

**OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA  
CONSUMER PROTECTION SECTION**

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**CONSUMER COMPLAINT FORM**

**Important information – Please read first**

- The Consumer Protection Section of the Office of the Attorney General of Virginia provides protection to consumers from fraud, deception, and illegal practices in the marketplace.
- Our telephone counselors are available to assist you with consumer questions. Please call the Consumer Protection Hotline at (800) 552-9963 if calling from Virginia, or (804) 786-2042 if calling from the Richmond area or from outside Virginia. Our business hours are 8:30 a.m. to 5:00 p.m., Monday through Friday.
- We are authorized to handle complaints related to the advertisement, sale, or lease of goods and services that are intended for personal, family or home use.
- We do not have jurisdiction over complaints related to transactions between private individuals where no business or merchant is involved, or transactions involving products or services that are intended for business or commercial use.
- We are not authorized to offer legal advice, provide legal representation, or pursue matters in court on behalf of individual complainants.
- We will not handle complaints that are scheduled to be heard or have already been heard in a court of law. Likewise, we will not handle complaints that are under investigation or have already been handled by the agency or entity with proper jurisdiction.
- Before you fill out our complaint form, please ensure that we are the proper office to assist you. Certain complaints might be within the jurisdiction of other local, state, or federal offices. Our telephone counselors can help you make this determination, or you can check by yourself by reviewing the "*Where to File A Complaint*" portion of our website at <http://ag.virginia.gov/consumer-protection/index.php/file-a-complaint>.
- If you are going to submit a complaint form to us, please make sure to include **COPIES** of any supporting documents such as contracts, invoices, receipts, etc. Do **NOT** send originals. Also, we do **NOT** need your Social Security Number or any other personal financial information not related to your complaint. Please mark out such information from any documents that you wish to send us.
- Our contact information is as follows:

Office of the Attorney General of Virginia  
202 North Ninth Street  
Richmond, VA 23219  
Consumer Protection Hotline: (800) 552-9963 or (804) 786-2042  
Fax: (804) 225-4378  
Website: [www.ag.virginia.gov](http://www.ag.virginia.gov)

**Local office of consumer affairs**

- **Fairfax County** has its own locally operated office of consumer affairs. If your complaint resulted from a transaction in that locality, please contact the office directly.

Fairfax County Department of Cable and Consumer Services  
Consumer Affairs Branch  
12000 Government Center Parkway, Suite 433, Fairfax, VA 22035.  
Phone: (703) 222-8435 Website: [www.fairfaxcounty.gov/consumer](http://www.fairfaxcounty.gov/consumer)

### **What happens to your complaint once we receive it?**

- We will review your complaint and assign a number to it. We will notify you of our initial course of action or recommendation. Your complaint may be assigned to one of our staff members or it may be referred to the local, state, or federal office that has proper jurisdiction. In some instances, if a negotiated settlement cannot be achieved, we may advise you to consider pursuing your case through the courts.
- If you need to contact us about a complaint that you filed with our office, please have available your case number, the name of the staff member handling your complaint, and any new relevant information you may have.

### **The courts system**

- The resolution of certain complaints may only be pursued through the courts. You should consider seeking legal advice before you pursue matters through the courts. If you do not have an attorney, you may contact one through the Virginia Lawyer Referral Service at (800) 552-7977 or (804) 775-0808. You may also wish to contact your local legal aid society.

### **Disclaimers**

- By signing the Consumer Complaint Form, you authorize those agencies to which we may refer your complaint to evaluate your case on the basis of the information provided in the form, to contact you, and to take whatever lawful actions those agencies deem appropriate to attempt to resolve your complaint.
- Closed complaints will stay in our files until destroyed in accordance with established procedures for destroying public records.
- Closed complaints are subject to public disclosure under the provisions of the Virginia Freedom of Information Act, Virginia Code Section 2.2-3700 et seq. For this reason, we ask that you do not provide us with your Social Security Number or with any other personal financial information not related to this complaint.
- You have the option to request that your personal contact information not be included with any copy of your complaint that is provided in response to a FOIA request. If you do not make this request, your contact information will be included.
- The information requested on the official Consumer Complaint Form, and all subsequent requests by this Office for additional information, are subject to the Government Data Collection and Dissemination Practices Act, Virginia Code Section 2.2-3800 et seq.

**OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA - CONSUMER PROTECTION SECTION  
OFFICIAL CONSUMER COMPLAINT FORM**

➤ **SECTION 1 – Your Information**

Mr. Mrs. Ms. <b>Mr.</b>	Last name <b>Hill</b>	First name <b>Brian</b>	Mid. Initial <b>D.</b>
Mailing address <b>310 Forest Street</b>			Apt. or suite number <b>Apt. 2</b>
City <b>Martinsville</b>		State <b>VA</b>	Zip code <b>24112</b>
Country, if not U.S.			
Home number, including area code <b>( 276 ) 790-3505</b>	Work number, including area code <b>(   )</b>	Fax number, including area code <b>(   )</b>	
City or county of residence <b>Martinsville</b>	Your e-mail address <b>c/o rbhill67@comcast.net</b>		
Do you prefer to be contacted at home, work or by e-mail? <b>c/o rbhill67@comcast.net</b>		Best time to reach you between 8AM and 5PM? <b>Afternoon</b>	

➤ **SECTION 2 – Name of Company Against Which You Are Complaining**

Full name of company <b>The Chimney Sweep</b>			
Mailing address <b>1590 Blue Bend Rd</b>			Office or suite number
City <b>Rocky Mount</b>	State <b>VA</b>	Zip code <b>24151</b>	Country, if not U.S.
Company's Internet address (URL)			
Telephone number, incl. area code <b>( 540 ) 483-2468</b>	Fax number, including area code <b>(   )</b>	Other contact number, including area code <b>(   )</b>	

