWGO Alternative News.

Dated the 21st day of July, 2020.

Where We Go One, We Go All, I stand by QAnon and President Donald Trump if he can Drain the Swamp as he had promised he would.

Thank you Honorable Justice Brett M. Kavanaugh.

Respectfully,

Brian D. Hill
signed

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U.S.W.G.O.



I am also sending a copy via Certified Mailing to the Respondents so that this communication is not ex parte. Affidavit of Service in regards to proper service of this letter on Respondents in attachment to this letter.

I also request with your chamber clerks that they file a copy of this letter as a PDF document on the Supreme Court website docket for case no. 19-8684. I give permission for this letter to be publicly filed in PDF format for those that do not have the money to purchase copies of court records of my case files.

**LETTER MODIFIED ON OCTOBER 11, 2020, FOR PROPER
AFFIDAVIT OF SERVICE TO RE-FILE LETTER ON OCTOBER 16,
2020, THROUGH CERTIFIED MAIL TRACKING NUMBER 7019-
2280-0000-8213-3493**

No. 19-8684

**In The
Supreme Court Of The United States**

**BRIAN DAVID HILL,
*Petitioner,***

vs.

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA,**

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

**AFFIDAVIT OF SERVICE
FOR “LETTER ADDRESSED TO THE
HONORABLE JUSTICE BRETT M.
KAVANAUGH – Dated July 21, 2020
(REVISED)”**

**Brian David Hill
*Pro Se***

**Ally of QANON
*Former USWGO Alternative News
Reporter***

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Friend of justice



**JusticeForUSWGO.NL/pardon
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I HEREBY CERTIFY that on October 15, 2020, four (4) copies of the “LETTER ADDRESSED TO THE HONORABLE JUSTICE BRETT M. KAVANAUGH – Dated July 21, 2020 (REVISED)” in the above-captioned case were served, as required by U.S. Supreme Court Rule 29.5, on the following:

1. John Mcrae Alsup, Esq., Assistant U. S. Attorney
Direct: 336-333-5351
Email: john.alsup@usdoj.gov
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Middle District of North Carolina
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101 South Edgeworth Street
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2. Angela Hewlett Miller, Assistant U. S. Attorney
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3. Anand P. Ramaswamy, Assistant U. S. Attorney
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4. Jeffrey B. Wall
Solicitor General
United States Department of Justice
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Since Petitioner is proceeding pro se without representation of counsel and under Supervised Release conditions not allowing Petitioner to use the internet, email service cannot possibly be made on the Respondents. Disclaimer: The only reason Petitioner types up JusticeforUSWGO.wordpress.com and even JusticeForUSWGO.NL/pardon is to promote a political website that his friends/family operate to ask for justice for Brian D. Hill, the former alternative news reporter of USWGO Alternative News, and does not mean any access to the internet was used to type up that address in any brief or letter or pleading. Petitioner does not have access to email and cannot email any of the Respondents in this case. Service of process was done by mailing.

Since three respondents 1-3 are Assistant U. S. Attorneys', for the Middle District of North Carolina, a single mailing envelope containing three copies of the "LETTER ADDRESSED TO THE HONORABLE JUSTICE BRETT M. KAVANAUGH – Dated July 21, 2020 (REVISED)" shall serve the three Respondents at the same address and the certified mail tracking number was 7019-2280-0000-8213-3547.

The Solicitor General was served one (1) copy of the “LETTER ADDRESSED TO THE HONORABLE JUSTICE BRETT M. KAVANAUGH – Dated July 21, 2020 (REVISED)” by a mailing under certified mail tracking number 7019-2280-0000-8213-3530. That should serve all known Respondents and satisfy the service requirement by the U.S. Supreme Court.

Declaration pursuant to 28 U.S. Code § 1746.

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

Executed on October 15, 2020.

DATED this 15th day of October, 2020.

Respectfully submitted,


signed

Brian David Hill
Pro Se
Ally of QANON
Former USWGO Alternative News Reporter
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