➤ **SECTION 3 – Complaint Information**

Type of product, item, or service involved (For motor vehicles, please specify if automobile, boat, motorcycle, etc.) <b>service to block chimney swifts from entering chimney. Suspect placing metal tin on flues.</b>			
Manufacturer, make or brand <b>Unknown</b>		Model <b>Unknown</b>	Year
Serial number, Vehicle Identification Number (VIN) <b>Unknown</b>			
Date of purchase or lease <b>October 5, 2017</b>		Was this a new or used item? <b>ask them about metal tin</b>	
Did you sign a contract or a lease? Yes [ ] or No [ ] <b>Unknown</b>		If yes, please indicate the following Starting date: Expiration date:	
Total amount paid <b>Unknown</b>	Total amount in dispute <b>Unknown</b>	How was payment made? (cash, credit card, check) <b>Ask Roberta Hill</b>	
Did you buy an extended service contract? Yes [ ] or No [ ]		If yes, name of company responsible for extended service contract or extended warranty	
For automobile complaints, indicate type of repairs or services performed (Air conditioner, brakes, oil change, transmission, etc.)			
Before any work was performed, did you ask for and receive a written copy of the cost estimate? Yes [ ] or No [ ]			
Did you authorize any changes to the original estimate? Yes [ ] or No [ ] If yes, provide details on the next page			
Were the completed repairs different from what you had authorized? Yes [ ] or No [ ] If yes, provide details on the next page			

➤ **SECTION 4 – Resolution Attempts You Have Made**

Have you contacted the company? Yes [ ] or No [X]	If yes, name of person most recently contacted	Their phone number, incl. area code (   )
What resolution are you seeking? <b>I want them to admit under affidavit to placing metal tin on the chimney on October 5, 2017. I would like them to reimburse my criminal case legal expenses. See attachment brief and exhibits.</b>		
List any other organizations you have contacted (i.e., other consumer protection offices, Better Business Bureau, etc.)		
Do you have an attorney in this case? Yes [ ] or No [X]	If yes, name of your attorney	Attorney's number, incl. area code (   )
Has your complaint been heard or is it scheduled to be heard in court? Yes [ ] or No [ ] If yes, where and when? <b>Unknown</b>		

➤ **SECTION 5 – Full Description of Complaint - Use additional sheets if necessary**

See Brief and evidence from Brian David Hill. It is attached
( Use additional sheets if necessary )

➤ **SECTION 6 – Disclaimers and Affidavits**

- The information requested on this form and on any subsequent requests for additional information is subject to the Virginia Government Data Collection and Dissemination Practices Act, Va. Code Section 2.2-3800 et seq.
- All information provided to this Office is available for public inspection under the Virginia Freedom of Information Act (FOIA), Va. Code Section 2.2-3700 et seq., except in the case of ongoing investigations. Closed complaints will be retained until they are destroyed in accordance with established procedures for destroying public records.
- You have the option to request that your personal contact information not be included with any copy of your complaint that is provided in response to a FOIA request. If you do not make this request, your contact information will be included.
- By signing this form, you authorize the Office of the Attorney General and any other local, state or federal agencies to which we may refer your complaint, to evaluate your complaint, to contact you and to take whatever lawful actions are deemed appropriate with regard to your complaint.
- By signing this form, you certify that the statements made herein or on any attached documentation are true and complete to the best of your knowledge, information and belief.

☐ By checking this box, I request that my personal contact information NOT be made available for purposes of FOIA requests.

☐ By checking this box, I understand that my personal contact information will be made available for purposes of FOIA requests.

Brian D. Hill  
Signed

Signature of complainant or authorized agent

May 17, 2022

Date \_\_\_\_\_

(Revised 05/2016)

**BRIEF OF COMPLAINT MADE  
BY BRIAN DAVID HILL ON  
MAY 17, 2022 AGAINST “THE  
CHIMNEY SWEEP” FOR  
SERVICE ON OCTOBER 5, 2017  
AND DAMAGES CAUSED**

**FILED IN THE CONSUMER PROTECTION  
SECTION OF THE OFFICE OF THE  
ATTORNEY GENERAL OF VIRGINIA**

I, Brian David Hill, on the date of May 17, 2022, hereby file a complaint with the Consumer Protection Section of the Office of the Attorney General of Virginia. I file a complaint against the business entity known as “The Chimney Sweep” at the address of 1590 Blue Bend Rd, Rocky Mount, VA 24151. I file a complaint for damages against me caused by this company and its service of what was done to the chimney at 310 Forest Street, Martinsville Virginia. I live in Apartment 2 of the Triplex there. Damages done to me and irreparable harm such as both criminal liability against me and misc. civil damages done to me caused by certain procedure which was done or at least believed to have been done on the date of October 5, 2017.

The issue that I have with this company after my mother Roberta Hill of Apartment 1 (*note: owner of the Triplex but did not know of the carbon monoxide issues caused by “The Chimney Sweep” unless informed by Pete Compton so she holds no responsibility as far I am concerned.*) had paid for their service to do

something to prevent the chimney swifts (a type of bird) from coming into the chimney of the Triplex at 310 Forest Street, Martinsville, Virginia. Roberta Hill lives in Apartment 1 in the Triplex and I live in Apartment 2 of the Triplex.

Me and my mother, Roberta Hill did not know what they had done on top of the chimney of the Triplex on the date of October 5, 2017. We did receive service and the chimney swifts which are birds had stopped coming into the chimney thereafter.

This is the issue I had with this company and this company had damaged me far beyond just financial damages. They damaged me after their incompetence on October 5, 2017 had caused me damage almost a year thereafter (See **Exhibit 5**) in the form of me being subject of a criminal litigation as well on September 21, 2018 and will explain herein as to why I believe that to be so. I am willing to testify under oath about this matter.

I do not know if my mother still has any receipts from The Chimney Sweep or if they even gave her any receipt at all but the Attorney General can subpoena that business for the records for Roberta Hill and 310 Forest Street back in October, 2017 for their work I believe was rendered.

**Here is how The Chimney Sweep business had damaged me and my mother. The complaint focusing on mainly myself.**

1. In October 5, 2017, I believe they had placed metal tin on top of the chimney flues blocking any exhaust of both the Triplex's gas powered hot water heater and gas powered radiator. The reason why is that they never fully explained to my mother what procedure they exactly did as far as I am aware of to prevent the chimney swifts from coming back into the chimney. You can ask her these questions. I do not blame Roberta Hill for any of this, she didn't know and she thought she had trusted "The Chimney Sweep" but later found out they may have been wrong if they were indeed the ones who placed the metal tin on top of the chimney. I place the blame on The Chimney Sweep for what I believed they did was place metal tin on top of the chimney flues. There needs to be an investigation and they need to answer these questions about whether they did in fact try to cure the chimney swifts issue by placing metal tin on top of the chimney flues.

2. See **EXHIBIT 1**: On January 30, 2019 Pete Compton went to the house at 310 Forest St., Martinsville, Va 24112 to measure and give a price for a Chimney cover. Roberta Hill and her parents: Ken & Stella Forinash escorted him to Apt 1 to show him the fireplace which had a small amount of white residue inside, no damage to the ceiling and wall around the fireplace. They then escorted him downstairs to Apt 2 where parts of the ceiling above the fireplace had fallen and there was a lot of damage in the remaining ceiling below the hearth of the fireplace in apt 1 located above apt 2 and a lot of damage along the wall in apt 2 above and on both sides of

the fireplace as well as a lot of white residue inside of the fireplace. After this, they all went down another flight of stairs to the basement where the gas boiler heater and the gas hot water heater were located to show him that there would be 3 holes in the chimney. Pete Compton then went outside and got his ladder to measure the chimney. This was when he found out that all 3 holes were covered with tin. Knowing that the gas boiler heater & gas hot water heater needed to be vented at all times, Pete Compton immediately removed the tin covering the hole so carbon monoxide would no longer go through the house. Ms. Hill had informed Pete Compton that she had called a chimney sweep in Rocky Mount, VA in October, 2017 to clean the chimney and to put screen on all holes after the family spotted birds going into their fireplace the year before. In my 25 years of doing this type of work, this was the first time he have ever seen tin covering holes where it is important to vent gas heaters. He showed the family the tin He had just removed and had them to climb my ladder to look at the chimney. We then went back in the house, and he informed them that the white residue inside both fireplaces was from the gas that had no other place to escape and informed them that they had been exposed to carbon monoxide gas, but now that the tin had been removed, there should no longer be any problems. He returned to the house on February 4, 2019 and installed a stainless steel multifaceted chimney cap vented with screen on all 4 sides.

3. The damage to Brian David Hill caused by the carbon monoxide due to the



metal tin on the chimney flues had led to the Hospital trip of Brian David Hill on November 19, 2017. The Hospital admits that Brian David Hill had Obsessive Compulsive Disorder (OCD) taking hours of hand washing and body washing routines just to get to the Hospital. Found sinus tachycardia and abnormal levels. The more hot water is used during one of Brian Hill's hand washing routines lasting hours due to his OCD, the more the hot water heater heats up using more gas and exhausting gas with no ventilation due to the metal tin on the chimney flues causing carbon monoxide gas and worsening OCD and worsening the Autism Spectrum Disorder of Brian David Hill. See **Exhibit 2**.

4. Roberta Hill did an affidavit about the Carbon Monoxide damage in my Apartment, Apartment 2, with photos taken in 2019 while I was in jail. See **Exhibit 3**.

5. Brian David Hill suffered for months and months of Carbon Monoxide poisoning, like similar that of being on like a drug or substance. It can have affects as bad if not worse than things like bath salts or sniffing glue. It is exactly the same thing despite Brian Hill having no drug history but carbon monoxide can be just as deadly as any known street drug on record in America. It can cause known issues such as hallucinations, psychosis, constant diarrhea, worsening OCD, and abnormal behaviors not exhibited previously. See the diagnosis of Dr. Conrad Daum of Piedmont Community Services regarding "psychosis" diagnosis. See **Exhibit 4**.

6. The bad effects of carbon monoxide had caused psychosis and hallucinations of Brian David Hill. On or around September 21, 2018, it had directly caused Brian David Hill to have wandered away from home around the middle of the night with clothes then getting naked on a deserted walking trail called the Dick and Willie walking trail in the City of Martinsville. Making claims of a man wearing a hoodie threatening Brian Hill to get naked and take photos of himself or his mother would be killed. The police found no indication of Brian having diabetes. The police found no plans of being out there. The police wondered why Brian was even out there, questions which may never be answered because they don't have the levels of carbon monoxide poisoning at the time. He was diagnosed with "psychosis" for his statements regarding this matter a month later. Prior to this weird incident, Brian Hill had received two threatening emails in 2013 and threatening text messages in 2015. Not just that but Attorney Susan Basko forwarded a threatening email she received and that threat was also directed at hurting or threatening Brian Hill. Brian suffered in 2012 an incident where if Brian didn't falsely confess to a crime he didn't do his "mother would be held responsible" referring to Roberta Hill, his mother. So Brian had been subject to being threatened multiple times and receiving threats prior to the incident on September 21, 2018. Anyways, he was walking naked, admitted to "kept sitting on benches" and admitted to having blackouts, and said he may have been drugged in a letter written to a federal court in 2019. The Attorney General's Office

may request a copy of this filed letter from PACER or Courtlistener. Family gave me the link for this for the Attorney General to review: <https://www.courtlistener.com/docket/4304407/153/united-states-v-hill/> A car who went by around Hooker Street. It said from the criminal complaint "...naked white male that had been seen running on Hooker St from Church St. Officers were in the area of Hooker St and had not located the male." See CRIMINAL COMPLAINT from Page 1, case no. CR19000009-00. The police did not understand about the carbon monoxide because nobody knew it was going on. Brian David Hill exhibited mental confusion which of course mental and brain problems come from prolonged exposure to carbon monoxide gas exhaust into the Apartment. The police did not believe Brian David Hill and had charged him with intentionally making an obscene display on September 21, 2018. Brian Hill tried to mail evidence of his prolonged exposure to carbon monoxide to both the Circuit Court and Martinsville Police Department but both had ignored it. Police refused to even look at it. Refused to even open the envelope with the evidence proof. See **Exhibit 5.**

7. Dr. Balakrishnan had some concerns with some abnormal laboratory results on July 31, 2018. A few months prior to the weird incident on September 21, 2018. He suspected something may have been wrong with Brian David Hill. That would be caused by the carbon monoxide gas which of course causes carbon monoxide poisoning. See **Exhibit 6.**

8. Before the Martinsville Police arrested Brian David Hill for indecent exposure on September 21, 2018, presumably due to the prolonged exposure to the exhaust of gas from the fireplace of Apartment 2 without proper ventilation due to “The Chimney Sweep” presumably placing metal tin on top of the chimney on October 5, 2017, as the metal tin was found by Pete Compton in January of 2019. Before the Martinsville Police arrested Brian David Hill, the Hospital had failed or refused to conduct laboratory testing, any drug testing, or even any alcohol testing. However there were multiple readings of resting blood pulse being well over 100. There were issues but the Hospital failed to do their job at that time, but it does show that had the blood tests been conducted, they would have found the hyboxyhemoglobin levels of Carbon Monoxide poisoning in my blood. Regardless, it is indisputable that Brian David Hill was exposed to carbon monoxide caused by the gas exhaust of both the gas hot water heater and the gas radiator. See **Exhibit 7**.

9. The witnesses Stella Forinash, Kenneth Forinash, Pete Compton, and Roberta Hill are all material witnesses to this complaint and the resolution process is necessary for the best interests of justice in multiple aspects. The Chimney Sweep must be held accountable for the irreparable harm and damages caused to Brian Hill. Also his federal probation officer Jason McMurray of Roanoke, VA witnessed the damage coming from Apartment 2 prior to Brian David Hill being arrested for indecent exposure. Damage on the wall surrounding the fireplace and the damage

from the ceiling. His probation officer had not known at those times prior to Brian Hill's arrest what caused such damage. An email was sent by Brian's grandparents to the Probation Officer over the carbon monoxide issues. That shall be **Exhibit 8**.

**RESOLUTION REQUESTED BY BRIAN HILL TO THE ATTORNEY  
GENERAL; RESOLUTION REQUESTED OF THE DAMAGES AND  
IRREPARABLE HARM CAUSED BY "THE CHIMNEY SWEEP"  
BUSINESS**

Brian David Hill requests the following remedies from "The Chimney Sweep" business from Rocky Mount:

1. Brian David Hill would like whoever had worked on the chimney on October 5, 2017, to simply admit to that procedure on that date, in writing and under oath, affidavit. Admit to placing the metal tin over the chimney flues at 310 Forest Street, Martinsville, Virginia 24112. It all needs to be admitted under oath and filed with the Attorney General, a copy to myself Brian Hill, and a copy with the Commonwealth's Attorney in my criminal case

2. Brian David Hill would like acquittal of his indecent exposure charge since the carbon monoxide poisoning caused or majorly contributed to the charge against Brian David Hill because he was exposed to gas exhaust due to the placing of metal tin presumably by "The Chimney Sweep" had led to such issues with psychosis and presumably hallucinations caused by the carbon monoxide. If not acquittal then

Brian David Hill would like his criminal case legal expenses including legal fees demanded by the Commonwealth to be entirely reimbursed by “The Chimney Sweep” business for such damages and liability caused by their incompetence. The reason why reimbursement is requested is because Brian David Hill’s only source of income is his SSI disability money. He cannot afford to pay the Commonwealth of Virginia for legal expenses accrued as a result of him being forced to continually fight his criminal case caused by weird abnormal behavior caused by the Carbon Monoxide poisoning caused by prolonged exposure to the carbon monoxide gas.

3. Brian David Hill would like “The Chimney Sweep” to be witnesses in any jury trial or bench trial or any hearing in the criminal case of City of Martinsville and Commonwealth of Virginia v. Brian David Hill, criminal case no. CR19000009-00. They are at fault for the carbon monoxide because of the metal tin placed on top of the chimney flues.

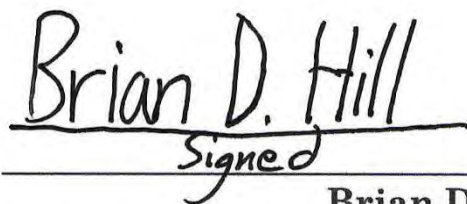
4. Brian David Hill is not filing this complaint on Roberta Hill’s behalf but Brian is filing this because of the years of suffering and mental health damages and anguish caused by the criminal case caused by the exposure to carbon monoxide. Brian may ask her to email this complaint or submit this complaint and exhibits. She is not involved in this complaint other than simply submitting it to the Office of the Attorney General at Brian Hill’s insistence because he is not allowed to use the internet at this time. Roberta Hill can file a separate complaint if she feels she is

entitled to any relief or resolution. Brian Hill will testify that she has been damaged too by the carbon monoxide. Her vision is not as good requiring her to wear glasses. Brian Hill's eye vision is not as good after the prolonged exposure to the carbon monoxide.

Brian asks for resolution against "The Chimney Sweep" as soon as possible for resolution in his criminal case and for resolution outside of his case for the damages and mental health issues on September 21, 2018 and thereafter, caused by the Carbon Monoxide caused by metal tin placed on top of the chimney flues found by Pete Compton and believed to be caused by somebody working for "The Chimney Sweep" on October 5, 2017. Brian demands an investigation into the misconduct by somebody working for The Chimney Sweep.

Respectfully Filed/Submitted on May 17,  
2022,

**BRIAN DAVID HILL**  
**Pro Se**

  
Signed

**Brian D. Hill**

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Brian David Hill – Ally of Qanon  
Founder of USWGO Alternative  
News



310 Forest Street, Apt. 2  
Martinsville, Virginia 24112  
(276) 790-3505

*Pro Se Appellant*

<https://JusticeForUSWGO.wordpress.com>

<https://JusticeForUSWGO.nl>



### **EXHIBIT LIST**

EXHIBIT LIST	EXHIBIT PAGES
<b>EXHIBIT 1:</b> Witness statement from Pete Compton of ACE Chimney company in Bassett, Virginia. Willing to testify under oath	1-1
<b>EXHIBIT 2:</b> Sovah Health Martinsville medical records of Brian David Hill dated November 19, 2017.	2-31
<b>EXHIBIT 3:</b> DECLARATION OF ROBERTA HILL IN SUPPORT OF THE PETITIONER BRIAN DAVID HILL'S PETITION FOR THE WRIT OF ACTUAL INNOCENCE – about the carbon monoxide gas exposure. As well as photos of the carbon monoxide damage and a letter from Brian Hill’s grandparents. It said in one portion: “...young son of the owner of the chimney company in Rocky Mount, VA” So Stella & Ken Forinash suspected it may have been the son of the owner of that chimney company.	32-48
<b>EXHIBIT 4:</b> Diagnosis from Dr. Conrad Daum of Piedmont Community Services diagnosing Brian David Hill with psychosis but of an unknown substance or whatever it is, read the report.	49-59



<b>EXHIBIT 5:</b> Arrest warrant and CRIMINAL COMPLAINT out of incident believed was caused by the carbon monoxide gas and poisoning.	60-62
<b>EXHIBIT 6:</b> Medical lab report from Carilion Clinic on July 31, 2018, on abnormal readings which may or may not be associated with Carbon Monoxide.	63-66
<b>EXHIBIT 7:</b> Sovah Health Martinsville medical records of Brian David Hill dated Friday, September 21, 2018.	67-73
<b>EXHIBIT 8:</b> Email printout of email from Stella and Kenneth Forinash CC to: Roberta Hill and email mainly sent to USPO Jason McMurray about the Carbon Monoxide issues.	74-87

# EXHIBIT 3

In the Court of Appeals of Virginia  
In the City of Richmond

<b>Brian David Hill,</b>	)	
<b>Petitioner/Defendant</b>	)	
	)	
<b>v.</b>	)	<b>Criminal Action No. CR19000009-00</b>
	)	
<b>Commonwealth of Virginia,</b>	)	<b>Civil Action No. _____</b>
<b>Respondent/Plaintiff</b>	)	
	)	
	)	

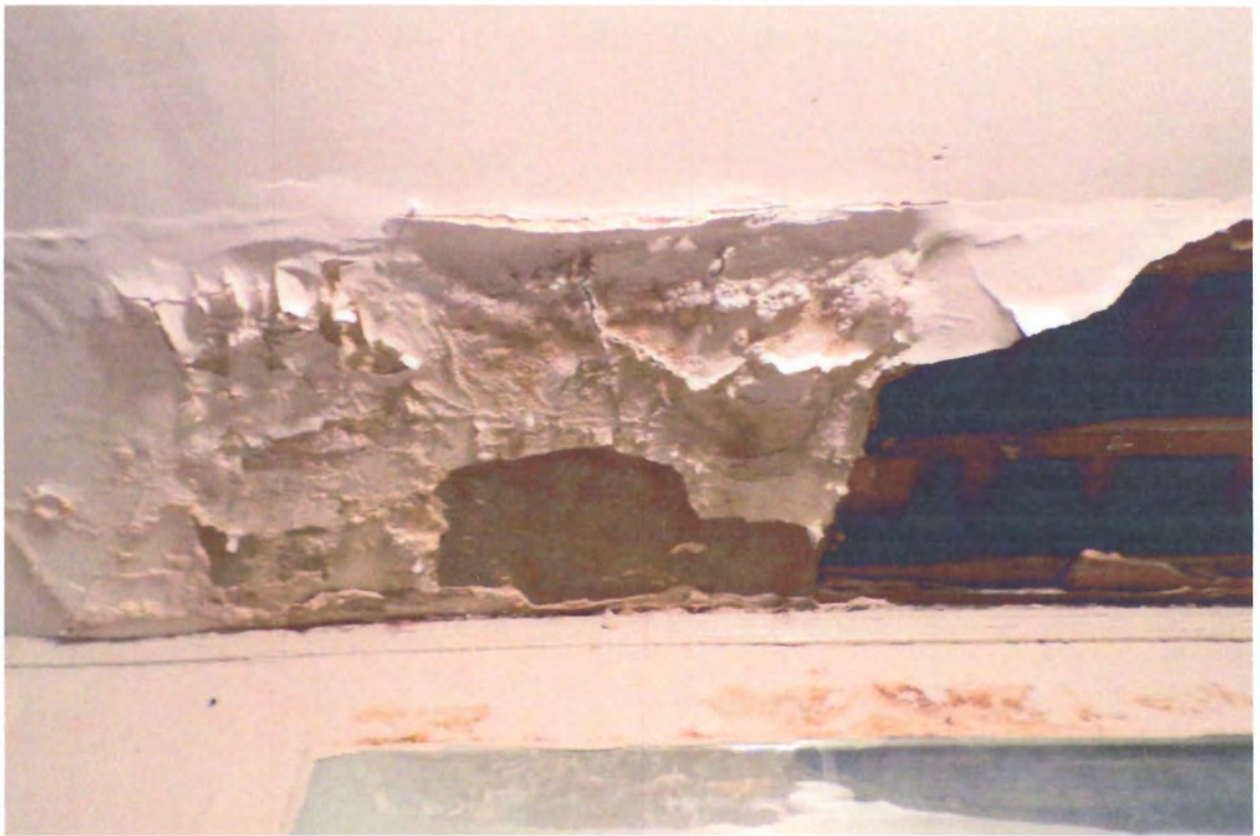
## DECLARATION OF ROBERTA HILL IN SUPPORT OF THE PETITIONER BRIAN DAVID HILL'S PETITION FOR THE WRIT OF ACTUAL INNOCENCE

I, Roberta Hill, being first duly sworn upon oath, do hereby depose and state:

On September 21, 2018, I woke up around 4 am hearing a knock at the door. A police officer informed me that they had found my son 2 miles away from home on a walking trail. He said that they took him to the hospital. He asked me if my son was autistic, and I answered "yes".

On January 20, 2019, I had a fireplace expert named Pete Compton of ACE Chimney & Wildlife come out to check on some water damage near the fireplace and he found out that the chimney had been completely covered in tin. He told me that carbon monoxide was coming into my apartment and my son's apartment. He said it condenses and that is what was causing the water damage in the ceiling next to the fireplace in my son's apartment.

Photos I had taken are below.







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


Executed this 9<sup>th</sup> day of January, 2022.

A handwritten signature in cursive script, reading "Roberta Hill", is positioned above a horizontal line.

Signed

Roberta Hill  
310 Forest Street, Apartment 1  
Martinsville, Virginia 24112  
(276) 790-3505

DIAGNOSIS			
Axis/Order	Axis 3/1	Diagnosis	(F42.9) Obsessive-compulsive disorder, unspecified
Axis/Order	Axis 3/2	Diagnosis	(F84.0) Autistic disorder
Axis/Order	Axis 3/3	Diagnosis	(F29) Unspecified psychosis not due to a substance or known physiological condition
Axis/Order	Axis 3/4	Diagnosis	(F41.1) Generalized anxiety disorder
WHODAS 2.0 General Disability			
Assessment Date	General Raw Score	General Average Score	
Score description	Raw Score	Average Score	
Cognition			
Mobility			
Self-care			
Getting along			
Life activities			
Participation			

 <b>Piedmont Community Services</b> 13 MOSS ST SOUTH MARTINSVILLE, VA 24112	
Client Name: <b>BRIAN HILL</b>	SSN/Acct # [REDACTED]
Address: <b>310 FOREST ST APT 2 MARTINSVILLE VA 24112-4939</b>	Date/Time: <b>10/24/2018 9:51 AM to 10:23 AM</b>
Insurance:	Employee Name: <b>CONRAD DAUM / MD</b>
Diagnosis:	Visit Type/CPT <b>Med Note [Jail] / Nonbill</b>
DOB <b>5/26/1990</b>	
Notes: <b>Non-Face-to-Face Service</b>	
<b>HISTORY</b>	
<p><b>Chief Complaint: Notes:</b>          "guy in hodie threatened to kill my mother if I didn't do what he said" "meltdown" He was arrested for walking down the street naked and charged with a probation violation.</p> <p><b>History of Present Illness (HPI): Notes:</b>          local is mental, quality he agreed to zyprexa and zoloft. severity moderate, duration 1st admit 2013 ONLY, time of tx start here 2013, context jail inmate. associated he was convicted for child porn and is on sex registry. He believes he was convicted unfairly by a conspiracy of the court officials. He believes Critical documents proving his innocence were deliberately destroyed. Modify is tx accepted, ill's see med hx.</p> <p><b>Past Medical / Family Medical / Social Hx: .</b>  <b>LEGAL HX:</b> He would only discuss the child pron and probation violation convictions.</p> <p><b>PSYCH HX:</b> He tried suicide, but no family hx, he denied wanting to harm self or others the past month. He denied any SUD or tobacco, Hx autism, OCD, GAD</p> <p><b>MEDICAL HX:</b> Diabetes, IBS, Eczema, op only wisdom teeth, no fx hx, hypoglycemic seizures, hx concussions during seizures.</p> <p><b>FAMILY HX:</b> 0 kids, 1/2 sisters=2, 0 brothers, mom living, dad hx unknown no hx of inpatient , SUD, jail. Hx Hypertension, ulcerative colitis,</p> <p><b>SOCIAL HX:</b> born Orlando FL, raised NC, some HS, single, no church, on disability, lives alone with caretaker's help.</p>	
<p><b>Review of Symptoms (ROS)</b></p> <p><b>Constitutional: Notes:</b>          sleeping ok</p> <p><b>Eyes: Notes:</b>          see ok</p> <p><b>Ears, Nose, Mouth, Throat: Notes:</b>          hear ok</p> <p><b>Cardiovascular: Notes:</b>          no chest pain</p>	

**Respiratory: Notes:**

breathing ok

**Musculoskeletal: Notes:**

no LBP

**Integumentary (skin and/or breast): Notes:**

no tattoos

**Neurological: Notes:**

seizure hx and diabetic foot neuropathy

**Endocrine: Notes:**

diabetes

**Hematologic/Lymphatic: Notes:**

no nodes

**Allergic/Immunologic: Notes:**

allergy see list

**Genitourinary: Notes:**

bladder frequency

**Gastrointestinal: Notes:**

GERD SX, episodic diarrhea

**EXAM**

**Constitutional Vital Signs:**

**Musculoskeletal**

**Muscle strength and tone: Notes**

ok

**Gait and station: Notes**

ok



**Behavior**

**Appearance:** Well-groomed

**Activity:** Normal

**Attitude:** Cooperative

**Articulation (Speech):** Normal Rate, Rhythm, Volume

**Sensorium**

**Consciousness:** Alert

**Orientation:** Full

**Memory:** Intact

**Attention/Concentration:** Adequate

**Emotion**

**Affect:** Comfortable and Reactive

**Mood:** Euthymic

**Congruency:** Congruent

**Suicidal Ideation:** None

**Homicidal Ideation:** None

**Thought**

**Thought Process:** Goal-directed

**Thought Content:** Delusional

**Intelligence:** Average

(based upon fund of knowledge, comprehension, and vocabulary)

**Insight:** Full

**Judgement:** Intact

**Perception:** Normal

**Impression**

**Brief summary of present status of case:** Notes  
aims=0

**DIAGNOSES**

**Current Diagnoses:**

**Effective Date :** 10/24/2018

1 (F42.9) Obsessive-compulsive disorder, unspecified

**Diagnosed By :** **Diagnosed Date :**

**Onset Date :** **Previous Onset Date :**

**Onset Prior to Admission:**

**R/O:** No

**Notes:**

**Date Updated:** 03/21/2017

**SNOMED:** -

2 (F84.0) Autistic disorder

**Diagnosed By :** **Diagnosed Date :**

**Onset Date :** **Previous Onset Date :**

**Onset Prior to Admission:**

**R/O:** No

**Notes:**

**Date Updated:** 03/02/2016

**SNOMED:** -

3 (F29) Unspecified psychosis not due to a substance or known physiological condition

**Diagnosed By :** **Diagnosed Date :**

**Onset Date :** **Previous Onset Date :**

**Onset Prior to Admission:**

**R/O:** No

**Notes:**

Date Updated: 10/24/2018  
SNOMED: -

4 (F41.1) Generalized anxiety disorder  
Diagnosed By :      Diagnosed Date :  
Onset Date :      Previous Onset Date :  
Onset Prior to Admission:  
R/O: No  
Notes: BRITTLE DIABETES  
Date Updated: 10/24/2018  
SNOMED: -

WHODAS 2.0 General Disability      Assessment Date:  
Raw Score:      Avg Score:  
Cognition:  
Mobility:  
Self-care:  
Getting along:  
Life activities:  
Participation:

**Psych Diagnoses & Status**

Diagnosis: all

Status: Stable

**Medical Diagnoses & Status**

**COLUMBIA ASSESSMENT**

**1) Wished to be Dead:**

Have you wished you were dead or wished you could go to sleep and not wake up?: No

**2) Suicidal Thoughts:**

Have you actually had any thoughts of killing yourself?: No

**6) Suicidal Behavior Question:**

Have you ever done anything, started to do anything, or prepared to do anything to end your life?: Yes

Was this within the past three months? (please explain): No

**SUMMARY**

Service Modality: Non-Face-to-Face Service

**Current Medications:**

Medication:insulin aspart U-100 100 unit/mL subcutaneous solution

Start Date:10/24/2018

Dosage:

Frequency:

Medication:olanzapine 2.5 mg tablet

Start Date:10/24/2018

Sig:Take 1 Caplet By Oral Route 1 time at bedtime for mood swings

Medication:sertraline 50 mg tablet

Start Date:10/24/2018

Sig:Take 1 Caplet By Oral Route 1 time after breakfast for anxiety

**Plan**

Medication Changes: .

Next Appointment: Date

pm

E/M Level: 5

E/M Score: 5

Employee Signature

*Conrad Daum MD*


10/24/18 2:51 PM  
CONRAD DAUM - MD  
MD

*Conrad Daum MD*

Supervisor's Signature

Approved by CDAUM on 10/24/18  
CONRAD DAUM, MD, MD

condition, procedure, doctor name...

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 close

## Conrad Daum, MD

Psychiatrist

Radford, VA

Conrad Daum, MD is a Psychiatrist in Radford, VA. Conrad Daum completed their Residency at Wake Forest U Baptist Medical Center. Following their education, Conrad Daum was board certified by the American Board of Psychiatry.

Conrad Daum, MD does not participate in Zocdoc to offer online booking at this time.

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**Dr. Marwa Ghabra, MD**

Psychiatrist

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**Dr. Sahar Zaidi, MD**

Psychiatrist

★★★★★ (8)

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**Conrad Daum, MD**

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## Education and background

### Specialties

Psychiatrist

### Board certifications

American Board of Psychiatry Certification in Psychiatry

American Board of Addiction Psychiatry Certification in Addiction Psychiatry

American Board of Forensic Psychiatry Certification in Forensic Psychiatry

American Board of Geriatric Psychiatry Certification in Geriatric Psychiatry

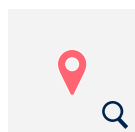
### Education and training

University Of Kentucky College Of Medicine (Medical School)

Wake Forest U Baptist Medical Center (Residency)

NPI number ⓘ

## Conrad Daum's office location



401 W Main St  
Radford, VA 24141

## Find an in-network doctor and book online

Conrad Daum does not participate in Zocdoc to offer online booking at this time. Choose from thousands of doctors on Zocdoc and book an appointment online for free.

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# WARRANT OF ARREST—MISDEMEANOR (LOCAL)

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

Martinsville

CITY OR COUNTY

☒ General District Court ☒ Criminal ☐ Traffic  
☐ Juvenile and Domestic Relations District Court

Martinsville

☒ City ☐ County ☐ Town

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about **09/21/2018** did unlawfully in violation of Section

DATE

**13-17/18.2-387**

Code or Ordinances of this city, county or town: intentionally make an obscene display of the accused's person or private parts in a public place or in a place where others were present.

## EXHIBIT 5

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

**SGT. R.D. JONES MPD**

Complainant.

Execution by summons ☐ permitted at officer's discretion. ☒ not permitted.

**09/21/2018 05:35 AM**

DATE AND TIME ISSUED

*Courtney D. Reid*

☐ CLERK ☒ MAGISTRATE ☐ JUDGE  
Courtney D. Reid

VIRGINIA  
of Martinsville Circuit Court  
Clerk's Office.

Received and Filed this the

**9th** Day of **January** **2019**  
**12:21 P.M.**

Teste: *[Signature]*

**DNA SAMPLE (on file)**

<< 60 >>

CASE NO. **C18-3138**

ACCUSED:

Hill, Brian David

LAST NAME, FIRST NAME, MIDDLE NAME

310 Forest St Apt 2

ADDRESS/LOCATION

Martinsville, VA 24112

To be completed upon service as Summons

Mailing address ☐ Same as above

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR
W	M	MO. DAY YR. 05/26/1990	FT. IN. 6' 00"	150	BLU	BRO

SSN

DL#

STATE

☐ Commercial Driver's License

**CLASS 1 MISDEMEANOR**

- ☒ EXECUTED by arresting the Accused named above on this day:  
☐ EXECUTED by summoning the Accused named above on this day:  
☐ For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.

**9/21/18**

**0538**

DATE AND TIME OF SERVICE

**R Jones**

ARRESTING OFFICER

**22 MPD 113**

BADGE NO., AGENCY AND JURISDICTION

for

SHERIFF

Attorney for the Accused:

*Pub. Def.*

Short Offense Description (not a legal definition):  
**INDECENT EXPOSURE**

Offense Tracking Number:

**690GM1800003560**

FOR ADMINISTRATIVE USE ONLY

Virginia Crime Code:

**OBS-3713-01**

Hearing Date/Time

**10-05-18**

**3:00 PM**

**12-21-18**

**10:45 AM**

**LOCAL**

*Case  
Appealed  
Please & Remove  
H*

None may be required

The Accused was this day:

☐ tried in absence ☒ present

☒ PROSECUTING ATTORNEY PRESENT (NAME)

☒ DEFENDANT'S ATTORNEY PRESENT (NAME)

☐ NO ATTORNEY ☐ ATTORNEY WAIVED

☐ If convicted, no jail sentence will be imposed

☐ INTERPRETER PRESENT

☐ Certified pursuant to § 19.2-190.1.

Plea of Accused:

☒ not guilty ☐ Witnesses sworn

☐ nolo contendere

☒ guilty ☐ Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.

☐ Plea and Recommendation

And was TRIED and FOUND by me:

☐ not guilty ☒ guilty as charged

☐ guilty of .....  
VCC .....

☐ facts sufficient to find guilt but defer  
adjudication/disposition to .....

DATE AND TIME  
and place accused on probation, §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

☐ A separate order for First Offender is  
attached and incorporated in this order.

☐ Costs imposed upon defendant.

DATE

JUDGE

And was FOUND by me to be:

☐ driving a commercial motor vehicle

☐ carrying hazardous materials

☐ I ORDER a nolle prosequi on prosecution's motion

☐ I ORDER the charge dismissed ☐ with prejudice

☐ conditioned upon payment of costs and

☐ successful completion of

☐ traffic school

☐ mature driver school, § 16.1-69.48:1.

☐ accord and satisfaction, § 19.2-151.

☐ under §§ 4.1-305, 18.2-57.3, 18.2-251 or  
19.2-303.2.

☐ Guilty – upon a violation of a term or condition of a  
deferred adjudication/disposition.

I impose the following Disposition:

☐ FINE ☐ CIVIL PENALTY of \$ .....

with \$ ..... suspended

☒ JAIL SENTENCE of 30 days

imposed, ☐ of which ..... days

mandatory minimum, with ..... suspended

for a period of ....., conditioned  
upon being of good behavior, keeping the peace, obeying this  
order and paying fines and costs. Credit is allowed pursuant to  
§ 53.1-187 for time spent in confinement.

☐ Serve jail sentence beginning .....

☐ on weekends only

☐ Work release ☐ authorized if eligible ☐ required

☐ not authorized

☐ Public work force ☐ authorized ☐ not authorized

☐ on PROBATION for .....

☐ VASAP ☐ local community-based probation agency

☐ Monitoring by GPS/other tracking device

☐ DRIVER'S LICENSE suspended for .....

☐ Restricted Driver's License per attached order

☐ Ignition Interlock for .....

☐ RESTITUTION order incorporated

☐ Restitution payment is a condition of suspended  
sentence

☐ COMMUNITY SERVICE ..... hours to be

completed by .....

and supervised by .....

☐ to be credited against fines and costs

☐ Contact prohibited between defendant and victim/ victim's  
family or household members

☐ Other: .....

☐ Reimburse Commonwealth for investigatory medical fees

☐ Pay \$50 to the Court for Trauma Center Fund

☐ Bail on Appeal \$ .....

☐ Remanded for ☐ CCRE Report ☐ .....

DRIVER'S LICENSE/PRIVILEGE TO DRIVE IN VIRGINIA

SUSPENDED EFFECTIVE IN 30 DAYS IF FINES, COSTS,

FORFEITURES, PENALTIES OR RESTITUTION ARE NOT

PAID. Va. Code § 46.2-395.

DATE

JUDGE

Offense Tracking Number: 690GM1800003560

FINE

LOCALITY

COSTS

223 LIQUIDATED DAMAGES

461 FIXED MISD FEE

462 FIXED DRUG MISD FEE

001 INT CRIM CHILD FEE

113 WITNESS FEE

113 IGNITION INTERLOCK

113 DUI FEE

113 DNR

121 TRIAL IN ABSENCE FEE

133 BLOOD TEST FEE

137 TIME TO PAY

192 TRAUMA CENTER FEE

202 WITNESS FEE

217 CT. APPT. ATTY

228 COURTHOUSE  
CONSTRUCTION FEE

234 JAIL ADMISSION FEE

243 LOCAL TRAINING  
ACADEMY FEE

244 COURTHOUSE  
SECURITY FEE

OTHER (SPECIFY):

TOTAL

☐ Stay of the proceedings pursuant to § 16.1-131.1

DATE

JUDGE

# CRIMINAL COMPLAINT

Commonwealth of Virginia

RULES 3A:3 AND 7C:3

Martinsville

CITY OR COUNTY

☒ General District Court

☐ Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

09/21/2018

in the ☒ City ☐ County ☐ Town

DATE OFFENSE OCCURRED

of Martinsville

I base my belief on the following facts: (Print ALL information clearly.)

On the above date I responded to the area of Pine St. at the steps for the Dick and Willie Trail due to a naked white male that had been seen running on Hooker St from Church St. Officers were in the area of Hooker St and had not located the male. I walked down the steps to the trail where i herd foot steps coming towards me. I could see a person walking on the trail and they stopped. I signed my light on the male and he turned and ran. He was naked except for his shoes and socks. The male had items in his hand when he ran. I chased the suspect off the left side of the trail down a bank and into the creek. I was yelling stop and show me your hands during the chase. When the male was detained he was read Miranda and started talking about a black male in a hoodie made him get naked and take pictures of himself. He was transported to the hospital due to knee pain. While at the Hospital he stated that he was alone when he took the photos of himself and he gave Ofc. Warnick promising to view his camera. On the Camera was several photo of himself naked around the city. He was medically and psychologically cleared. He was arrested for indecent Exposure. Mr. Hill's clothing was located in his bag. All took place in the city.

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:

By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.

The charge in this warrant cannot be dismissed except by the court, even at my request.

Sgt. R. Jones #220

NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)  
(PRINT CLEARLY)

*[Signature]*

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

09/21/2018 05:35 AM

DATE AND TIME

*Courtney D Reid*

☐ CLERK ☐ MAGISTRATE ☐ JUDGE

x

Courtney D. Reid

## CRIMINAL COMPLAINT

ACCUSED: Name, Description, Address/Location

Hill, Brian David

LAST NAME, FIRST NAME, MIDDLE NAME

310 Forest St Apt 2

Martinsville, VA 24112

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
W	M	Mo.	DAY	YR.	FT.	IN.			
		05	26	90	6	0	150	BLU	BRN

SSN

☐ Complainant is not a law-enforcement officer or animal control officer. Authorization prior to issuance of felony arrest warrant given by  
☐ Commonwealth's attorney  
☐ Law-enforcement agency having jurisdiction over alleged offense

NAME OF PERSON AUTHORIZING ISSUANCE OF WARRANT

DATE AND TIME AUTHORIZATION GIVEN

13-17 Indecent Exposure

BRIAN DAVID HILL - Just found out more about Brian to share with you. This has to do with carbon monoxide poisoning

---

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

To: jason\_mcmurray@vawp.uscourts.gov

Cc: rbhill67@yahoo.com

Date: Sunday, March 10, 2019, 04:44 PM EDT

---

## EXHIBIT 8

Hi Jason,

We (Brian's mom & grandparents) have been wanting to thank you for all of your support for Brian since 2015. He is blessed to have you in his life, knows all you have done to help him all of these years and appreciates it and you. He was impressed that you stood up for him in court and has told us all about it more than once. Right now he seems to be getting along well in Butner, meeting new friends and is impressed with all of the prison guards and employees there and was in the Roanoke and Martinsville jails as well. We think for the first time, Dr. Grainey also knows that he is innocent of the initial charge of knowingly downloading child porn. When one knows all the facts, he is innocent. The facts are in the court, all of the proof of his innocence. It will be interesting to see her report. I am sending this email to Brian's mom, Roberta. We saw Brian yesterday, and he is well looking forward to being released.

We have new information to share with you and will take a copy of this new information to his attorney in Martinsville, VA tomorrow and might need to send a copy to his federal attorney in Roanoke as well. Jason, we know that you are very busy but would appreciate a reply that you did get this email. We are enclosing a

copy of the letter Brian's mom, Roberta wrote to Brian that we will send to him in the mail tomorrow to show to Dr. Grainy. We're also sending a copy of a 6 page document we wrote to Brian in the mail to show Dr. Grainy and 2 receipts of proof.

I think you might know a little if you remember the leak in Brian's fireplace in his apartment as well as the damage along the wall and ceiling near his fireplace. It was all a mystery because his mom's fireplace, wall and ceiling above his did not have any damage. Anyway, we discovered what the problem was on January 30th this year and are now aware that this all can explain why Brian left the house the night of Sept. 21st and was walking all around Martinsville miles from home confused. We were in shock when we found out, and I'm sure that you and Preston were too. This was not anything Brian had ever done before, but the 9 pages attachment helps us understand what was going on with him. After we all 4 (Brian, his mom, and we, (grandparents) talked about this at Butner yesterday, Brian asked us to write him about it and to send the proof. He wanted to know if that could have caused his confusion and memory loss so his mom told him we would check into it when we get home and let him know.

We have also sent the proof to his attorney (Martinsville & Roanoke) about the threats he had received (as well as the emails where this person sending these threats to Brian, Sue Basko (attorney) and others admitted to setting Brian up with CP (child porn) and admitted putting it on his computer. When Brian was trying to